DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE CITY OF MENIFEE

MILL CREEK PROMENDADE PROJECT

(State Clearinghouse No. 2017111041)

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LIST OF ABBREVIATIONS AND ACROYNMS

AAQS	Ambient Air Quality Standards
AB	Assembly Bill
ACOE	U.S. Army Corps of Engineers
ADP	Area Drainage Plans
ADT	Average Daily Traffic
AEP	Association of Environmental Professionals
ALUCP	Airport Land Use Compatibility Plan
amsl	above mean sea level
AOC	Area of Concern
APE	Area of Potential Effect
APN	Assessor's Parcel Number
APs	Area Plans
APS	Alternative Planning Strategy
AQIA	Air Quality Impact Analysis
AQMP	Air Quality Management Plans
ARB	Air Resources Board
BAAQMD	Bay Area Air Quality Management District
BACMs	Best Available Control Measures
BAU	business-as-usual
BGS	below ground surface
BLOS	Bicyclist Level of Service
BMPs	Best Management Practices
BP	Business Park
BUOW	burrowing owl
CAAQS	California Ambient Air Quality Standards
CalARP	California Accidental Release Prevention Program
CalEEMod™	California Emissions Estimator Model™
Cal/EPA	California Environmental Protection Act
CalFire	California Department of Forestry and Fire Protection
CALGreen	California Green Building Standards Code
Calveno	California Vehicle Noise
Cal/OSHA	California Occupational Safety and Health Administration
CAP	Climate Action Plan
CARB	California Air Resources Board
CBC	California Building Code
CCAR	California Climate Action Registry
CCR	California Code of Regulations
CD	Community Development
CDF	California Department of Forestry
CDFW	California Department of Fish and Wildlife
CDOGG	California Division of Oil, Gas and Geothermal Resources
C&D	Construction and Debris

CEC	California Energy Commission
CEQA	California Environmental Quality Act
CERCLA	Comprehensive Environmental Response Compensation and Liability Act
CERCLIS	Comprehensive Environmental Response, Compensation, and Liability Information System list
CESA	California Endangered Species Act
CETAP	Community Environmental Transportation Acceptability Program
CFD	Community Facilities District
CFR	Code of Federal Regulation
CH_4	Methane
CHHSLs	California Human Health Screening Levels
CHP	California Highway Patrol
CIP	Capital Improvement Program
CIWMP	Countywide Integrated Waste Management Plan
CMP	Congestion Management Program
CNEL	Community Noise Equivalent Level
CO	Carbon
CO_2	Carbon Dioxide
CO_2e	Carbon Dioxide equivalent
COA	Conditions of Approval
CORRACTS	Corrective Action Sites facilities list
CPUC	California Public Utilities Commission
CR	Commercial Retail
CRA	Colorado River Aqueduct
CRDEH	County of Riverside Department of Environmental Health
CUPA	Certified Unified Program Agency
CY	cubic yard
CZ	Change Zone
dB	decibel
dBA	A-weighted decibel
DBESP	Determination of Biologically Equivalent or Superior Preservation
DEIR	Draft Environmental Impact Report
DIF	Development Impact Fee
DNL	Day/Night Average Sound Level
DOD	Department of Defense
DOT	Department of Transportation
DTSC	Department of Toxic Substance Control
DU/AC	dwelling units per acre
EAP	Existing Plus Ambient Growth Plus Project
EAPC	Existing Plus Ambient Growth Plus Project Plus Cumulative
ECC	Emergency Command Center
EDC	Economic Development Corridor
EDR	Estate Residential
EIC	Eastern Information Center

EIR	Environmental Impact Report
EMWD	Eastern Municipal Water District
EPA	Environmental Protection Agency
EPS	Emission Performance Standard
ERCI	Emergency Responses, Complaints and Investigation
ERNS	Emergency Response Notification System
ESA	Environmental Site Assessment
FAR	Floor Area Ratio
FEMA	Federal Emergency Management Act
FHBMs	Flood Hazard Boundary Maps
FHWA	Federal Highway Administration
FIA	Fiscal Impact Analysis
FICON	Federal Interagency Committee on Noise
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Mitigation Program
FPER	Fire Protection and Emergency Response Services
FTA	Federal Transit Administration
FUDS	Formerly Used Defense Sites
GHGs	Greenhouse Gases
GMZs	Groundwater Management Zones
GPA	General Plan Amendment
GPD	gallons per day
GPF	gallons per flush
GWP	Global Warming Potential
HCD	Housing and Community Development
HCM	Highway Capacity Manual
HCOC	Hydrologic Conditions of Concern
HDR	High Density Residential
HECW	High-Efficiency Clothes Washers
HETs	High-Efficiency Toilets
HFCs	Hydroflourocarbons
HPLV	High Pressure Low Volume
HQTA	High Quality Transportation Area
HUD	Housing and Urban Development
HWCL	Hazardous Waste Control Law
IBC	International Building Code
IC/EC	Institutional Controls / Engineering Controls registries
IN/SEC	inches per second
IPCC	Intergovernmental Panel on Climate Change
IS/EA	Initial Study/Environmental Assessment
ITE	Institute of Transportation Engineers
JD	Jurisdictional Delineation
LEQ	equivalent energy level
LHMWD	Lake Hemet Municipal Water District

LID	Low Impact Development
LOS	Level of Service
LST	Localized Significance Thresholds
MAC	Municipal Advisory Council
MBTA	Migratory Bird Treaty Act
MDR	Medium Density Residential
MGD	million gallons per day
MM	Mitigation Measure
MMT	million metric tons
MPOs	Metropolitan Planning Organizations
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
$MTCO_2e$	metric tons of Carbon Dioxide equivalent
MUSD	Menifee Union School District
MUTCD	Manual on Uniform Traffic Control Devices
MWD	Metropolitan Water District of Southern California
N_2O	Nitrous Oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NDIR	Non-Dispersive Infrared Photometry
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NFPA	National Fire Protection Association
NFRAP	No Further Assessment Planned site list
NIA	Noise Impact Analysis
NLR	Noise Level Reduction
NO_2	Nitrogen Dioxide
NOAA	National Oceanic and Atmospheric Administration
NOP	Notice of Preparation
NPDES	National Pollution Discharge Elimination System
NPL	National Priority List
NPMS	National Pipeline Mapping System
NPS	non-point source
O_3	Ozone
OAL	Office of Administrative Law
OEHHA	Office of Environmental Health Hazard Assessment
OES	Office of Emergency Services
OFM	Office of the County Fire Marshall
OFP	ozone forming potential
OPR	Office of Planning and Research
OS-C	Open Space Commercial
OSHA	Occupational Safety and Health Administration
OSHPD	Office of Statewide Health Planning and Development
OS-R	Open Space Recreation
PFCs	perfluorocabons

PHMSA	Pipeline and Hazardous Materials Safety Administration
PM_{10}	Respirable Particulate Matter
$PM_{2.5}$	Fine Particulate Matter
ppb	parts per billion
ppm	parts per million
PPV	Peak Particle Velocity
PUHSD	Perris Union High School District
R-A	Residential Agriculture
RC:EDR	Rural Community: Estate Density Residential
RCFC&WCD	Riverside County Flood Control and Water Conservation District
RCFD	Riverside County Fire Department
RCHCA	Riverside County Habitat Conservation Agency
RCLIS	Riverside County Land Information Systems
RCNM	Roadway Construction Noise Model
RCP	Reinforced Concrete Pipe
RCRA	Resource Conservation and Recovery Act
RCTC	Riverside County Transportation Commission
RCWD	Rancho California Water District
REC	recognized environmental condition
RHNA	Regional Housing Needs Assessment
RivTAM	Riverside County Transportation Analysis Model
ROG	Reactive Organic Gases
RTA	Riverside Transit Authority
RTP	Regional Transportation Plan
RWQCB	Regional Water Quality Control Board
RWRF	Regional Wastewater Reclamation Facility
SARA	Superfund Amendments and Reauthorization Act
SB	Senate Bill
SCAG	Southern California Association of Governments
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SCH	State Clearinghouse
SCHWMA	Southern California Hazardous Waste Management Authority
SC/MVAP	Sun City/Menifee Valley Area Plan
SCS	Sustainable Communities Strategy
SF	square foot
SF_6	Sulfur Hexafluoride
SFHA	Special Flood Hazard Area
SFP	School Facilities Program
SG	Southern Gateway
SHS	State Highway System
SKR	Stephen's kangaroo rat
SLIC	Spills, Leaks, Investigations and Cleanup
SO_2	Sulfur Dioxide

SoCAB	South Coast Air Basin
SoCalGas	Southern California Gas Company
SOP	Standard Operating Procedures
SP	Specific Plan
SRA	Source Receptor Area
STC	Sound Transmission Class
SWFP	Solid Waste Facility Permit
SWP	State Water Project
SWPPP	Storm Water Pollution Prevention Plan
SWRCB	State Water Resource Control Board
TDA	Tom Dodson & Associates
TIA	Traffic Impact Analysis
TLMA	Transportation Land Management Agency
TSD	Treatment, Storage and Disposal facility list
TTM	Tentative Tract Map
TPD	tons per day
TUMF	Transportation Uniform Mitigation Fee
UBC	Uniform Building Code
ULFT	Ultra-Low-Flush Toilets
U.S.	United States
USACE	U.S. Army Corps of Engineers
USGS	U.S. Geological Survey
UST	Underground Storage Tank
UWMP	Urban Water Management Plan
VEC	Vapor Encroachment Condition
VES	Vapor Encroachment Screen
VdB	Vibration decibel
VOC	Volatile Organic Compound
VWRPD	Valley Wide Recreation and Park District
WDL	Water Data Library
WMD	Waste Management Department
WMI	Waste Management, Inc.
WQMP	Water Quality Management Plan
WRP	Waste Recycling Plan
WSA	Water Supply Assessment
WSCP	Water Shortage Contingency Plan
WSP	Water Supply Plan
WV	Written Verification
YRE	Year Round Education

CHAPTER 1 – EXECUTIVE SUMMARY

This Executive Summary for the Mill Creek Promenade Specific Plan No. 2016-246 Project (PP 2017-167, TR 37324 and TR 37127; proposed Project) Draft Environmental Impact Report (DEIR) summarizes the environmental effects that are forecast to occur from implementation of the proposed Project. It also contains a summary of the Project background, Project objectives, and Project description. A table summarizing environmental impacts, mitigation measures, and mitigation responsibility is included at the end of this Executive Summary.

1.1 PROJECT BACKGROUND

The Project applicant—Sherman and Haun LLC—proposes to implement the Mill Creek Promenade Specific Plan to allow the Mill Creek Promenade Project to be developed in a cohesive manner. The City of Menifee is serving as the lead agency entitlements and approvals required for the proposed project. These entitlements include: Adoption of the Mill Creek Promenade Specific Plan, No. 2016-246; approval of development plot plans (Plot Plan 2017-167); and tentative tract maps (Map No. 2017-165 (TR 37324) and Map No. 2017-166 (TR 37127)). The project proposes a mix of residential, commercial, industrial, and open space on approximately 58.5 acres, organized into five planning areas. As such, the approval of the proposed Specific Plan would alter the zoning of the proposed site EDC to SP. This change reflects the objective of providing more flexible development standards than authorized in the EDC zone classification. The project site is comprised of approximately 58.5 acres of contiguous, undeveloped land located on the south side of Garbani Road, between Sherman Road to the west, and Haun Road to the east within the City of Menifee. Refer to Figures 3-1 through 3-4.

The decision to prepare an Environmental Impact Report (EIR) was based on the finding that the proposed Project may have one or more significant effects on the existing Project environment and surrounding environment as is documented in the Notice of Preparation (NOP), provided as Subchapter 8.1 of this document. The NOP was distributed to interested agencies, the State Clearinghouse (SCH#2017111041), and a list of interested parties compiled by the City of Menifee. The City held a Scoping Meeting on November 28, 2017 at 6:00 p.m. in the City of Menifee City Hall. The date and location of the scoping meeting was announced in the NOP, and although not required, a legal advertisement announcing the scoping meeting was published in a newspaper of general circulation prior to the scoping meeting. A number of written responses were submitted in response to the NOP. Several comments were also received at the scoping meeting. These inputs are discussed in more detail in Chapter 2.3, Introduction

This DEIR has been prepared for the City of Menifee, Mill Creek Promenade Project and it evaluates the potential environmental impacts that would result from constructing and implementing the proposed Project. The focus of the analysis, in accordance with Section 15146 of the State CEQA Guidelines, addresses the specific and secondary effects of the proposed Project as presented in the Mill Creek Promenade Specific Plan. However, it is the combination of entitlements requested for this project that must be approved by the City to allow the development detailed in the Mill Creek Promenade Specific Plan be implemented.

1.2 INTENDED USE OF THIS ENVIRONMENTAL IMPACT REPORT

This DEIR has been prepared in accordance with the CEQA Statutes and Guidelines, 2018, pursuant to Section 21151 of CEQA. The City of Menifee is the Lead Agency for the Project and has supervised the preparation of this DEIR. This DEIR is an information document which will inform and assist public agency decision makers and the general public of the potential environmental effects, including any significant impacts that may be caused by implementing the proposed Project. Possible ways to minimize significant effects of the proposed Project and reasonable alternatives to the Project are also identified in this DEIR.

This document assesses the impacts, including unavoidable adverse impacts and cumulative impacts, related to the construction and operation of the proposed Project. This DEIR is also intended to support the permitting process of all agencies from which discretionary approvals must be obtained for particular elements of this Project. Other agency approvals (if required) for which this environmental document may be utilized include:

- Local jurisdiction Encroachment Permits (e.g., roadway improvements within the City of Menifee);
- Filing of a Notice of Intent with the State for a Construction Activity General Permit to address water quality concerns during construction;
- Determination of Biologically Equivalent or Superior Preservation (DBESP) Riverside County Transportation and Land Management Agency
- Eastern Municipal Water District extension of services and commitment to serve
- Acquisition of regulatory permits to disturb waters of the United States and State of California from the U.S. Army Corps of Engineers; San Diego Regional Water Quality Control Board; and California Department of Fish and Wildlife
- South Coast Air Quality Management District
- Riverside County Flood Control and Water Conservation Agency regarding the existing stream channel located on the project site for stormwater management

1.3 PROJECT OBJECTIVES

The following objectives have been established for the proposed project and will aid decision makers in their review of the project, its associated environmental impacts, and the proposed alternatives to the project:

Objective 1: Establish a comprehensively planned community, with a vibrant mix of uses that include and support a variety of housing, recreational, commercial, retail, restaurant, and industrial uses, and which are interconnected by sidewalks, trails, and bicycle lanes.

Objective 2: Provide for-sale housing opportunities that contribute to the mix of housing opportunities available within the City of Menifee.

Objective 3: Provide higher-density housing at a project site with good local and regional transportation access, in order to efficiently use existing infra-structure.

Objective 4: Develop a project that supports the Economic Development Corridor, while simultaneously buffering and protecting adjacent residential uses.

Objective 5: Establish and implement a cohesive set of development standards and design guidelines that will utilize a variety of architectural styles and design elements to create a unique neighborhood.

Objective 6: Provide the City with new open space and park amenities, and provide a mix of parkland types, such as a community park, pocket parks, natural open space, and recreational trails.

1.4 PROJECT APPROVALS

This DEIR will be used as the information source and CEQA compliance document for the following discretionary actions or approvals by the CEQA lead agency, the City of Menifee. CEQA requires that the City of Menifee, the CEQA Lead Agency, consider the environmental information in the project record, including this DEIR, prior to making a decision regarding whether or not to approve and implement the proposed project. The decision that will be considered by the City of Menifee is whether to approve the Adoption of the Mill Creek Promenade Specific Plan, No. 2016-246, which includes approval of development plot plans (Plot Plan 2017-167) and tentative tract maps (Map No. 2017-165 (TR 37324) and Map No. 2017-166 (TR 37127)) as defined in Chapter 3 of this document. This DEIR evaluates the environmental effects as outlined above.

The City of Menifee will serve as the CEQA Lead Agency pursuant to the State CEQA Guidelines Section 15015(b)(1). This DEIR has been prepared by Tom Dodson & Associates (TDA) under the direction of the City of Menifee. TDA was retained to assist the Applicant on behalf of the City of Menifee to perform the independent review of the project required by CEQA before the DEIR is released. The City of Menifee has reviewed the content of the DEIR and concurs in the conclusions and findings contained herein.

1.5 IMPACTS

Based on the findings of the NOP, the City concluded that an EIR must be prepared to address the proposed Project. A full scope DEIR has been prepared for the proposed Project.

Based on data and analysis provided in this DEIR, it is concluded the proposed Project could result in significant adverse environmental impacts to the following environmental issues: Air Quality, Greenhouse Gas, Noise (off-site impacts only), and Traffic/Transportation. All other potential impacts were determined to be less than significant without mitigation or can be reduced to a less than significant level with implementation of the mitigation measures identified in this DEIR. Note that the cumulative significant impacts are identified in this document based on findings that the Project's contributions to such impacts are considered to be cumulatively considerable which is the threshold identified in Section 15130 of the State CEQA Guidelines. Table 1.5-1 summarizes all of the environmental impacts and proposed mitigation and monitoring measures identified in this DEIR and will be provided to the decision-makers prior to finalizing the EIR.

The following issues evaluated in the DEIR have been determined to experience less than significant impacts based on the facts, analysis and findings in this DEIR.

Aesthetics: As described in Subchapter 4.2 of this DEIR, the development of the Mill Creek Promenade Project was determined to be less than significant with mitigation to address potential light and glare impacts to protect adjacent land uses and traffic on adjacent roadways. As a result, there will not be any unavoidable Project specific or cumulative adverse impacts to aesthetics from implementing the Project as proposed.

Agriculture: As described in Subchapter 4.3, the proposed Project is not forecast to cause any significant adverse impacts to agricultural resources or resource value. The elimination of large-scale agricultural activity has already occurred within the project area, as the land use for the project in the City's current General Plan is designated for Economic Development. No unavoidable significant impact to agricultural resources will result from implementing the proposed Project.

Biological Resources: As described in Subchapter 4.5, due to the lack of significant biological resources within the proposed project site, the Project is not forecast to cause any direct significant unavoidable adverse impact to sensitive biological resources. With mitigation the Project has been determined to be consistent with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Thus, based on the lack of significant onsite biological resources and the mitigation that must be implemented to control potential site specific impacts on biological resources, the proposed Project is not forecast to cause significant unavoidable adverse impacts to biological resources.

Cultural Resources: As described in Subchapter 4.6, all potential cultural resource impacts associated with the proposed Project would be limited and can be mitigated to a less than significant impact level. As a result, there will not be any unavoidable Project specific or cumulative adverse impacts to cultural resources from implementing the Project as proposed.

Geology and Soils: As described in Subchapter 4.7, the existing geology and soil resources and constraints have been evaluated for impact to and from the implementation of the Project. No unavoidable significant adverse on-site or off-site geology or soil impacts have been identified. Mitigation, in the form of standard conditions and limited mitigation measures, has been identified in Subchapter 4.7 that must be implemented to control exposure to potentially significant seismic ground shaking impacts. With implementation of the recommended seismic design measures, structures and future residents or inhabitants of these structures, can be adequately protected. The Project can be implemented without causing or experiencing significant unavoidable geology or soil impacts.

Hazards and Hazardous Waste: As described in Subchapter 4.9, the Project will change the land use on the project site and create a potential for certain adverse impacts regarding hazards and hazardous material issues both during construction and occupancy. There will be some adverse impacts as a result of implementing the Project. However, specific mitigation measures have been identified to reduce potential Project specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous material issues. Thus, the Project is not forecast to cause any unavoidable significant adverse hazards or hazardous material impacts.

Hydrology and Water Quality: As described in Subchapter 4.10, the proposed Project will make unavoidable alterations in the site hydrology and the proposed uses have a potential to result in generation of new pollutants from the proposed urban/suburban environment that can degrade water quality. However, through a combination of design measures included in the drainage design and mitigation measures listed in Table 1.5-1, these potential hydrology and water quality impacts can be controlled to a less than significant impact level. The proposed Project will not cause unavoidable significant hydrology or water quality impacts.

Land Use and Planning: As described in Subchapter 4.11 of this DEIR, though development of the proposed Project will result in substantial change of the land use on the vacant site, the changes are consistent with the land use and planning designations of the General Plan. Design measures are available to reduce conflicts with adjacent land uses to the extent feasible. Based on these data, no significant adverse impacts related to land use and planning resources and issues have been identified.

Minerals: As described in Subchapter 4.12, the project site and surrounding area do not contain any existing mineral development nor any identified potential for mineral resource development. Based on these data, the proposed Project has no potential to cause any unavoidable adverse impact to mineral resources or values in the City of Menifee.

Population and Housing: As described in Subchapter 4.14 of this DEIR, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents, or that can be accommodated by the project and the City. Based on these data, the proposed project has no potential to cause any unavoidable adverse impacts to population and housing in the project area.

Public Services: As described in Subchapter 4.15, even though the Project will cause an unavoidable change or increase in demand for public services from new residential units and the associated population, the payment of mandated development impact fees (mitigation) and the annual financial benefit to the City identified in the Fiscal and Economic Impact Analysis can reduce these potential impacts to a less than significant impact level through the expansion of service capability. This will preclude the Project from creating any unavoidable significant adverse impact. The basis for this conclusion is that adequate funding must be generated to offset Project-related new demand for public services within the Project area. This may include implementation of a public services offset fee identified as a mitigation measure in the Public Services, Subchapter 4.15.

Recreation: As described in Subchapter 4.16, the existing recreation resources and system in the vicinity of the proposed Project would be impacted by the cumulative impacts from new residential units and the associated population. Based on the amount of recreational area and related facilities that will be incorporated into the proposed Project, development of the Project would be a less than significant impact to Recreation resources, with implementation of onsite park and recreation facilities and payment of the mandatory Quimby fees. Based on these findings, the proposed Project would not cause significant unavoidable adverse impacts to the area recreation resources.

Tribal Cultural Resources: All potential tribal cultural resource impacts would be limited and can be reduced to a less than significant impact level. Conditions of Approval will address such accidental discovery, but additional measures are provided below to address concerns

expressed by the Native American comment letters. Therefore, based on the analysis contained in Tribal Cultural Resource Subchapter of this DEIR, the Project would not cause significant unavoidable adverse impacts to tribal cultural resources.

Utilities and Service Systems: As described in Subchapter 4.18, even though the proposed Project will cause an unavoidable increase in the demand for water, wastewater, recycled water, electric and natural gas utility systems within the Project area, these various systems can be expanded to meet this increased demand and the facilities required to sustain these systems can be installed without causing an unavoidable significant adverse impact. With adherence to and implementation of the mitigation measures identified in Subchapter 4.18 and those referenced in the Section 4.4 Air Quality, General Plan policies, Eastern Municipal Water District (EMWD) programs, Southern California Edison (SCE) programs, and existing regulations, the proposed Project's potential water, wastewater, recycled water, electric and natural gas impacts can be controlled and will be reduced below a level of significance.

Project impacts to landfill capacity from construction and demolition debris were found to be less than significant without mitigation. With the implementation of the mitigation measures referenced above, Project-specific impacts will remain less than significant. Project impacts related to operational solid waste were also found to be less than significant without mitigation. Based on the facts and findings presented in the analysis, the proposed Project will not cause unavoidable significant adverse impacts to City's management of solid waste.

Wildfire: This is a new environmental topic that has been added to the list of issues that must be addressed in order to comply with the California Environmental Quality Act (CEQA). Based on the project site's location and lack of vegetation, the project was found to be exposed to a less than significant impact from wildfire hazards.

Energy: This is also a new environmental topic that has been added to the list of issues that must be addressed in order to comply with the California Environmental Quality Act (CEQA). The proposed Project was found to be consistent with local and regional energy planning documents. It was also determined that the project would not waste energy or otherwise use energy in an inefficient manner. A less than significant impact was determined for the energy issue.

The proposed Project could result in significant impacts to the following environmental issues: Air Quality, Greenhouse Gas, Noise (off-site impacts only), and Traffic/Transportation based on the facts, analysis and findings in this DEIR.

Air Quality: As described in Subchapter 4.4, the Project-specific evaluation of emissions demonstrates that after implementation of the recommended mitigation measures, construction of the proposed Project would not result in emissions that exceed applicable South Coast Air Quality Management District (SCAQMD) regional air quality thresholds, including nitrogen oxides (NOx). Project operational-source emissions would exceed applicable SCAQMD regional thresholds of significance for emissions of and NOx during operation even after implementation of the recommended mitigation measures. No feasible mitigation measures have been identified that would reduce these emissions to levels that are less than significant. Thus, operational-source emissions are projected to result in an unavoidable significant adverse impact with respect to NOx emissions. Exceedances of applicable SCAQMD regional thresholds are considered significant and unavoidable.

Greenhouse Gases: As described in Subchapter 4.8, an individual project such as the proposed Project cannot generate enough greenhouse gas (GHG) emissions to effect a discernible change in global climate. However, the proposed Project may contribute to global climate change by its incremental contribution of greenhouse gasses. Even with implementation of the recommended mitigation measures identified in Section 4.4.7 of the Air Quality Section, the project exceeds both the SCAQMD screening threshold of 3,000 $MTCO_2e$ and the interpolated SCAQMD 2022 Target Service Population threshold of 4.56 $MTCO_2e$/SP/year for projects. Thus, exceedances of applicable SCAQMD regional thresholds are considered significant and unavoidable, and the operation of the proposed project would create a significant cumulative impact to global climate change. Project-related GHG emissions are therefore considered to be significant and would result in an unavoidable significant adverse impact on global climate change.

Noise: As described in Subchapter 4.13, the existing noise setting of the proposed project site will be permanently altered as a result of implementation of the proposed Project. The proposed Project will not cause significant construction noise impacts because construction activities will be restricted to City standard and additional mitigation measures. However, offsite traffic activities are forecast to make a cumulative contribution to significant noise along four affected roadways because available mitigation cannot be enforced. All other Project-related noise impacts can be controlled to less than significant levels with implementation of proposed mitigation. Based on this finding, the Project will contribute significant and unavoidable offsite cumulative noise impacts and as such will cause an unavoidable adverse noise impacts in the project area.

Transportation/Traffic: As described in Subchapter 4.17, implementing the proposed Project will generate a substantial number of new trips that are forecast to require modifications to the area and local circulation systems. With implementation of the proposed circulation system improvements the project will not cause a significant adverse impact to the circulation system. With implementation of the identified offsite roadway improvements, the long-term, project specific and cumulative circulation system impacts will not be significant if these improvements are completed prior to the traffic is actually generated. However, given the uncertain nature of the timing of all improvements which are beyond the control of the project developer, an unavoidable significant adverse transportation impact may result from implementation of the proposed Project. Based on these findings, project transportation/traffic impacts are found to be significant and unavoidable.

The Executive Summary of potential Project impacts is presented in Table 1.5-1.

1.6 ALTERNATIVES

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require an evaluation of alternatives to the proposed action. Section 15126 of the State CEQA Guidelines indicates that the "discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of not significant...." The State Guidelines also state that "a range of reasonable alternatives to the project....which could feasibly attain the basic objectives of the project" and "The range of alternatives required in an EIR is governed by 'rule of reason' that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice." The detailed analyses of the alternatives evaluated are provided in Chapter 5 of this DEIR. This evaluation addresses those alternatives for

feasibility and range of alternatives required to permit decision-makers a reasoned choice between the alternatives. Refer to Table 1.6-1 for a tabular comparison of alternatives.

The proposed Project objectives are to establish a comprehensively planned community, with a vibrant mix of uses; provide for-sale housing opportunities that contribute to the mix of housing opportunities available within the City of Menifee; provide higher density housing at a project site that provides good local and regional transportation access to take advantage of existing infrastructure; develop a project that is consistent with the goals, objectives, and policies of the City General Plan and the EDC; establish and implement a cohesive set of development standards and design guidelines that will utilize a variety of architectural styles and design elements to create a unique neighborhood consistent with EDC policies and City growth objectives.; and, provide a mix of community parks, pocket parks, linear parks, natural open space areas, and recreational trails to serve the site's future users. In this instance the DEIR analysis in Chapter 4 has reached a finding that four unavoidable significant adverse effects [Air Quality, GHG, Noise (off-site impacts only), and Traffic/Transportation] will result from implementing the Project as proposed in Chapter 3, the Project Description.

1.7 AREAS OF CONTROVERSY

A detailed discussion of all comments received on the project in response to the Notice of Preparation is provided in Chapter 2, Introduction. Based on this input the following issues were identified as being controversial

1. Traffic: the additional traffic that the Project would contribute to area roadways was identified as one of the major issue of controversy associated with the proposed Project. Numerous letters and comments at the Scoping Meeting raised traffic issues of concern to the local community.

2. Noise: several comments were raised regarding noise in general and noise along Haun Road, specifically; and as a result, is considered a major issue of controversy associated with the proposed project.

3. Several other environmental issues were raised by the public and agencies (biological resources, air quality, water availability), but these issues do not rise to the same level of controversy as the land use and planning issue identified in items #1 and #2.

1.8 SUMMARY OF IMPACTS AND AVOIDANCE, MINIMIZATION AND MITIGATION MEASURES DIISCUSSED IN THIS DRAFT EIR

Table 1.5-1 provides a summary of all impacts and mitigation measures identified in the detailed environmental evaluation presented in Chapter 4 of this DEIR. This summary is meant to provide a quick reference to proposed Project impacts, but the reader is referenced to Chapter 4 to understand the assumptions, method of impact analysis and rationale for the findings and conclusions presented in Table 1.5-1.

Table 1.6-1
TABULAR COMPARISON OF PROJECT ALTERNATIVES

	Would the Project/Alternative Result in Significant Adverse Impacts to the Resource Issues of …?				**Which Alternative is Environmentally Superior?**
	Proposed Project	**No Project Alternative (NPA)**	**Development Under Existing General Plan EDC Designation (EDC)**	**Reduced Density Alternative (RDA)**	
Aesthetics	No	No	No	No	NPA
Agricultural	No	No	No	No	NPA
Air Quality	**Yes**	No	**Yes**	**Yes**	NPA
Biological Resources	No	No	No	No	NPA
Cultural Resources	No	No	No	No	NPA
Geology and Soils	No	No	No	No	NPA
Greenhouse Gas	No	No	**Yes**	**Yes**	NPA
Hazards and Hazardous Materials	No	No	No	No	RDA
Hydrology and Water Quality	No	No	No	No	RDA
Land Use / Planning	No	No	No	No	NPA
Mineral Resources	No	No	No	No	Alternatives are equal
Noise	**Yes**	No	**Yes**	**Yes**	NPA
Population / Housing	No	No	No	No	NPA
Public Services	No	No	No	No	NPA
Recreation	No	No	No	No	Proposed Project or RDA
Transportation / Traffic	**Yes**	No	**Yes**	**Yes**	NPA
Utilities and Service Systems	No	No	No	No	NPA
Wildfire	No	No	No	No	NPA
Energy	No	No	No	No	NPA
Would Meet Project Objectives?	Yes	No	Yes	Yes	-------

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Table 1.5-1
SUMMARY OF IMPACTS AND AVOIDANCE, MINIMIZATION AND MITIGATION MEASURES DIISCUSSED IN THIS DRAFT EIR

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
AESTHETICS 4.2-1 Prior to the issuance of building permits, an analysis of potential glare from sunlight or exterior lighting to impact vehicles traveling on adjacent roadways shall be included in the submittal. This analysis shall be prepared by a technical consultant with expertise in lighting and photometrics and shall demonstrate that due to building orientation or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, non-glare reflective materials or other design solutions shall be implemented to eliminate glare impacts.	The City of Menifee

Impact Description	Impact After Mitigation
The development of the Specific Plan, including the types of structures and their height is consistent with the EDC development model, except at a lower level of density because the inclusion of a higher residential component in this project. Specifically, the project is consistent with the City's Community development goals: to create a unified and attractive identity; the site will be visually enhanced and fit into the general development character of the adjacent developments; the mix of uses create a visually distinctive and vibrant community; and the project incorporates attractive landscaping and lighting consistent with these goals. Based on the lack of any intrinsic onsite scenic resources, the proposed project will not cause substantial project specific damage to any such resources. However, mitigation is required to minimize intrusive light and glare impacts.	Mitigation to minimize the potential for intensive, intrusive light and ensure that glare from night lighting does not become a significant effect from implementing the proposed project. Although reflection of sunlight at certain angles from windows or other reflecting building surfaces within the future development can create glare that may adversely impact adjacent land uses and/or traffic on adjacent roadways, the surrounding landscaping on perimeter roadways will minimize this potential for reflected sunlight to affect residences to the west and north. Therefore, though there will be an associated change in the visual setting, but based on the project's consistency with the adopted General Plan land use designation, this change in view is considered less than significant and will not result in a significant and unavoidable aesthetic impact.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
AGRICULTURE AND FORESTRY RESOURCES No mitigations required.	--

Impact Description	Impact After Mitigation
Neither the City's General Plan, nor the Municipal Code, designate the project site as an agricultural use. Therefore, implementation of the proposed project will not cause a significant adverse impact to the approximately 58 acres encompassed by the proposed project when the General Plan did not assign any agricultural value to the project site.	Since the proposed Project will not have an adverse impact on significant agricultural resources or resource values, it cannot make a cumulatively considerable contribution to such resources or values.

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
AIR QUALITY 4.4-1 The project applicant shall provide sidewalks within the project boundary and connecting off-site.	The City of Menifee
4.4-2 The project applicant shall require that all building structures meet or exceed 2016 Title 24, Part 6 Standards and meet Green Building Code Standards.	The City of Menifee
4.4-3 The project applicant shall require that all faucets, toilets and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20% per CalGreen Standards.	The City of Menifee
4.4-4 The project applicant shall require that a water-efficient irrigation system be installed that conforms to the requirements of City codes.	The City of Menifee
4.4-5 The project applicant shall require that ENERGY STAR-compliant appliances are installed on-site.	The City of Menifee
4.4-6 The project applicant shall require recycling programs that reduces waste to landfills by a minimum 75 percent per AB 341.	The City of Menifee
4.4-7 The project applicant shall require that high-efficiency lighting be installed that is at least 34% more efficient than standard lighting.	The City of Menifee
4.4-8 For each 20,000 square feet of commercial/business park uses at the site one electric vehicle charging station shall be installed within this area of the development.	The City of Menifee
4.4-9 Within the Commercial/business park parking areas a minimum of 10,000 square feet of covered parking shall be installed and as many kilowatts of solar electric panels as feasible shall be installed on this parking area.	The City of Menifee
4.4-10 Commercial and business park businesses with more than 20 employees shall prepare a Rule 2202 “On-Road Motor Vehicle Mitigation Plan” to reduce vehicle miles traveled. This Plan shall be submitted to the City for review and approval and the approved Plan shall be implemented by the business owner.	The City of Menifee
4.4-11 All architectural coatings for Phase 2 of the proposed project are to be limited to 10 grams per liter VOC for buildings and 100 g/L VOC for parking lot striping.	The City of Menifee
4.4-12 The following fugitive dust control measures shall be incorporated into Project plans and specifications for implementation: ▪ All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. ▪ The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. ▪ The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.	The City of Menifee
4.4-13 Plans, specifications and contract documents shall direct that a sign must be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes	The City of Menifee
4.4-14 Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.	The City of Menifee

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.4-15	Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., Install wheel shakers, wheel washers, and limit site access).	The City of Menifee
4.4-16	When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.	The City of Menifee
4.4-17	All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers if visible soil materials are carried to adjacent streets.	The City of Menifee
4.4-18	The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.	The City of Menifee
4.4-19	Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.	The City of Menifee
4.4-20	Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.	The City of Menifee
4.4-21	A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.	The City of Menifee
4.4-22	Implement activity management techniques including (a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; (b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; and (c) phasing of construction activities.	The City of Menifee
4.4-23	Use electric construction equipment where technically feasible, where the electric equipment can perform comparably to fueled equipment.	The City of Menifee

Impact Description	Impact After Mitigation
Due to the size of the project and the amount of grading required to implement the project, construction air emissions will be substantial. Due to the size of the project and the amount of vehicle miles traveled during occupancy of the project, operating air emissions will be substantial.	The proposed Project would exceed the applicable SCAQMD regional threshold for operational source NOx emissions even after implementation of the required mitigation measures. This is a significant and unavoidable impact of the Project that for the useful life of the Project would result in a cumulatively considerable net increase for the pollutant NO_x (which is an ozone precursor) within the encompassing ozone non-attainment area. The regional construction emissions for the project would not exceed regional emissions thresholds for any of the analyzed criteria pollutants, and architectural coatings have been mitigated to 10 g/L VOC for buildings and 100 g/L VOC for parking lot striping. Therefore, with mitigation construction related emissions are less than significant. Ultimately, based on the emission forecasts provided in Subchapter 4.4 Air Quality of this EIR, the City finds that the potential air quality impacts may result in a cumulative adverse air quality impact.

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
BIOLOGICAL RESOURCES		
4.5-1	In order to reduce potential indirect effects from introduction of invasive species to the future Project site (both developed and riparian mitigation property), the Project shall avoid the use of invasive plant species identified in Table 6-2 of the MSHCP document and in the Specific Plan. CC&Rs to control use of invasive plants shall be enforced through the Home Owners Association or similar mechanism. Maintenance of public landscaping within the Project area shall include the removal of invasives that may establish through natural dispersal mechanisms.	The City of Menifee
4.5-2	Prior to issuance of grading permits for the Project site, the site developer shall provide the City with regulatory permits for impacts to approximately 1.27 acre of disturbed riverine habitat, including the drainage ditch located on the south side of Garbani Road. To compensate for the impacts to these waters of the U.S. and State, the developer shall either implement onsite enhancement in the area set aside to protect stream channel habitat or acquire offsite compensatory mitigation habitat or create such habitat at a 2:1 mitigation-to-impact ratio for areas containing riparian habitat and 1:1 for upland habitat areas or culvert replacement as outlined in the text above. This habitat shall be located within the watershed. The regulatory permits (Corps 404, Regional Board 401 and CDFW 1600) may increase this compensatory ratio but the City finds that this is the minimum habitat required to offset the impacts to water resources on the project site.	The City of Menifee
4.5-3	The MSHCP Urban/Wildlands Interface Guidelines will be implemented to ensure all indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream will be minimized to the greatest extent possible.	The City of Menifee
4.5-4	An impact minimization plan shall be developed by a qualified biologist to protect the active burrowing owl (BUOW) burrows in place or provide for closure and relocation to an alternate burrow within the vicinity but outside of the Project footprint in accordance with current CDFW and MSHCP burrowing owl guidelines. Active nests must be avoided until all nestlings have fledged. No disturbance may occur within 50 m (approx. 160 ft.) of occupied burrowing owl (BUOW) burrows during the nonbreeding season of September 1 through January 31 or within 75 m (approx. 250 ft.) during the breeding season of February 1 through August 31. Avoidance requires that a minimum of 6.5 acres of foraging habitat be preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired resident bird. Disturbance may be allowed if the Department of Fish and Wildlife verifies that the BUOW have not begun egg-laying and incubation or that the juveniles from those burrows are foraging independently and capable of independent survival at an earlier date. If destruction of occupied burrows is unavoidable, burrows should be enhanced (enlarged or cleared of debris) or created (by installing artificial burrows) at a ratio of 1:1 in adjacent suitable habitat that is contiguous with the foraging habitat of the affected owls. If owls must be moved away from the disturbance area, passive relocation is preferable to trapping. A period of at least one week is recommended to allow the owls to move and acclimate to alternate burrows.	The City of Menifee
4.5-5	Within 30 days prior to commencement of construction activity, a clearance survey shall be conducted by a qualified biologist to determine if any burrowing owl or their burrows are located within the potential area of impact. If occupied burrows may be impacted, an impact minimization plan shall be developed by the biologist that shall protect the burrow in place or provide for closure and relocation to an alternate burrow within the vicinity but outside of the Project footprint in accordance with current CDFW and MSHCP burrowing owl guidelines. Active nests must be avoided until all nestlings have fledged.	The City of Menifee

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.5-6	A biological monitor shall be present during all ground disturbing construction activities to ensure that burrowing owls are not impacted by the Project and to administer passive relocation of owls, if required. If burrowing owls are observed, the biological monitor shall have the authority to halt construction activities to avoid damaging sensitive resources or violating applicable laws.	The City of Menifee
4.5-7	The removal of potential nesting vegetation of native bird species shall be conducted outside of the nesting season (March 1 to September 1). If vegetation must be removed during nesting season, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys shall be conducted no more than three days prior to scheduled ground disturbing activity. If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest (500 feet for raptors and 200 feet for non-raptors). The site containing the active nest shall not be removed, and no grading shall occur within the established buffer until a qualified biologist has determined that the nest is no longer active. If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.	The City of Menifee
4.5-8	All Best Management Practices (BMP), as well as measures required by the NPDES requirements, will be implemented to ensure that the quantity and quality of runoff from the site is not altered in a significant way when compared to existing conditions. Stormwater systems for the project will be designed to prevent toxins, chemicals, petroleum products, and other toxic substances from entering any adjacent drainage channels which could potentially impact downstream riparian/riverine habitats.	The City of Menifee

Impact Description	Impact After Mitigation
As described in Subchapter 4.5, the proposed Project will develop the site at a substantially greater intensity than currently exists or can occur under existing circumstances. The proposed project would impact a Riparian/Riverine habitat that traverses the southern portion of the property, though mitigation will provide a biologically equivalent or superior preservation of habitat functions and values of Riparian/Riverine resources through a combined avoidance alternative and habitat creation onsite. Development of the proposed project will contribute to the density intensification of the general Project area. The proposed Project will not cause adverse cumulative effects related to the reduction of sensitive vegetation communities present in the City and the Project can be implemented in a manner consistent with the criteria identified in the MSHPC, with implementation of mitigation outlined in Subchapter 4.5. Based a survey of the project area, burrowing owl are considered present within the subject parcel, and mitigation is required to prevent impacts to this species.	Mitigation has been provided to ensure that the MSHCP Urban/Wildlands Interface Guidelines will be implemented and that the Project proponent provides on-site mitigation in coordination with the RCA and CDFW to replace the functions and values that will be lost as a result of the proposed development (0.28 acre of habitat). Based on compliance with the required mitigation, the proposed Project will not result in direct “take” burrowing owl or any adverse cumulative biology resource impacts that rise to a cumulatively considerable level or to cause significant unavoidable adverse impacts to biological resources.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
CULTURAL RESOURCES – ARCHAEOLOGICAL 4.6-1 During construction, all earth-moving operations at or below the depth of two feet, or at shallower depths if paleontologically sensitive soils are encountered, shall be monitored for any evidence of significant, nonrenewable paleontological resources. In addition: • Earth-moving operations reaching the undisturbed older alluvium at depth, except in the southwestern corner, must be monitored by a qualified paleontological monitor. The monitor must be prepared to quickly salvage paleontological remains as they are unearthed and have the power to temporarily halt or divert construction equipment to allow for the removal of abundant or large specimens. • Samples of sediments must be collected and processed to recover small fossil remains. • Recovered specimens must be identified and curated at a repository with permanent retrievable storage that would allow for further research in the future. • A report of findings, including an itemized inventory of recovered specimens and a discussion of their significance when appropriate, must be prepared upon completion of the research procedures outlined above, for submission and approve by the City of Menifee.	The City of Menifee

Impact Description	Impact After Mitigation
Unanticipated and unknown archaeological resources may be unearthed during construction, which could cause a significant impact to cultural resources. However, the City has established the Conditions of Approval (COA) to address accidental exposure and other cultural issues. The proposed project's potential to impact significant paleontological resources was determined to be low in the coarse-grained surface sediments but high in the finer-grained, older Pleistocene sediments potentially present at depth, especially for significant vertebrate fossils. As such, mitigation is required to prevent a significant impact.	Mitigation and the COA will reduce potential impacts by ensuring that the construction earth work will halt in the unlikely event of unearthed archaeological discoveries, and by ensuring that any such resources will be protected in place where possible, or sensitively recovered if preservation in place is not feasible. Additionally, Mitigation would reduce the potential for impacts to paleontological resources by requiring monitoring, and placing specific performance measures on certain earth-moving operations with the potential to reach undisturbed, older alluvium. Further, the measure identifies methods for which identification and recovery of unexpected specimens will occur. Implementation of the proposed Project is not forecast to cause any direct, significant adverse impact to cultural resources with implementation of identified mitigation measures. The proposed Project has no potential to make a cumulatively considerable contribution to cultural resource impacts in the project area or the City of Menifee in general. Further, based on the character of the proposed Project there is no indication of any possible indirect impacts.

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
GEOLOGY AND SOILS	
4.7-1 All of the recommended design and construction measures identified within the Geotechnical Investigation prepared for the project shall be implemented by the Applicant. Implementation of these specific measures will address all of the identified geotechnical constraints identified at project site, including soil stability on future project-related structures. These recommended design and construction measures include, but are not limited the following summarized categories/requirements: • Seismic Design Parameters (CBC 2016); the Project shall be constructed in accordance with the design criteria developed by the Structural Engineers Association of California • Corrosivity – Use of Type I or Type II concrete to prevent sulfate corrosion – Encasing steel or metallic materials in concrete – Use of post tensioning institute guide specifications – Require additional corrosivity testing to be performed upon completion of grading • Earthwork Recommendations (Soil Stability) – Geotechnical Interpretive Report's General Earthwork and Grading Specifications – Clearing and grubbing during ground preparation – Removal of wet alluvial material to rid soils of moist material – Oversize rock disposal specifications – Compacted fill placement specifications – Evaluation of stabilization fill during grading – Evaluation of cut material – Specifications for fill over cut slopes – Temporary backcuts to remove unsuitable materials – Cut/Fill transitions that ensure the entirety of each structure is placed on a uniform soil base – Cut area overexcavation specifications – Verification of compliance with recommendations in the Geotechnical Report by a geotechnical consultant • Foundation Design Requirements – Settlement maximums – Lateral resistance beating for footings – Structural setbacks and buildings clearance minimums for structures near slopes • Retaining Wall Specifications and Guidelines • Landscape maintenance and planting • Site Drainage • Expansive soils – Foundation excavation shall be observed by the geologist, engineer, or his representative and shall be accomplished only per the approved plans – Very Low Expansion Potential • Footings specifications • Building slab specifications	The City of Menifee

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
– Low Expansion Potential • Footings specifications • Building slab specifications – Pre-watering earth materials for optimum moisture content guidelines – Post tensioned slab foundation design specifications.		
Impact Description	**Impact After Mitigation**	
The geology and soils evaluation determined that the proposed project site does have substantial geotechnical and soil constraints.	The Geology and Soils evaluation in the DEIR concluded that the identified constraints can be adequately mitigated to a level of impact that is less than significant.	

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
GREENHOUSE GASES No mitigations required.		--
Impact Description	**Impact After Mitigation**	
As described in Subchapter 4.8, Greenhouse Gas (GHG) emissions are assumed to be cumulative. Most individual projects, such as the proposed Project, cannot generate enough greenhouse gas emissions to effect a discernible change in global climate. However, the proposed Project may contribute to global climate change by its incremental contribution of greenhouse gasses.	With implementation of the recommended Air Quality mitigation measures identified Subchapter 4, the Air Quality Section of this Draft EIR, exceeds both the SCAQMD screening threshold of 3,000 $MTCO_2e$ and the interpolated SCAQMD 2022 Target Service Population threshold of 4.56 $MTCO_2e$/SP/year for projects. Thus, the proposed Project would result in significant GHG impacts and it would result in a substantial increase in the severity of GHG impacts even with implementation of the mitigation measures identified in Section 4.4.7 of the Air Quality Section. Project-related GHG emissions are therefore considered to be cumulatively considerable and would result in a significant impact on global climate change.	

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
HAZARDS AND HAZARDOUS MATERIALS	
4.9-1 Prior to issuance of occupancy permits, an information brochure shall be prepared and approved by the City Building & Safety Department and provided to all home purchasers prior to the close of escrow that informs all purchasers of homes within this development of the system for disposal of household hazardous wastes and the prohibition against disposal of such materials in the municipal solid waste collection system that serves the subdivision. This brochure shall also provide residents with an outline of a neighborhood plan to support self-sufficiency in an emergency. This will include how to establish a volunteer fire response team to support the local fire and emergency responders to manage small fires and identification of local residents with emergency response skills (medical personnel or individuals certified to perform first aid or CPR.	The City of Menifee
4.9-2 Prior to and during grading and construction, should an accidental release of a hazardous material occur, the following actions will be implemented: construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be notified; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above sampling or remediation activities related to the contamination will be conducted under the oversight of City Public Works and Engineering Departments. All of the above actions shall be documented and made available to the appropriate regulatory agencies prior to closure (a determination of the regulatory agency that the site has been remediated to a threshold that poses no hazard to humans) of the contaminated area.	The City of Menifee
4.9-3 During grading if an unknown contaminated area is exposed based on field observations by the contractor, soils engineer or City/County inspector, the following actions will be implemented: any contamination found during construction will be reported to the City Public Works and Engineering Departments. Further, all of the sampling or remediation related to the contamination will be conducted under the oversight of these City departments. In the event contamination is found, construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be identified; a qualified professional (industrial hygienist or chemist) shall test the contamination and determine the type of material and define appropriate remediation strategies; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above actions shall be documented and made available to the appropriate regulatory agencies prior to closure of the contaminated area (a determination of the regulatory agency that the site has been remediated to a threshold that poses no hazard to humans).	The City of Menifee

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.9-4	To the extent that construction activities must occur within adjacent on-site and off-site roadway rights-of-way, a Traffic Management Plan, prepared for construction activities, shall provide adequate emergency access to all parcels of land at all times, and shall include measures to ensure that during an evacuation, the right-of-way is accessible for this purpose. Adequate emergency access is defined as access by any emergency personnel to any occupied parcel at all times during construction activities. Prior to grading permit issuance, the City of Menifee shall verify and approve the construction Traffic Management Plan incorporates adequate measures to ensure emergency access and availability of adjacent on-site and off-site roadways should an evacuation be needed.	The City of Menifee

Impact Description	Impact After Mitigation
The conversion of vacant project site to an urban/suburban development is a major modification to the project site. However, no major hazards or hazardous materials issues were identified at the project site.	The hazards and hazardous materials evaluation in the DEIR concluded that the identified hazards on the project site can be adequately mitigated to a level of impact that is less significant.

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
HYDROLOGY AND WATER QUALITY		
4.10-1	The future developer shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices that will be implemented to prevent construction pollutants from contacting stormwater and with the performance standard of keeping all products of erosion from moving offsite. The SWPPP shall be developed with the goal of achieving a reduction in pollutants both during and following construction to control urban runoff to the maximum extent practicable based on available, feasible best management practices. The SWPPP and the monitoring program for the construction projects shall be consistent with the requirements of the latest version of the State's General Construction Activity Storm Water Permit and NPDES No. CAS618033, Order No. R8-2002-0011 for projects within Riverside County or the permits in place at the time of construction.	The City of Menifee
4.10-2	The Project-Specific Water Quality Management Plan (WQMP) which defines bioretention basins and treatment units as permanent Best Management Practices shall be implemented to prevent long-term surface runoff from discharging pollutants from site on which construction has been completed. The WQMP shall be implemented with the goal of achieving a reduction in pollutants following construction to control urban runoff pollution to the maximum extent practicable based on available, feasible best management practices at the time of construction. The stormwater discharge from the project site shall be treated to control pollutant concentrations for all pollutants, but especially for those identified pollutants that impair downstream surface water quality (Canyon Lake) at the time construction occurs. Source Control BMPs reduce the potential for urban runoff and pollutants from coming into contact with one another. Source Control BMPs that may be incorporated into the project are described in Table G-1 of the WQMP.	The City of Menifee
4.10-3	At the inlets and outlets from the offsite watersheds and from the project site, the discharge shall be controlled to accomplish the following objectives: the outlet facility shall control the energy of the releases of stormwater to the downstream watershed to ensure that no new downstream erosion is initiated from the point of discharge. This will prevent downstream erosion from discharge locations.	The City of Menifee

Environmental Category / Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.10-4	A bioremediation basin management plan for maintenance operations and water quality shall be submitted to the City for review and approval prior to occupancy. This plan shall protect human health and safety related to water quality issues, vectors and odors within the basins. Compliance with this measure shall be measured by prevention of anaerobic decomposition of organic matter for odors and control of vector habitat to prevent vector growth and dispersal.	The City of Menifee
4.10.5	During final engineering, the following items shall be included: (1) The HEC-RAS analysis and the Line A system shall be designed to ensure that the design reflects the final elevations provided in the construction drawings; (2) The project shall obtain an easement for Line A storm drain system, shown on Excerpt C of the Hydrology and Flood Plain Study for Mill Creek Promenade, dated August 13, 2018 and revised January 17, 2019; and (3) The final design and construction drawing of the Line A and natural system that traverse the project shall comply with RCFC and WCD design criteria and policies.	The City of Menifee

Impact Description	Impact After Mitigation
The conversion of the existing agricultural site to an urban/suburban development is a major modification to the site and area hydrology. Substantial changes in site hydrology, including a potential to cause significant flood hazards and a potential to substantially degrade water quality onsite and downstream, will result from implementing the proposed project.	With implementation of the required mitigation, the hydrology and water quality analysis in the DEIR concluded that the project can be development without causing significant adverse effects on drainage and water quality resources/ issues.

Environmental Category / Avoidance, Minimization and Mitigation Measures	Responsible Agency
LAND USE / PLANNING No mitigations required.	--

Impact Description	Impact After Mitigation
As described in Subchapter 4.11, the proposed project is consistent with the relevant goals and policies of the SCAG RTP/SCS, the City's General Plan Land Use Element (including those goals and policies relating to the EDC specifically), and the City's Municipal Code (including those code sections relating to the EDC specifically). The project site is also consistent within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) planning area.	Development of the proposed project will result in substantial change of the land use on the vacant site, but the changes are consistent with the land use and planning designations of the General Plan which establishes the cumulative land use framework for the City of Menifee. No mitigation is required.

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
MINERAL RESOURCES No mitigations required.		--
Impact Description	**Impact After Mitigation**	
The project site and surrounding area do not contain any existing mineral development nor any identified potential for mineral resource development. Development of the proposed Project will not cause any adverse impacts to mineral resource or values.	The proposed Project has no potential to contribute to any cumulative loss of mineral resources or values. The Project will have no cumulative adverse impact to mineral resources.	

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
NOISE		
4.13-1	In addition to adherence to the City of Menifee policies found in the Noise Element and Municipal Code limiting the construction hours of operation, the following measures are recommended to reduce construction noise and vibrations, emanating from the proposed project: • During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. • The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site. • Equipment shall be shut off and not left to idle when not in use. • The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction. • The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction. • The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.	The City of Menifee
4.13-2	Prior to obtaining building permits, the applicant shall provide an interior acoustic isolation analysis verifying separating assemblies (e.g., demising wall and floor/ceiling assemblies) for multi-family attached residential land uses meet Title 24 STC/IIC sound attenuation requirement as outlined within Chapter 12, Section 1207 of the 2013 California Building Code. • 1st Row of Residential Units Directly Facing Garbani. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher. • 1st Row of Residential Units Directly Facing Sherman Road. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 28 or higher. • East Facing 1st Row of Residential Units in Building 14. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 26 or higher. • 1st Row of Commercial Units Directly Facing Haun Road. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher.	The City of Menifee

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.13-3	The commercial portion of the project shall incorporate parapet screen walls separating rooftop condenser units from adjacent residential land uses.	The City of Menifee
4.13-4	Any exterior patio areas facing Haun, Garbani or Sherman Roads shall be modeled based on the final traffic generated noise levels on these roads, including the recommended six foot concrete wall at the proposed residences that face the commercial land. Where required the patios shall receive adequate noise attenuation protection consistent with the City's noise criteria at the time of construction through use of a noise attenuation wall and/or glass/plastic screen along these roadways, including a combination of these features. Any required noise attenuation features for the exterior patios exposed to the roadways shall be installed as part of the building design where required at the time of construction.	The City of Menifee

Impact Description	Impact After Mitigation
The conversion of the existing vacant site to an urban/suburban development is a major modification to the area noise background condition. Substantial changes in site and area noise will result from implementing the proposed project.	As described in Subchapter 4.13, the proposed Project will cause significant construction impacts on the nearest existing residence and future residences. Construction noise impacts can be controlled to a less than significant impact with implementation of standard Conditions of Approval and recommended mitigation measures at all other on and off-site sensitive receptors. The off-site roadway noise level increases would cause a significant noise level increase along four roadway segments. Mitigation is available to reduce the offsite traffic noise impact, but it cannot be enforced on private property. Consequently, the Project's traffic noise impacts on the surrounding land uses. All other Project-related noise impacts can be controlled to less than significant levels with implementation of proposed mitigation.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
POPULATION AND HOUSING No mitigation required.	--

Impact Description	Impact After Mitigation
As described in Subchapter 4.14, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents, or that can be accommodated by the project and the City.	No mitigation is required. Impacts are less than significant.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
PUBLIC SERVICES – FIRE PROTECTION 4.15-1 The developer shall install fire hydrants with spacing defined by the Riverside County Fire Department. These hydrants shall be shown on the final Tract Map and approved development plans, and they shall be installed in accordance with the project design. The developer shall also document that fire flow delivered to the project site meets the requirements of the Fire Department in conjunction with the installation of sprinklers for the new structures.	The City of Menifee; Riverside County Fire Department
4.15-2 As presently scheduled, the commercial/industrial/business park portion of the project is scheduled to be developed prior to the residential component. Should this not occur and if the DIF fees are not sufficient to cover costs of residential demand for public services, the site developer shall negotiate a method of covering the costs of services to be extended to the site, such as a Safety Services tax or payment of an in lieu fee. The objective is to mitigate the costs of services that exceed actual costs of delivering these services.	The City of Menifee; Riverside County Fire Department

Impact Description	Impact After Mitigation
This cumulative change in type and amount of development within the planning area will require an increase in public services commensurate with development levels, population and location. However, the project's potential to result in cumulatively considerable impacts to police protection, fire protection, schools library services, etc. would be less than significant through the payment of fees, and also through the payment of fees by all cumulative projects.	The fees collected for fire protection services may not be adequate as determined by the Riverside County Ordinance 659 and Public Facilities Needs Lists. As such, mitigation has been identified to ensure that potential impacts are reduced to less than significant levels. With payment of required DIF fees and implementation of Mitigation or a comparable COA, potential impacts which would cause fire stations to be expanded or built will be reduced to a level below significance. All other public service impacts are less than significant.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
RECREATION No mitigations required.	--

Impact Description	Impact After Mitigation
The proposed project would provide active park and recreation facilities that would not meet the required 7.36 acres of parkland based on the population that would be generated by the Project. The Project would contribute a fair share contribution as the Project proposes to create 5.27 acres of park and recreation area. However, the 2.76 acres of open space (for a total of 8.03 acres of park and open space areas) is not considered by the City to count as active park and recreation area. Thus, the project would be required to pay Quimby fees in accordance with the City's new ordinance to offset the 2.11 acres of deficit onsite park area.	The Project would contribute a fair share contribution to park and recreation facilities, and would develop park and recreation area within the project site. The analysis in Subchapter 4.16 finds that the Project would not cause any significant adverse impacts, no mitigation is required.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
TRANSPORTATION / TRAFFIC 4.17-1 Roadway Improvements. The following roadway improvement measures shall be implemented by the project developer. Refer to Figure 56 of the TIA for a depiction of these required roadway improvement measures. <u>On-Site</u>: On-site improvements and improvements adjacent to the site will be required in conjunction with the proposed development to ensure adequate circulation within the project itself (refer to Figure 56 of the TIA). ○ Construct Sherman Road from Garbani Road to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This north-south roadway is classified as a Collector/Interconnected Local (2 lanes) on the City of Menifee General Plan Circulation Element. ○ Construct Garbani Road from Sherman Road to Haun Road at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This east-west roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element. ○ Construct Haun Road from Sherman Road to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This north-south roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element. ○ The project site should provide sufficient parking spaces to meet City of Menifee parking code requirements in order to service on-site parking demand. ○ On-site traffic signing/striping should be implemented in conjunction with detailed construction plans for the project site. ○ Sight distance at the project accesses shall comply with standard California Department of Transportation and City of Menifee sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed and approved as consistent with this measure prior to issuance of grading permits. <u>Off-Site</u>: As is the case for any roadway design, the City of Menifee should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory. Participate in specified City development fees to fund local roadway improvements that will be required as a result of the growth that development creates. The Western Riverside Council of Governments administers the Transportation Uniform Mitigation Fee (TUMF) for regional transportation improvements.	The City of Menifee

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
4.17-2 Site Access. The following site access measures shall be implemented by the project developer. ▪ Access to the commercial component of the project is proposed to be provided via full access to Haun Road at the north and central accesses, restricted access (right turns in/out only) at the south access on Haun Road, and restricted access (right turns in/out only) to Garbani Road. ▪ Access to the multi-family residential component of the project is proposed to be provided via full access to Sherman Road and Garbani Road. ▪ Access to the restaurant and industrial components of the project is proposed to be provided via full access to Haun Road. ▪ Access to the single-family residential component of the Mill Creek Promenade project is proposed to be provided via full access to Sherman Road and Haun Road.	The City of Menifee
4.17-3 Access During Construction. As part of the construction management transportation plan the developer shall identify the specific actions that will be implemented to ensure that access to the site and surrounding area are maintained to all properties during construction. This can include rerouting of local traffic, provision of escorts, or other means of ensuring access. These actions shall be reviewed and approved by the city of Menifee prior to implementation of construction.	The City of Menifee
4.17-4 The "Y" intersection located near the Central Project Access intersection shall be signalized and coordinated with overlap phasing with the Haun Road and Central Project Access intersection to prevent outbound vehicles from blocking the intersections as inbound vehicles are entering the project site.	The City of Menifee
4.17-5 Mass Transit Measure. The project developer shall enter into discussions with the Riverside Transit Authority (RTA) about rerouting the existing bus service to extend service from the intersection of Antelope/Scott Road west to Haun. This effort shall begin after completion of Phase 1 and prior to implementation of Phase 2 of the proposed project. If service is extended, the site developer shall coordinate and participate in fair share funding for the installation of a bus shelter and turnout at the intersection of Haun and Garbani Roads.	The City of Menifee

Impact Description	Impact After Mitigation
Implementing the proposed project will generate a substantial number of new trips that are forecast to require modifications to the area and local circulation systems. The evaluation of project trips and those trips generated by the cumulative projects identified in the project area, indicates that with implementation of the proposed circulation system improvements the project will not cause a significant adverse impact to the circulation system.	With implementation of the identified offsite roadway improvements, the long-term, project specific and cumulative circulation system impacts will not be significant if these improvements are completed prior to the point at which traffic is actually generated. However, given the uncertain nature of the timing of all improvements which are beyond the control of the project developer, an unavoidable significant adverse transportation impact may result from implementation of the proposed project. Thus, project transportation/traffic impacts are significant and unavoidable.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
TRIBAL CULTURAL RESOURCES No mitigations required.	--

Impact Description	Impact After Mitigation
Based on the research results summarized above, no historical or archaeo-logical resources occur within the project site, but a low potential exists to expose subsurface resources. Standard Conditions of Approval (COA) have been identified to address such accidental discovery and participation by the tribes during ground disturbing activities that address concerns expressed by the Native American comment letters.	No mitigation is required. Through incorporation of the City's standard COA for this project, the requests of the tribes will be met by the project and City.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency

UTILITIES AND SERVICE SYSTEMS
4.19-1 The applicant shall implement EMWD's Indoor Guidelines and Recommendations as outlined in the EMWD Water Efficient Guidelines for New Development report, including, but not limited to the following:
• 1.0 gallon per flush (GPF) Toilets;
• 0.5 gallon per minute (GPM) maximum flow rate aerators Bathroom Faucets;
• 1.8 GPM maximum flow rate Kitchen Faucets;
• 1.5-1.75 GPM maximum flow rate at 80 pounds per square inch (PSI);
• If installed by the developer/builder, clothing washers shall be ENERGY STAR rated, which currently has a maximum volume allowance of 15 gallons per load, or a water factor of 4.0 or less;
• If installed by the developer/builder, dishwashers shall be ENERGY STAR qualified and not use more than 5.8 gallons per cycle.
• Where the hot water source is more than 10 feet from a fixture, the potable water distribution system shall convey hot water using one of the following methods:
  ○ A central manifold plumbing system with parallel piping configuration ("home-run system") is installed using the smallest diameter piping allowed by the California Plumbing Code or an approved alternate; or,
  ○ The plumbing system design incorporates the use of an on-demand controlled circulation pump; or,
  ○ A gravity-based hot water recirculation system; or,
  ○ A timer-based hot water recirculation system. Other methods approved by the enforcing agency.
	The City of Menifee

4.19-2 Landscaping on site shall be developed to require less than 70% of evapotranspiration water budget allocation as defined by EMWD.	The City of Menifee

	Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
4.19-3	The project proponent shall recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, metal, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete a Waste Recycle Plan (WRP) to ensure compliance. The WRP must identify materials that will be generated by construction and development, the project amounts, the measures/methods that will be taken to recycle, reuse and/or reduce the amount of materials, the facilities and/or hauler that will utilized, and the targeted recycling or reduction rate. During Project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and another for recycling of construction materials. Additional bins are encouraged to be used for further source separation of construction materials. Accurate record keeping (receipts) for recycling of construction materials and solid waste disposal must be kept. The WRP must be submitted and approved by the City of Menifee and provided to the Department of Building and Safety prior to the issuance of building permits. Evidence of Project compliance (receipts) with the approved WRP must be presented to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.	The City of Menifee
4.19-4	To assure compliance with the California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials at specific types of development, prior to issuance of Building Permits the applicant shall submit a Recyclable Collection and Loading Area plot plan to the City of Menifee for review and approval. The plot plan shall conform to the AB 1327 requirements to recycling access areas. Recyclables Collection and Loading Area shall be installed prior to final building inspections in compliance with the approved and stamped plot plan.	The City of Menifee
4.19-5	Prior to the issuance of building permits, the Project proponent shall submit energy usage calculations to the Planning Division showing that the Project is designed to achieve 20% efficiency beyond the incumbent California Building Code Title 24 requirements. Examples of measures that reduce energy consumption include, but are not limited to, the following (it being understood that the items listed below are not all required and merely present examples; the list is not all-inclusive and other features that reduce energy consumption also are acceptable): ▪ Increase in insulation such that heat transfer and thermal bridging is minimized; ▪ Limit air leakage through the structure and/or within the heating and cooling distribution system; ▪ Use of energy-efficient space heating and cooling equipment; ▪ Installation of electrical hook-ups at loading dock areas; ▪ Installation of dual-paned or other energy efficient windows; ▪ Use of interior and exterior energy efficient lighting that exceeds then incumbent California Title 24 Energy Efficiency performance standards; ▪ Installation of automatic devices to turn off lights where they are not needed; ▪ Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings; ▪ Design of buildings with “cool roofs” using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors; ▪ Design of buildings to accommodate photo-voltaic solar electricity systems or the installation of photo-voltaic solar electricity systems; and ▪ Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.	The City of Menifee

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
4.19-6	Final site plans and development plans shall be conditioned to require that all electrical service lines (excluding transmission lines) serving development within the project will be installed underground. This includes existing service facilities that may have to be relocated temporarily during grading.	The City of Menifee

Impact Description	Impact After Mitigation
The conversion of the vacant agricultural site to an urban/suburban development will substantially increase demand for electricity, natural gas, solid waste, water and wastewater management system resources.	The analysis of utility issues in Subchapter 4.18 concluded that the existing management system and facilities have adequate capacity to expand to meet the proposed project's demands without causing any significant adverse impact with implementation of required mitigation.

Environmental Category /Avoidance, Minimization and Mitigation Measures	Responsible Agency
WILDFIRE No mitigations under this section required; mitigation from other sections apply to this section to reduce impacts to a level of less than significant.	--

Impact Description	Impact After Mitigation
The potential for exposure to significant fire pollutants is considered to be low, due to the distance of the project from nearby hills, their limited size/area and the limited wind flow from the south (except during fronts usually associated with precipitation). The analysis contained in Subchapter 4.10 concluded that the project site and surrounding area do not appear to be exposed to severe wildfire hazards. Thus, development of the proposed Project will not cause any significant adverse impacts to wildfire hazard exposure or to the cause of wildfires in the general area; however, mitigation is required to prevent any significant impacts from occurring under this issue.	Mitigation Measure 4.9-4 was identified to ensure adequate access for emergencies is maintained at all times, including during construction in the surrounding roadways. Thus, though a limited potential to interfere with an emergency response or evacuation plan will occur during construction, mitigation would prevent any significant impacts to emergency routes and access from project implementation.

Environmental Category /Avoidance, Minimization and Mitigation Measures		Responsible Agency
ENERGY No mitigations under this section required; mitigation from other sections apply to this section to reduce impacts to a level of less than significant.		--
Impact Description	**Impact After Mitigation**	
The analysis contained in Subchapter 4.21 concluded that the proposed Project is consistent with the City's energy reduction policies through a combination of design measures and mitigation measures. By implementing the proposed Project design and mitigation measures, the project will also comply with State plans. The proposed Project implements all of the policies included in the City's Table 5.7-9: City of Menifee Proposed Greenhouse Gas Reduction Policy and Implementation Strategies though mitigation; however, without implementation of mitigation, the project would have the potential to have an adverse impact on energy resources.	Mitigation measures 4.4-1 through 4.4-10; measure 4.17-5, and measures 4.19-1 through 4.19-5 require compliance with the policies identified in Table 5.7-9: City of Menifee Proposed Greenhouse Gas Reduction Policy and Implementation Strategies. These mitigation measure would eliminate wasteful, inefficient, and unnecessary energy consumption during both construction and operation. Thus, the project will have a less than significant impact to energy resources once mitigation is implemented.	

CHAPTER 2 – INTRODUCTION

2.1 PURPOSE AND USE OF THE ENVIRONMENTAL IMPACT REPORT

2.1.1 CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

This project level environmental impact report (EIR) has been prepared to evaluate the potential environmental impacts associated with the proposed Mill Creek Promenade Project ("proposed project" or "project"), as required under the California Environmental Quality Act (Public Resources Code, §§ 21000 et seq.) (CEQA) and the State CEQA Guidelines (Cal. Code Regs., §§ 15000 et seq.).

CEQA requires that all state and local governmental agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects. The EIR is the public document designed to provide decision makers and the public with an analysis of the environmental effects of the proposed project, to indicate possible ways to reduce or avoid environmental damage and to identify alternatives to the project. The EIR must also disclose significant environmental impacts that cannot be avoided; growth inducing impacts; effects not found to be significant; and significant cumulative impacts of all past, present, and reasonably foreseeable future projects. This draft environmental impact report (DEIR) has been prepared to satisfy CEQA and the State CEQA Guidelines.

City of Menifee entitlements and approvals required for the proposed project include: Adoption of the Mill Creek Promenade Specific Plan, No. 2016-246; approval of development plot plan (Plot Plan 2017-167); and tentative tract maps (Map No. 2017-165 (TR 37324) and Map No. 2017-166 (TR 37127)). Therefore, this DEIR analyzes the potential for environmental impacts to occur as a result of those entitlements.

2.1.2 LEAD AGENCY AND RESPONSIBLE AGENCIES

Pursuant to Public Resources Code section 21067 and State CEQA Guidelines section 15051, the lead agency means "the public agency which has the principal responsibility for carrying out or approving a project which may have a significant effect upon the environment." The City of Menifee (City) has the principal responsibility for approval of the Mill Creek Promenade Project and is therefore the lead agency. The City will be reviewing and considering the determinations of the Final EIR (FEIR) prior to exercising its independent judgment to approve, modify, or reject recommendations related to implementing the proposed project.

A "responsible agency" is the public agency which proposes to carry out or approve a project for which a lead agency is preparing or has prepared an environmental document. For the purposes of CEQA, the term "responsible agency" includes all public agencies other than the lead agency which have discretionary approval power over the project. A list of possible CEQA responsible agencies is provided in Chapter 3, Project Description.

2.2 ENVIRONMENTAL PROCEDURES

This DEIR has been prepared pursuant to CEQA to assess the environmental effects associated with implementation of the proposed project, as well as anticipated future discretionary actions and approvals.

An EIR is the most comprehensive form of environmental documentation identified in CEQA and the State CEQA Guidelines. EIRs are intended to provide an objective, factually supported analysis and full disclosure the environmental consequences of a proposed project with the potential to result in significant adverse environmental impacts.

An EIR is also one of various decision-making tools used by a lead agency to consider the merits and disadvantages of a project that is subject to its discretionary authority. Before approving a proposed project, the lead agency must consider the information in the EIR; determine whether the EIR was properly prepared in accordance with CEQA and the State CEQA Guidelines; determine that it reflects the independent judgment of the lead agency; adopt findings concerning the project's significant environmental impacts and alternatives; and adopt a Statement of Overriding Considerations if the proposed project would result in significant environmental impacts even after incorporation of feasible mitigation measures, but there are, on balance, overriding benefits which outweigh the remaining adverse impacts.

2.2.1 SCOPE AND CONTENT OF THIS EIR

This EIR has been prepared as a "Project EIR" as defined by State CEQA Guidelines section 15161. This type of EIR examines the environmental impacts of a specific development project and should focus primarily on the changes in the environment that would result from the development project. The EIR examines all phases of the project, including planning, construction, and operation.

In accordance with State CEQA Guidelines sections 15060(d), 15063 and 15082, the lead agency can skip preparation of an Initial Study and proceed directly to an EIR if it determines that an EIR is clearly required for a project. As such, the City commenced directly on the EIR process. Therefore, this DEIR is a full scope DEIR that evaluates the environmental effects of the project on Aesthetics, Agriculture Resources, Air Quality, Biological Resources, Cultural Resources, Geology/Soils, Greenhouse Gas Emissions, Hazards & Hazardous Materials, Hydrology/Water Quality, Land Use/Planning, Mineral Resources, Noise, Population/Housing, Public Services, Recreation, Transportation/Traffic, Utilities/ Service Systems, and Tribal Cultural Resources.

In addition to evaluating the environmental issues listed above, this DEIR contains all of the sections mandated by the CEQA and State CEQA Guidelines. **Table 2-1, Required EIR Contents**, provides a listing of the contents required in an EIR along with a reference to the chapter and page number where these issues can be reviewed in the document.

Table 2-1
REQUIRED EIR CONTENTS

Required Section (CEQA)	Section in EIR	Page Number
Table of Contents (Section 15122)	same	ii
Summary (Section 15123)	Chapter 1	1-1
Project Description (Section 15124)	Chapter 3	3-1
Environmental Setting (Section 15125)	Chapter 4	Beginning 4-1
Significant Environmental Effects of Proposed Project (Section 15126a); Environmental Impacts	Chapter 4	Beginning 4-1
Unavoidable Significant Environmental Effects (Section 15126b)	Chapter 4	Beginning4-1
Mitigation Measures (Section 15126c)	Chapter 4	Beginning 4-1
Cumulative Impacts (Section 15130)	Chapter 4	Beginning 4-1 and 6-7
Alternatives to the Proposed Action (Section 15126d)	Chapter 5	Beginning 5-1
Growth-Inducing Impacts (Section 15126g)	Chapter 6	6-1
Irreversible Environmental Changes (Section 15126f)	Chapter 6	6-24
Effects Found Not to be Significant (Section 15128)	Chapter 2 & 8	2-1
Organizations and Persons Consulted (Section 15129)	Chapter 7	7-1
Appendices	Chapter 8	8-1

2.2.2 EIR FORMAT AND ORGANIZATION

This DEIR consists of two volumes. Volume 1 contains eight chapters and Volume 2 contains technical appendices supporting Volume 1. Together, these volumes provide an evaluation of the potential significant adverse environmental impacts from implementing the proposed project. The following summarizes the content of each chapter of the DEIR:

Chapter 1. Executive Summary: Contains an overview of the proposed project and a tabular summary of the potential adverse impacts and the identified mitigation measures.

Chapter 2. Introduction: Describes the purpose and organization of the DEIR, and summarizes the CEQA process to date.

Chapter 3. Project Description: Contains a detailed description of the project, including its objectives, its location, the approvals anticipated to be required as part of the project, necessary environmental clearances, and a description of the baseline environmental conditions, as they existed at the time the notice of preparation was published, and against which the impacts of the project will be determined. Chapter 3 sets the stage for the environmental impact forecasts contained in the succeeding chapters.

Chapter 4: Environmental Impact Analysis: Presents the environmental impact forecasts for the issues considered in the DEIR. Each environmental topic is analyzed in a separate section that discusses:

- Regulatory Setting
- Existing Environmental Setting
- Thresholds used to determine if a significant impact would occur
- Methodology used to identify and evaluate the potential impacts of the project
- Potential adverse impacts of the project
- Any identified mitigation measures necessary to reduce impacts
- Level of impact after mitigation is incorporated (if mitigation is required)
- Potential cumulative impacts of the project

Chapter 5. Project Alternatives: Contains the evaluation of alternatives to the proposed project. Included in this section is an analysis of the No Project Alternative and other Build Alternatives.

Chapter 6. Topical Issues: Contains an analysis of significant irreversible changes due to the proposed project and potential growth inducing impacts.

Chapter 7. References: Describes the resources used in preparing the DEIR, including persons and organizations consulted, a list of preparers, and a bibliography.

Chapter 8. Technical Appendices: Contains those materials referenced as essential appendices, including the Notice of Preparation (NOP). Technical appendices are provided in Volume 2 of the DEIR, under separate cover. All appendices are referenced at appropriate locations in the text of the DEIR.

2.3 SCOPING PROCESS

2.3.1 NOTICE OF PREPARATION

The City determined that an EIR would be required for this project and issued the NOP on November 14, 2017 (see **Appendix 8.1**). The NOP public review period began on November 14, 2017 and ended on December 14, 2017. Respondents were requested to send their input as to the scope and content of environmental information and issues that should be addressed in the DEIR no later than 30 days after receipt of the NOP.

The NOP was distributed to interested agencies, the State Clearinghouse (SCH #2017111041), and a list of interested parties compiled by the City. The City held a Scoping Meeting on November 28, 2017 at 6:00 p.m. in the City of Menifee City Hall. The date and location of the scoping meeting was announced in the NOP, and although not required, a legal advertisement announcing the scoping meeting was published in a newspaper of general circulation prior to the scoping meeting.

2.3.2 WRITTEN RESPONSES TO THE NOTICE OF PREPARATION

A number of written responses were submitted in response to the NOP. Several comments were also received at the scoping meeting. Comments are summarized below, and a brief response to each issue organized by environmental topic is provided following the summary of comment letters. A copy of each letter is provided in **Appendix 8.2**. The location where the issues raised in the comments are addressed is described in the following text.

Comment Letter #1 from the Office of Planning & Research (November 13, 2017):

- Acknowledgment letter assigning the SCH number and detailing NOP distribution to State agencies. **See Appendix 8.1** for a description of the State Agencies included in the distribution.

Comment Letter #2 from Mr. Franz Siep a local resident (November 16, 2017):

- Compatibility with existing environmental setting at the site and introduction of noise and activities similar to the Scott Road and Newport Road on-off ramp congestion into neighborhood.
- Visual effect of the view of the back sides of the "light industry" buildings that back up to existing neighborhoods. Introduction of urbanization into the existing rural and residential neighborhoods that exist in the vicinity of the proposed Project.

Comment Letter #3 from Inland Empire Biking Alliance (November 16, 2017):

- The Alliance seeking fulfillment of General Plan Goal C-2 through the Specific Plan and EIR through design and construction of the project. Biggest concern is to ensure traffic study for project addresses effects the project and associated mitigation measures would have on bicyclists and usability of bikes within the project and to locations in the area.
- Measure and report on the bicyclist level-of-service (BLOS) and provide analysis of biking issues to ensure safe, accessible and attractive biking experience for the project area.
- Concern about traffic safety at local intersections. Recommends inclusion of roundabouts because they are safer for than signalized intersections.
- Concerned about roadway design and speeding and suggests lane widths that BLOS believes will be safer.
- Concerned about overestimating trip generation and recommends alternatives to use of ITE's Trip Generation figures.

Comment Letter #4 from Native American Heritage Commission (November 17, 2017):

- The lead agency must assess project impacts on historical resources within the area of project effect (APE) and mitigate where required.
- Conduct AB 52 consultation and detailed consultation procedures outlined.
- Contact and consult with all Native American tribes affiliated with the project area.
- Outline of adequate cultural resources assessment provided.
- Conduct an archaeological inventory survey if required, and submit report per requirements.
- Contact Native American Heritage Commission for a sacred lands file check and points of contact for Native American Tribal Consultation.

Comment Letter #5 from Riverside County Airport Land Use Commission (November 17, 2017):

- The e-mail states that the proposed Project is outside of an airport influence area and ALUC has no comments

Comment Letter #6 from the Soboba Band of Luiseño Indians (November 22, 2017):

- The project site is outside the Soboba reservation, but it does fall within the bounds of our Tribal Traditional Use Areas and is considered to be culturally sensitive by the people of Soboba.

- The Band requests government-to-government consultation under SB18; continued consultation as a tribal entity; Native American monitors requested due to potential for encountering cultural resources; and identifies proper procedures to be implemented and tribal requests to be honored as defined in attachment to the letter.

Comment Letter #7 from Ms. Emily Lee (November 27, 2017):

- The e-mail states that the primary concern is traffic. Requests that a traffic signal be placed at the corner of Garbani Road and Haun Road or alternatively the exit out of the Marsden community due to traffic on Haun.

Comment Letter #8 from Rincon Band of Luiseño Indians (November 27, 2017):

- The letter identifies the project as being within the Territory of the Luiseno people and within Rincon's specific area of Historic interest. It requests that a cultural report be addressed in the DEIR and that measures be included to address inadvertent discoveries.

Comment Letter #9 from California Department of Toxic Substances Control (December 1, 2017):

- The DTCS requests that potential for historic contamination be examined, possibly in a Phase 1 Environmental Site Assessment.
- If any recognized environmental conditions occur, conduct a proper investigation coordinating with the appropriate regulatory agency.
- Possible need to obtain an NPDES permit from the Regional Board.
- Procedures to follow if demolition will occur are identified.
- Procedures to follow if the site was used for agricultural are identified.
- Procedures to follow if PCB-containing transformers were located on the property.
- Procedures to follow if the project involves export or import of fill material.
- Procedures to follow if the project encounters soil or groundwater contamination.

Comment Letter #10 from Highland Fairview (December 1, 2017):

- The letter requests the City add Highland Fairview to receive all public notifications and the environmental documentation for this project.

Comment Letter #11 from Valley-Wide Recreation and Park District (December 4, 2017):

- No comments at this time.

Comment Letter #12 from South Coast Air Quality Management District (SCAQMD) (December 5, 2017):

- Send DEIR and Air Quality/GHG technical appendices directly to SCAQMD at address provided, submit for review.
- Use SCAQMD CEQA Handbook and most current version CalEEMod for air emission forecast.
- Identify potential adverse AQ/GHG impacts from project construction and operations.
- Use SCAQMD regional and localized significance thresholds.
- If necessary, perform mobile source health risk assessment, including toxic air contaminant impacts, for project within 500 feet of a freeway (note the project site is more than 1,000 feet west of I-215).
- Assess compatibility of land uses with respect to air quality (such as placing sensitive receptors near air pollution sources, or vice versa).

- Identify mitigation measures, and identify any impacts that would result from mitigation measures.
- Consider alternatives if project will generate significant air quality impacts and identify any permits required by the project.

Comment Letter #13 from Pechanga Cultural Resources (December 14, 2017):

- The Tribe requests to be placed on the distribution list for the DEIR and to be notified of future public hearings and meetings regarding the proposed Project.
- The Tribe identifies the project site is within a culturally sensitive area affiliated with the tribe.
- Due to potential for inadvertent discoveries of cultural resources on the site, the Tribe requests an agreement specifying treatment of such discoveries be executed between the project applicant and Tribe.
- Native American monitors are requested during ground disturbing activities of the project.
- Tribe requests that if human remains are discovered mitigation must be provided to comply with Public Resources Code para. 5097.98 and indicates it will assert right to any remains or items exposed by the project.

2.3.3 SCOPING MEETING COMMENTS

The following comments were submitted by the individuals identified below at the November 28, 2017 Scoping Meeting:

1. *John Camp (Menifee resident)*
   - Noise and traffic
   - Can currently hear every car on Haun if outside; noise is not as bad inside their home.
   - Haun cannot handle a 20, 30, 40-fold increase in traffic
   - Concerns regarding how sound will be mitigated
   - Greater setbacks are needed between the roadways and the homes that back up against these busy roads
   - Impacts on home values
   - Daytime noise is currently worse than nighttime noise
   - Need more traffic signals
   - Need to consider making streets in specific tracts private to stop through-traffic
   - Need to consider non-traditional traffic solutions

2. *Char Camp (Menifee resident)*
   - Concerned about more cars added to Haun
   - Infrastructure needs to be completed before the new residents/new trips occur
   - Currently hard to get out of their existing housing tract
   - Need to consider school traffic
   - Need to consider traffic-related impacts of smog, fumes, oil residue, and air quality
   - Specifically need to consider impacts on asthma/health impacts

3. *Mark Fegar (Menifee resident)*
   - Safety issues on Sherman and Garbani
   - School-related traffic leads to speeding
   - Currently takes 35-40 minutes to get from Scott Road/High School to Mapleton
   - School traffic tries to take alternative/cut-through routes (Sherman → Tippulo → Clayman)
   - Pedestrian safety is compromised from cut-through traffic and speeding high school students
   - Impacts of project on high school traffic (more students?)
   - Law enforcement issues and impacts, need to increase law enforcement
   - Concerns about project access
   - Crossing Scott and Haun is currently a nightmare
   - The project's pedestrian and bicycle paths/amenities could lead to unsafe conditions, safety impacts relating to more trips and current traffic issues

4. *Karen Smolinksi*
   - Wants a traffic signal at Garbani/Haun
   - Wants a traffic break/keep clear area to let current residents get out of their tract

2.3.4 INCORPORATION OF NOP COMMENTS INTO THE DEIR

The following text discusses each environmental issue and where it is addressed in the DEIR.

<u>Aesthetics</u>
The only comment raised was the visual effect of the back sides of the light industry buildings that will back-up to existing neighborhoods.

> *Response: The visual effects of light-industry buildings on adjacent residential neighborhoods is provided in the Aesthetic impact discussion found in Section 4.2.*

<u>Agriculture/Forestry</u>
No comments were submitted regarding agricultural or forestry issues.

<u>Air Quality</u>
SCAQMD provided guidance on the acceptable methodology for analyzing the air quality impacts of the proposed Project and detailed the required information that should be included in the DEIR and provided for the Agency review.

> *Response: The Air Quality methodologies in this DEIR conform to the expectations identified by SCAQMD. All of the information and analysis required by SCAQMD is included in Section 4.4 Air Quality. Note that SCAQMD indicated that the project site is within 500 feet of Interstate 215. After careful measurement it was determined that the site is located one-quarter mile (1,320 feet) from I-215. Consistency with the RTP and SCS is analyzed in Section 4.4 Air Quality, Section 4.8 Greenhouse Gases, Section 4.14 Population and Housing, and Section 4.17 Traffic/Transportation.*

<u>Biological Resources</u>
No comments were received regarding biological resources.

Cultural Resources
The Native American Heritage Commission (NAHC), Soboba Band of Luiseño Indians, Rincon Band of Luiseño Indians, and Pechanga Cultural Resources groups provided guidance on the information required to accurately assess impacts to cultural resources and carrying out consultation.

> *Response: The impacts to cultural resources are assessed in the context of applicable records search and site review and investigation. Mitigation is identified where applicable. Please refer to Section 4.6 Cultural Resources and Section 4.19, Tribal Cultural Resources.*

Geology and Soils
No comments specific to this topic were received.

Greenhouse Gases (GHG)
SCAQMD provided guidance on the acceptable methodology for analyzing the GHG impacts of the proposed Project and detailed the required information that should be included in the DEIR and provided for the Agency review.

> *Response: The Greenhouse Gas methodologies conform to the expectations of SCAQMD. All of the information and analysis required by SCAQMD and the City is included in Section 4.8 Greenhouse Gases. Consistency with the RTP and SCS is analyzed in Section 4.4 Air Quality, Section 4.8 Greenhouse Gases, Section 4.14 Population and Housing, and Section 4.17 Traffic/Transportation.*

Hazards and Hazardous Materials
The only comments received regarding this topic were submitted by the California Department of Toxic Substances Control.

> *Response: The potential contamination hazards identified for the site are discussed in Section 4.9, Hazards and Hazardous Materials.*

Hydrology and Water Quality
No comments specific to this topic were received.

Land Use and Planning
Several comments were submitted by local residents (Scoping Meeting) and general comments in letters that raise land use and planning concerns *(Letters #2 and #12)*. Several letters identified traffic and noise issues which relate generally to land use compatibility (Letters #3 and #7).

> *Response: The discussions regarding land use and planning compatibility issues are spread out through the document, including the following chapters: air quality, land use and planning, noise, and traffic.*

Mineral Resources
No comments specific to this topic were received.

Noise
Several comments were raised regarding noise in general and noise along Haun Road, specifically.

Response: These noise issues are addressed in Subchapter 4.12.

Population and Housing
No comments specific to this topic were received.

Public Services
No comments specific to this topic were received.

Recreation
No comments specific to this topic were received.

Transportation and Traffic
Numerous letters and comments at the Scoping Meeting raised traffic issues of concern to the local community. A letter from the Inland Empire Biking Alliance raised several unique issues from trip generation to use of alternative methods for modeling traffic impacts.

Response: The impact of the proposed Project on transportation facilities is assessed in Subchapter 4.17 Traffic and Transportation in the context of applicable regulations and minimum standards. Issues addressed range from evaluating roadway capacities; to required roadway improvements, including roadway widths, and access to alternative modes of transportation, including bike and pedestrian trails. The Traffic Impact Analysis considers the cumulative impact of approved development. Mitigation is identified where applicable.

Utilities and Service Systems
No comments specific to this topic were received.

Tribal Cultural Resources
Two of the comment letters raised the issue of AB 52 and SB 18 consultations.

Response: The City has carried out these consultations and the results are presented in Subchapters 4.6 and 4.19.

2.4 PUBLIC REVIEW AND AVAILABILITY OF THE DEIR

This DEIR is being circulated for a public review period of 45 days. Interested agencies and members of the public are invited to provide written comments on the DEIR to the City address shown below:

Mr. Manny Baeza, Senior Planner
City of Menifee
29844 Haun Road
Menifee, CA 92586
mbaeza@cityofmenifee.us

Upon completion of the 45-day public review period, the City will review all written comments received and prepare a written response for each comment on a proposed project feature or environmental issue.

The DEIR has been distributed directly to all public agencies and interested persons identified in the NOP mailing list (see **Appendix 8.1**), the State Clearinghouse, as well as any other requesting agencies or individuals. All reviewers will be provided 45 days to review the DEIR and submit comments to the City for consideration and response. The DEIR is also available for public review at the City's Planning website at http://www.cityofmenifee.us/325/Environmental-Notices-Documents and at the following locations during the 45-day review period:

Menifee City Hall 29844 Haun Road Menifee, CA 92586	Paloma Valley Library 31375 Bradley Road Menifee, CA 92584	Sun City Library 26982 Cherry Hills Menifee, CA 92586

2.5 MITIGATION MONITORING

Public Resources Code section 21081.6 requires that agencies adopt a mitigation monitoring or reporting program for any project for which it has made findings pursuant to Public Resources Code section 21081. Such a program is intended to ensure the implementation of all mitigation measures adopted through the preparation of an EIR. The Mitigation Monitoring and Reporting Program (MMRP) for this project will be completed as part of the FEIR, prior to consideration of the project by the City of Menifee City Council.

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CHAPTER 3 – PROJECT DESCRIPTION

3.1 PROJECT LOCATION

The Mill Creek Promenade Project is located within the City of Menifee, in Riverside County, California. See **Figure 3-1, Regional Location**. The project site consists of Assessor Parcel Numbers (APNs) 360-350-006, 360-350-011 and 360-350-017, comprising approximately 58.5 acres of contiguous, undeveloped land located on the south side of Garbani Road, between Sherman Road to the west, and Haun Road to the east. As illustrated in **Figure 3-2, Project Location Map**, the project is located in the southwest portion of the City, approximately one-half mile northwest of the Scott Road and Interstate 215 (I-215) interchange.

3.2 PROJECT OBJECTIVES

The following objectives have been established for the proposed project and will aid decision makers in their review of the project, its associated environmental impacts, and the proposed alternatives to the project:

Objective 1: Establish a comprehensively planned community, with a vibrant mix of uses that include and support a variety of housing, recreational, commercial, retail, restaurant, and industrial uses, and which are interconnected by sidewalks, trails, and bicycle lanes.

Objective 2: Provide for-sale housing opportunities that contribute to the mix of housing opportunities available within the City of Menifee.

Objective 3: Provide higher-density housing at a project site with good local and regional transportation access, in order to efficiently use existing infrastructure.

Objective 4: Develop a project that supports the Economic Development Corridor, while simultaneously buffering and protecting adjacent residential uses.

Objective 5: Establish and implement a cohesive set of development standards and design guidelines that will utilize a variety of architectural styles and design elements to create a unique neighborhood.

Objective 6: Provide the City with new open space and park amenities, and provide a mix of parkland types, such as a community park, pocket parks, natural open space, and recreational trails.

3.3 ENVIRONMENTAL SETTING

3.3.1 REGIONAL SETTING

The City of Menifee is centrally located in southwestern Riverside County, approximately 30 miles southeast of the City of Riverside. The City encompasses approximately 46.6 square miles, with an overall population of more than 88,000 persons. As shown in **Figure 3-1,**

Regional Location, the City is bordered to the north by the City of Perris, to the south by the City of Murrieta, to the west by the Cities of Canyon Lake and Lake Elsinore, and to the east by unincorporated County territory.

3.3.2 LOCAL SETTING

The project site is located on a rectangular–shaped set of parcels that currently consist of fallow agricultural land. As shown in **Figure 3-2, Project Location Map**, the proposed project site is situated in an area of mixed vacant, open space and single-family residential uses of varying density with scattered commercial development. The sizeable undeveloped acreage in the immediate vicinity includes property planted for dry farming as well as areas that are not actively farmed and have a cover of non-native weeds/plants.

Existing land uses surrounding the site include:

North: Immediately by Garbani Road and single-family residential properties.
East: Immediately by Haun Road, vacant property and a storage facility.
South: Immediately by vacant property and a Verizon Facility.
West: Immediately by a Sherman Road, vacant property and one residence.

Elevations on the project site range from approximately from 1,470 feet to 1,500 feet above mean sea level. The terrain is relatively level, with a gradual incline towards a large hill located approximately 450 feet to the west of the site. Drainage within the property generally flows to the north. Under present circumstances the site is undeveloped and the onsite soils have historically been used to support dry farming activities. Most vegetation has been removed by past activities; there is a light regrowth of Russian thistle and buckwheat. The site soil contains a substantial amount of small to large rocks, with the highest concentrations of rocks located in the northeast corner of the property. A small drainage, Mill Creek, crosses through the southern portion of the site and continues along the eastern edge of the property before exiting to the east across Haun Road. See **Figure 3-4** for a higher resolution aerial photograph of the project site.

Additional, and resource specific, descriptions of the environmental setting are provided in the "Environmental Setting" subsections of each subchapter of Chapter 4.

3.3.3 LAND USE PLANNING CONTEXT

3.3.3.1 Economic Development Corridor

The project site is located within the City's Economic Development Corridor (EDC), identified in Exhibit LU-2 Land Use Map[1] of the Menifee General Plan. See **Exhibit 3, Land Use Plan** and also **Figure 3-5, Exhibit and Proposed General Plan Land Use Designations**.

Both the City's Land Use and Economic Development Elements of the City's General Plan, and the provisions of Ordinance 2015-180 (adopted November, 2015 and codified into the City's Municipal Code at Chapter 9.28), establish the goals, policies, and regulations applicable to projects within the EDC.

[1]https://www.cityofmenifee.us/DocumentCenter/Home/View/1013

The EDC encompasses undeveloped areas along major corridors in locations where the City envisions higher intensity infill development. "While flexibility in land use options is one of the benefits of the EDC designation, EDC designated areas are intended to provide a distinct mix of uses that are complementary to surrounding land uses while providing distinct activities centers in the City and encouraging economic growth within the City." (Menifee Muni. Code, § 9.28.030.)

General Plan Exhibit LU-3 provides the following criteria for development within EDC-designated areas:

- Both horizontal and vertical mixed uses are permitted.
- EDC is to be developed primarily as nonresidential uses, with residential uses playing a supporting role.
- Residential uses shall be allowed as stand-alone projects.
- Overall, residential uses shall not exceed 15 percent of the total EDC acreage.
- Development in EDC areas may be implemented by specific plan or through conventional zoning designations.

3.3.3.2 Southern Gateway Subarea

The EDC is organized into five subareas. As shown on Menifee General Plan Exhibits LU-B2A and LU-B2F[2], the project site is located on the west side of the area identified as the "Southern Gateway" subarea (EDC-SG), which consists of 832 acres of EDC land. EDC-SG is therefore the existing zoning designation for the project site. See **Figure 3-6, Existing and Proposed Zoning Designations**.

General Plan Exhibit LU-B2F identifies a "preferred mix" of land uses for the EDC-SG: 10 percent residential, 10 percent commercial retail, 10 percent commercial office, and 70 percent business park.

3.4 PROJECT CHARACTERISTICS

The project proposes a mix of residential, commercial, industrial, and open space on approximately 58.5 acres, organized into five planning areas. See **Table 3-1, Land Use Summary**.

[2]https://www.cityofmenifee.us/DocumentCenter/View/3648

Table 3-1
LAND USE SUMMARY

Planning Area	Land Use		Acres (Net/Gross)	Dwelling Units	Square Footage	Density
PA1	High density residential	Single family attached	13.8/15.6[1]	194	--	14.0 du/ac
		Open space (recreation areas, parks, paseos)	4.0		--	
PA2	High density residential	Single family detached	20.5/21.6[2]	204	--	10 du/ac
		Open space (recreational areas, parks, paseos)[3]	2.4			
PA3	Commercial retail	Promenade Shopping Center	14.9/16.8	--	120,190	--
PA4	Light industrial/ business park	Business park	2.8/2.8	--	33,800	--
PA5	Open Space	Conservation	1.7/1.7	--	--	--
--	Major circulation	Garbani Road, Haun Road, Sherman Road	4.85	--	--	--
Project Total			53.9/58.5[4]	398	153,990	--

[1] Net and gross acreages include 4.02 acres of PA1 open space.
[2] Net and gross acreages include 2.42 acres of PA2 open space.
[3] Includes 1,780 square foot community clubhouse.
[4] Total project net acres excludes Garbani Road, Haun Road and Sherman Road.

3.4.1 PROPOSED LAND USES

3.4.1.1 Residential and Recreational Open Space

Residential planning areas (PA1 and PA2) account for approximately 34.3 net or 37.3 gross acres of the project.

PA1 allows for High Density Residential, HDR (8.1-14.0 du/ac) development. PA1 accounts for approximately 13.8 net acres, or approximately 23.7 percent, of the total land uses of the project. Three housing types are allowed in PA1 of the Specific Plan with a maximum of 194 attached single-family attached residential units.

PA2 also allows for High Density Residential, HDR (8.1-14.0 du/ac) development. PA2 accounts for 20.51 net acres, or approximately 35.2 percent, of the total land uses of the project. Two single-family detached residential housing types are allowed in PA2 with a maximum of 204 residential units.

Six housing types are allowed in the Specific Plan in PA1 and PA2:

- Multi-Family Attached Townhome;
- Multi-Family Attached Apartments;
- Multi-Family Attached Duplex/Triplex;
- Multi-Family Attached Courtyards;
- Single-Family Detached Traditional; and
- Single-Family Detached Motor Court.

The maximum number of residential units permitted within the project area is 398 units. As such, the analysis contained in this DEIR is based on a maximum number of 398 residential units.

The project also proposes passive and active recreation uses. As outlined in Table 3-1 and shown in **Figure 3-7, Open Space and Recreation Plan***,* the project includes community parks, pocket parks, natural open space areas, and water quality basins totaling approximately 4 acres of PA1 and 2.4 acres of PA2. The open space and recreational uses would be connected via a network of internal and perimeter paths/trails and sidewalks depicted in **Exhibit 3-8, Non-Vehicular Circulation Plan***,* and discussed in more detail in Chapter 4 of this DEIR.

The proposed recreational open space amenities are described in the Mill Creek Promenade Specific Plan, attached as Appendix 11 of Volume 2 of this DEIR. As illustrated in Specific Plan Figure III-3, *PA1 High Density Residential Recreation Area 1*, anticipated recreational components may include shade trees, walkways, picnic areas, turf areas, basketball court, sand volleyball court, picnic pavilion, benches and BBQ areas. As shown in Specific Plan Figure III-4, *PA1 High Density Residential Recreation Area 2*, anticipated recreational components may include a clubhouse, pool, tot lot, shade trees, walkways, picnic areas, and turf areas. As shown in Specific Plan Figure III-5, *PA1 High Density Residential Recreation Area 3*, anticipated recreational components may include two tot lots, shade trees, walkways, picnic areas, turf areas, and a community garden. As illustrated in Specific Plan Figure III-6, *PA2 High Density Residential Recreation Area*, anticipated recreational components may include a pool, spa, clubhouse, shade trees, play areas, walkways, picnic areas with trellises, basketball half court, tennis court and turf areas. Typical layouts and design concepts for tot lots/play areas and trellised BBQ areas are shown in Specific Plan Figure III-7, *Typical Tot Lot* and Specific Plan Figure III-8, *Typical Gazebos and Trellised BBQ Areas*. PA2 will also provide a park accessible to residents of both PA1 and PA2. The park is illustrated in Specific Plan Figure III-9, *PA2 Basin Park Concept*.

3.4.1.2 Commercial Retail

PA3 provides for the development of approximately 14.8 net or 16.8 gross acres of commercial, retail and professional office land uses in the northeastern portion of the project site, along Haun Road and Garbani Road. It is anticipated that the first floor will accommodate commercial and retail uses, while office uses will be primarily located on the second floor. PA3 will allow for the development of up to approximately 120,190 SF, which will consist of retail, office, and restaurant uses. The commercial, retail, and office uses would be aesthetically integrated with the other proposed land uses and would provide jobs and services for community residents accessible via non-motorized internal pathways. The Mill Creek Promenade Specific Plan (**Appendix11**) identifies Permitted (P) uses in Specific Plan Table IV-5, *Land Use Regulations - Commercial Retail* considered acceptable anywhere within PA3. Conditionally Permitted (C) uses are potentially acceptable based upon location within PA3 with consideration of their effects on surrounding properties. Prohibited uses (-) are not allowed within PA3.

3.4.1.3 Light Industrial Business Park

PA4 allows for the development of up to approximately 33,800 SF of single-story business park use on approximately 2.8 acres at the southwestern portion of the site. The Mill Creek Promenade Specific Plan (**Appendix 11**) identifies Permitted (P) uses in Specific Plan Table IV-7, *Land Use Regulations – Business Park* considered acceptable anywhere within PA4.

3.4.1.4 Open Space: Conservation

As shown in **Figure 3-3, Land Use Plan**, and **Figure 3-7, Open Space and Recreation Plan**, PA5 consists of approximately 1.7 acres along the Mill Creek drainage which traverses the site and is designated as Open Space Conservation (OS-C). PA5 does not include any private open space uses. This area contains the existing drainage feature on the project site.

3.4.2 PROPOSED CIRCULATION PLAN

The project proposes a circulation system comprised of roads, pedestrian pathways, and trails to provide for efficient, effective, and pleasant access to, from, and through the site. The project's circulation plan is designed to provide optimal circulation efficiency, as well as safety, for guests and residents. See **Figure 3-8, Non-Vehicular Circulation Plan**, **Figure 3-11, Vehicular Circulation Plan**, and **Figure 3-13, Site Plan**.

3.4.2.1 Access

The project is located approximately one quarter mile west of Interstate 215 (I-215), which is the major thoroughfare in this portion of the County, linking Menifee to northern Riverside County and San Diego County. A system of connected roadways exist and are planned to serve the Project area and augment I-215 in moving through traffic to and from other communities.

Garbani Road is the northern boundary of the project site, and will provide access to PA1 and PA3. Sherman Road runs along the western boundary of the Specific Plan, and will provide access to PA2. PA2 can also be accessed via on-site circulation through PA3. Haun Road is located to the east of the site and will provide the access to PA3 and PA4. On-site vehicular circulation consists of a private drive aisles, landscaped parking areas, and pathways. The project also provides for an extensive internal (to the site) and external (perimeter) non-vehicular circulation system. This non-vehicular system will be internal to the planning areas, as well as connecting the planning areas and providing connectivity to areas adjacent to the project.

3.4.2.2 Vehicular Network

The project's circulation plan establishes a design hierarchy where the major and collector roads serving the project feed into internal drive aisles of varying widths that will form the backbone system through the site. The vehicular circulation plan includes different roadway sizes and classifications, as described in more detail below.

Garbani Road

Garbani Road is designated in the Menifee General Plan as a Major Roadway (4 lanes, divided). The designation of Garbani Road as a Major roadway was based on the traffic associated with a future interchange at I-215, which is included in the City's General Plan Circulation Element. The project proposes to shift the Garbani Road centerline north 9 feet in order to create a Modified Major roadway. A General Plan Amendment is not needed since the project will maintain the minimum curb width of a Major roadway. Garbani Road is currently improved between Haun Road and Kurt Street and Thornton Avenue as a two-lane roadway with a sidewalk and landscaped buffer on the northern side of the street.

Garbani Road will be constructed as a part of the project from the intersection of Haun Road to the intersection of Sherman Road. Garbani Road is planned as a 130-foot-wide right of way with four travel lanes and a striped median to separate oncoming traffic. This roadway section will allow for a striped 8-foot wide Class II bike lane on each side of the roadway. The Class II bike lane is designed for bike use only and would prohibit parking along both sides of the street. Along the southern side of Garbani Road, a 25-foot wide parkway is proposed to accommodate a planned 6-foot wide sidewalk, and an 8-foot wide trail that would be separated from the roadway by a landscaped parkway. Along the northern side of Garbani Road, there exists a 21-foot wide parkway with a planned 5-foot-wide sidewalk that is separated from the roadway by a landscaped parkway. The Project will be widening Garbani Road to its ultimate half width.

Haun Road

Haun Road is designated in the Menifee General Plan as a Major Roadway (4 lanes, divided). Haun Road, adjacent to the project site, is currently improved as a two-lane roadway, approximately 30-feet of pavement, without any curbs, gutters or sidewalks. Haun Road is proposed as a 107-foot-wide right-of-way. The 107-foot wide section includes four travel lanes and a striped median. This roadway section will allow for a striped 10-foot wide Class I bike lane along the Project frontage. Along the western side of Haun Road, a 19-foot wide parkway is proposed to accommodate a planned 10-foot wide community trail that would be separated from the roadway by a landscaped parkway. The Project will be widening Haun Road to its ultimate half width.

Sherman Road

Sherman Road is designated in the Menifee General Plan as a Collector (4 2 lanes, undivided). Sherman Road is currently developed as a narrow, two-lane roadway. Sherman Road is proposed as an 81-foot wide right-of-way with two travel lanes on the eastern side and one travel lane on the western side. This roadway section will allow for an unstriped Class III bike lane. Along the eastern side of Sherman Road, a 15-foot wide parkway is proposed to accommodate a planned 8-foot wide trail that would be separated from the roadway by a landscaped parkway. The Project will be widening Sherman Road to its ultimate half width.

Internal/On-Site Drive Aisles

The project proposes a number of internal, on-site local roadways that will be located in or adjacent to residential neighborhoods and will be used primarily by future residents. Internal/On-Site Drive Aisles are proposed as two lane roadways, ranging in width from 24-feet to 30-feet, with potential parking on both sides and a sidewalk adjacent to the curb.

3.4.2.3 Non-Vehicular Network

The project proposes a trail system that will contain a comprehensive sidewalk, trail, and bike lane network that will connect neighborhoods to parks, recreational areas, and off-site destinations. The non-vehicular system will provide for pedestrian and cyclist movement and connectivity through the site. The non-vehicular network ensures that residents will have opportunities to walk, bike, and jog in different settings. The non-vehicular network consists of the following: trails/pathways, sidewalks and bike lanes which will connect to off-site trails, sidewalks and pathways.

Five-foot wide sidewalks and 4- to 6-foot decomposed granite paths are proposed throughout the project site. The proposed pathway system accommodates pedestrian and cycling of non-motorized transportation. The pathway system will provide pedestrian connections to all of the perimeter streets, as well as a variety of bike lanes.

Sidewalks are proposed within the right-of-way of streets and roads on the roadways that provide the northerly, easterly and westerly boundaries of the project site. Sidewalks, as well as paths/trails, serve to provide pedestrian connections between the individual planning areas. Sidewalks and trails proposed within the different roadway sections shall meet minimum City standards.

Sidewalks are intended to provide safe and efficient travel for pedestrians and bicyclists and facilitate connectivity to the larger roadways and trail systems within the community. In utilizing the sidewalks in combination with the bike lanes and pathways, users will be connected to all of the recreational areas within Specific Plan, and to off-site recreational areas immediately outside of the community.

Perimeter street roadway sections will allow for either a Class I, Class II, or Class III bike lane, where applicable. The bike lanes are provided to help link the Specific Plan to other part of the EDC and City.

3.4.3 PROPOSED INFRASTRUCTURE, PUBLIC SERVICES AND UTILITIES

Conceptual infrastructure facility and service plans have been developed for the project to provide water and sewer services to the community and to identify the utility service companies servicing the project site.

3.4.3.1 Water

The Eastern Municipal Water District (EMWD) provides water and wastewater service to the Mill Creek Promenade Project area. Domestic water provided by EMWD is served with a blend of the California State Water Project and Colorado River waters, imported and supplied to EMWD by the Metropolitan Water District (MWD). The conceptual water system plan has been developed to service the project, as shown on **Figure 3-10a, Water Distribution Plan**. Adequate water service can be provided for the proposed project using existing and planned facilities. As shown on **Figure 3-10a**, the project proposes the construction of an interior system of water lines along planned drive aisles of the community to service the individual planning areas. Specifically, 12-inch lines are proposed along drive aisles to connect to the existing 18-inch water lines along Garbani and Sherman Roads, and to the existing 12-inch water line in Haun Road. If available, the project will also integrate recycled water into irrigation plans. In order to provide a reliable source of water for firefighting purposes, potable water is also delivered to all fire hydrants and fire sprinkler systems utilizing the potable water system. Thus, piping facilities for potable water is designed to accommodate both the domestic demand and the fire-fighting demand.

3.4.3.2 Sewer

EMWD provides wastewater/sanitary sewer service to the Project area. The conceptual wastewater/sewer system plan is depicted in **Figure 3-10b**. As shown on **Figure 3-10b**, an existing 18-inch sewer line is located along Haun Road. The project proposes the construction

of an interior system of sewer lines along planned drive aisles of the community to service the individual planning areas. Specifically, 8-inch lines are proposed along drive aisles to connect to the existing 18-inch sewer line along Haun Road.

3.4.3.3 Drainage

Preliminary hydrology studies, water quality studies, as well as on-site and off-site hydrology analysis conducted for the project indicate the need for the project to detain the increased storm water runoff that would result from project development on site. The existing site is vacant. Therefore, in its current state, the site generates limited volumes of runoff. However, in its developed state, the project will include areas of impermeable surfaces from which rain will run off; this "additional" runoff (difference between existing and future) is the responsibility of the project to detain on-site. See **Figure 3-9, Drainage Rendering**.

To capture, convey and detain this on-site runoff, a system of on-site detention facilities has been identified, located and sized to accommodate the projected storm water volumes. The project proposes a series of water quality basins and detention basins that have been integrated into the Project and are planned to be situated at the low portion of each Planning Area. The conceptual Drainage Plan as illustrated on **Figure 3-10c***,* shows the planned storm drains, water quality basins, and detention basins. Currently, PA1 is proposed to drain to an underground detention/infiltration facility within PA3; PA4 drains to a bio-retention facility; and PA3 drains to underground detention/infiltration facilities and bio-retention facilities.

As shown on **Figure 3-10c**, all drainage will generally flow to the northeastern portion of the site. Drainage from PA1 will be collected via a system of storm drains that will be appropriately sized, and will end up discharging flows into an existing 54-inch reinforced concrete pipe (RCP) in Garbani Road that will be modified due to project development. Drainage from PA2 will be collected via a system of storm drains that will be appropriately sized, and will end up discharging flows into a basin located at the northeast corner of PA2, ultimately tying into an undercrossing at Garbani Road. The existing RCP undercrossing beneath Haun Road will be replaced by a double 5 foot (5') high by 10' wide reinforced concrete box (RCB) storm drain, which will transition into a double 4' high by 12' wide RCB at the downstream end of the storm drain where is crosses the road. PA4 will drain into PA3, which will drain into PA5.

3.4.3.4 Schools

Future residents of the project would be served by the Menifee Union School District (Menifee USD) for grades K-8 and by the Perris Union High School District (PUHSD) for grades 9-12. Elementary school students (grades K-5) would attend Chester W. Morrison Elementary School located approximately 3 miles to the north of the site. Middle school students (grades 7-8) would attend Menifee Valley Middle School located approximately 2.3 miles (by road) east of the site. High school students would attend Paloma Valley High School located approximately 1.3 miles (by road) northeast of the site. The project will be required to offset its impacts to schools and school districts with development impact fees which are set and collected by each school district prior to the issuance of a building permit in addition to ongoing property taxes.

3.4.3.5 Police and Fire

The City of Menifee contracts all law enforcement and fire protection services through the Riverside County Sheriff's Department and the Riverside County Fire Department, respectively.

The Sheriff's office in Perris serves the City of Menifee and is located about 6 miles north of the City. The City is in the process of forming its own municipal police department. However, for the analysis in this document, the existing law enforcement setting (County Sheriff's Department will be analyzed. There are four fire stations in the City and each station has a paramedic engine company.

3.4.3.6 Electricity

Southern California Edison Company (SCE) is the primary distribution provider for electricity in a 50,000 square mile area of central, coastal, and southern California, including Riverside County and the project site. SCE electricity transmission lines connect Riverside County with power sources from Northern California, Arizona, and southern California. A transmission corridor traverses east to west through Riverside County and serves the SCE Valley Substation located at the intersection of Menifee Road and Highway 74. SCE proposes to upgrade and expand the existing electrical infrastructure to improve overall electrical reliability in the Project area through the *Alberhill System Project*, *Valley-Ivyglen Subtransmission Line and Fogarty Substation Project* and *Valley South Subtransmission Project.* SCE provides electricity adjacent to the project site with existing electrical power lines located along Haun Road.

3.4.3.7 Natural Gas

Southern California Gas (SoCal Gas) provides natural gas to the project area. The closest natural gas transmission line to the Project site runs generally north-south in the vicinity of El Centro Road approximately 2 miles to the east of the project site. The closest high pressure distribution lines are located approximately 2 miles southeast of the project site at the intersection of Menifee Road and Scott Road; approximately 2 miles to the north of the project site at the intersection of Haun Road and Newport Road; and approximately 2.5 miles south of the project Site at the intersection of Keller Road and I-215.

3.4.3.8 Solid Waste

The general project area already receives solid waste management services from private collectors and through the County of Riverside landfills. Waste Management, Inc. (WMI) of the Inland Empire is the City's franchise hauler for refuse, recycling and green waste materials. Most waste collected by WMI from the Project vicinity is delivered to the Moreno Valley Transfer Station located at 17700 Indian Street in Moreno Valley approximately 19 miles north of the Project site. Residential waste from Moreno Valley Transfer Station is primarily disposed of at the El Sobrante Landfill, but the transfer operator may also use the Badland Landfill for disposal of residential waste. Both landfills are Class III municipal solid waste landfills that accept primarily non-hazardous residential and commercial/industrial municipal solid waste.

3.4.3.9 Telephone and Internet

Verizon provides landline telephone service in the project area. Many private companies provide cellular and voice-over-internet telephone service in the project area. Mediacom provides cable internet service in the project area.

3.4.4 OFFSITE PROJECT COMPONENTS

Projected off-site infrastructure impacts would be confined to the roads adjacent to the proposed Project and to the replacement of the drainage culvert within Haun Road where Mill Creek exits the property. **Figure 3-10a** through **3-10c** show the location where offsite utility connections would be installed. It is anticipated that these utilities will be installed in existing, developed or disturbed roadways or within their existing rights-of-way. Should the utilities be placed outside of existing disturbed rights-of-way, a follow-on environmental document will have to be prepared to address the environmental impacts along such alignments prior to any project-related disturbance.

3.5 PHASING AND CONSTRUCTION

3.5.1 PHASING

The project is proposed to be developed within a single phase. Within that phase, it is assumed that all horizontal infrastructure improvements, all light industrial buildings, the restaurant, and the residential units will be constructed in a single phase. Retail pads will also be fully graded, however retail buildings will be constructed to order and built to suit in order to meet tenant and financing requirements, as they are identified.

Horizontal infrastructure is expected to take approximately seven months (January 2020 through December 2020). Construction of industrial, restaurant, residential, and grading of the retail pads is anticipated to take approximately three years (June 2020 through June 2023).

This phasing plan represents the best estimate of the applicant. The exact phasing and timing in which the roads and other infrastructure are constructed may depend on the processing off-site improvement permits and extension of off-site improvements.

3.5.2 GRADING PLAN

The conceptual grading plan is shown in **Figure 3-12, Conceptual Grading Plan**. All cut and fill will be balanced on site and will not require import or export of materials. Approximately 106,350 cubic yards of material will be moved overall (total estimated cut and fill) to achieve the cut and fill balance. This quantity may vary as final grading plans are developed. Balance of cut and fill in each phase and within each planning area is the goal; however, in some cases a limited amount of off-phase grading may occur for borrow and stock piling sites.

The grading plan is conceptual in nature and therefore as each development phase or planning area is submitted for review and approval, a phase-specific grading plan shall be submitted to the City for review and approval. Mass site grading will occur in one initial phase. Additional grading is anticipated in phases as development applications are processed for each planning area and portions contained therein.

The Mill Creek Promenade Specific Plan (**Appendix 11**) establishes the following development standards for grading:

a. All grading shall be in substantial conformance with the Conceptual Grading Plan.

b. Prior to any development within any planning area, an overall preliminary grading plan for the planning area in process shall be submitted to the Community Development Department and Public Works Engineering Department for approval. The grading plan for each such planning area shall be used as a guideline for subsequent detailed grading plans for individual stages of development within that planning area and shall include:

   i. Techniques employed to prevent erosion and sedimentation during and after the grading process.
   ii. Approximate time frames for grading.
   iii. Any necessary planning phase specific WQMP resulting from changes that impact the overall WQMP approved for the development. Each project-specific WQMP shall be reviewed and approved by the City.

c. All cut and/or fill or individual combinations thereof shall meet the minimum requirements of the California Building Code or governing code at the time of application submittal.

d. All grading activity shall conform to the recommendations of the preliminary soils report and subsequent reports prepared in conjunction with the grading plans.

e. The applicant shall be responsible for the maintenance and upkeep of all planting and irrigation systems until those operations become the responsibility of other parties.

f. When consistent with an approved grading plan, grading shall be permitted outside of the immediate area of development as follows: excess cut from a given phase may be placed as engineered fill in a future development area or disposed of on consenting offsite property. Since the phases represent separate maps, it may be necessary to obtain offsite grading permission letters and/or permits.

g. Grading work on the entire site shall be balanced onsite whenever possible.

h. The site is to comply with the National Pollution Discharge Elimination System (NPDES) “Best Management Practices” (BMPs) for erosion and sedimentation control.

i. The site is to comply with the latest adopted WQMP guidelines for new developments as required by the latest MS4 Permit for the City of Menifee.

j. A Storm Water Pollution Prevention Plan (SWPPP) must be developed and implemented concurrent with commencement of grading activities. A copy must be provided to the Public Works Engineering Department prior to issuance of a grading permit.

The phasing sequence described herein is conceptual and it will be analyzed in the Draft EIR. At the time of development, if it is determined that the market demand warrants certain planning areas to be developed out of the expected sequence, it will be permissible provided that the required infrastructure and services are available at the time of development. If such changes

in phasing are implemented after approval of the proposed Project, the Planning Director shall determine if a subsequent environmental document will need to be prepared.

3.6 PROJECT APPROVALS/ENTITLEMENTS

City of Menifee entitlements and approvals required for the proposed project include: Adoption of the Mill Creek Promenade Specific Plan, No. 2016-246; approval of development plot plans (Plot Plan 2017-167); and tentative tract maps (Map No. 2017-165 (TR 37324) and Map No. 2017-166 (TR 37127)). Therefore, this DEIR analyzes the potential for environmental impacts to occur as a result of those entitlements. Additional permits may be required from the responsible and/or trustee agencies listed in the following section.

3.7 RESPONSIBLE AND TRUSTEE AGENCIES

Other agencies that may have permitting authority over the project may include:

- State Water Resources Control Board-Construction General Permit Notice of Intent
- Regional Water Quality Control Board, Santa Ana Region-General Permit enforcement
- South Coast Air Quality Management District-Construction dust control plan
- U.S. Army Corps of Engineers-404 Permit
- California Department of Fish and Wildlife-Streambed Alteration Agreement (SAA)
- Riverside County Flood Control and Water Conservation District-channel modifications
- Riverside County Transportation Department-encroachment permits
- Eastern Municipal Water District-water and sewer connections
- Caltrans District 8-any improvements to Interstate 215

In addition, pursuant to CEQA, the Southern California Association of Governments (SCAG) is responsible for reviewing regionally significant local plans, projects, and programs for consistency with SCAG's adopted regional plans. SCAG encourages projects to demonstrate consistency with SCAG's adopted regional plans and policies through the use of the SCAG List of Mitigation Measures extracted from the 2012 RTP/SCS PEIR.

SCAG, as well as all of the responsible and trustee agencies listed above, are notified of the project through the CEQA process, and invited to participate in the CEQA process through the public review and comment period of this DEIR.

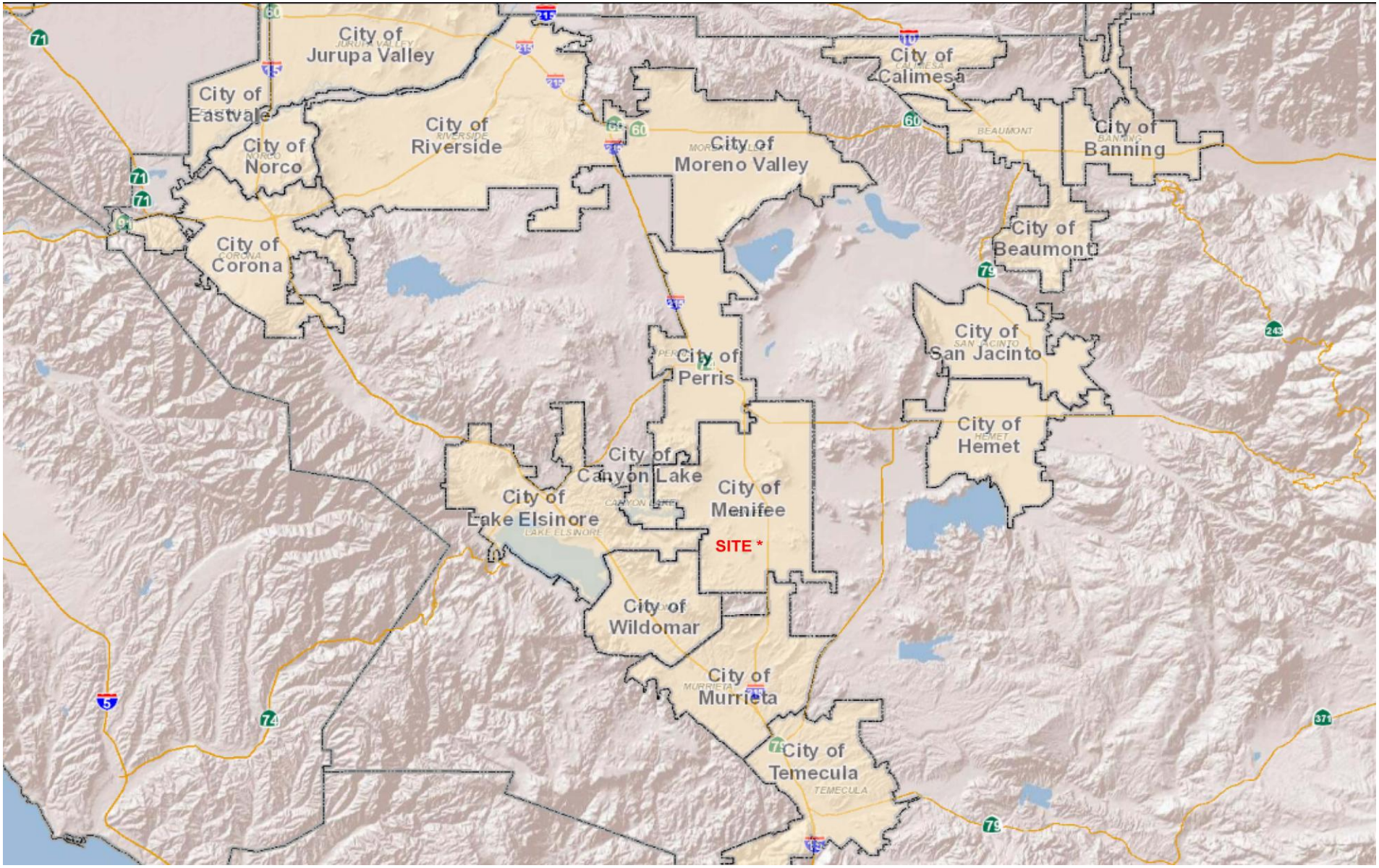
3.8 PROJECT OF STATEWIDE, REGIONAL OR AREA-WIDE SIGNIFICANCE

Per Section 15206 of the State CEQA Guidelines, if a project has the potential for causing significant effects on the environment extending beyond the city or county in which the project would be located it is considered a project of statewide, regional or area wide significance. CEQA provides examples of the significant effects that a project could cause such as generating significant amounts of traffic or interfering with the attainment or maintenance of state or national air quality standards.

Section 15206 explicitly identifies projects subject to this subdivision to include proposed residential developments of more than 500 dwelling units. Because this project proposes a development that includes 398 dwelling units and approximately 153,990 square feet of commercial, retail, and industrial/business park uses, the City has concluded that the project

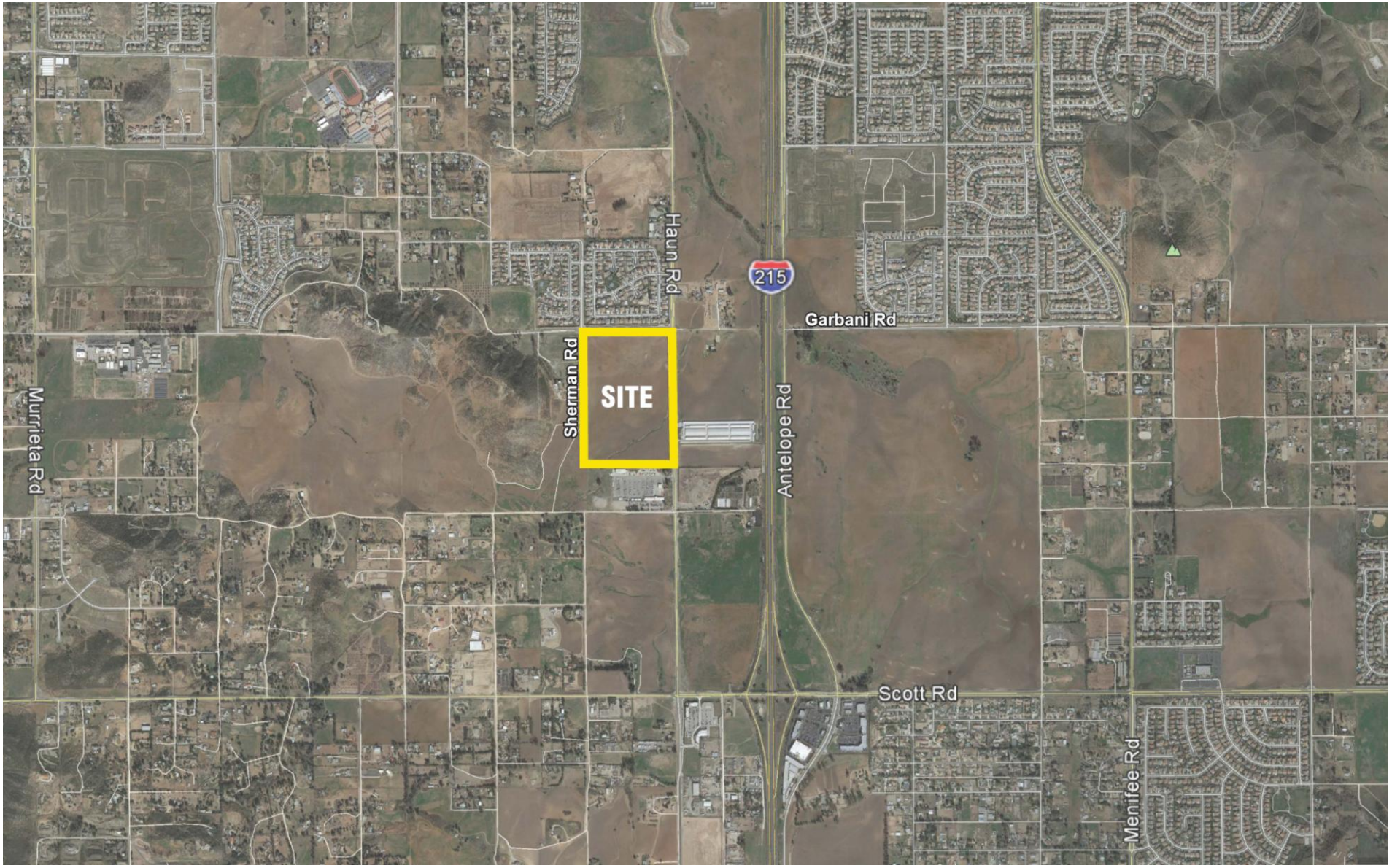
should be considered of statewide, regional or area wide significance. According to Section 15082(c)(1) of the State CEQA Guidelines, the lead agency is required to conduct at least one scoping meeting for projects that meet the criteria of a project of statewide, regional- or area-wide significance. A public scoping meeting was held for the proposed project on November 28, 2017 by the City of Menifee.

FIGURE 3-1
Regional Location Map



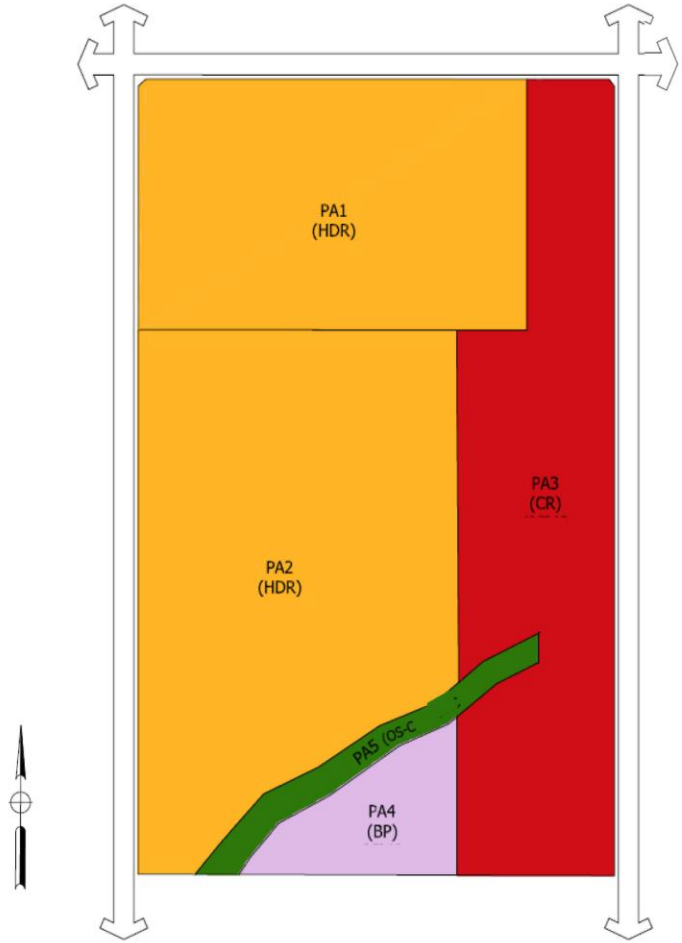
Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-2
Project Location Map



Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-3
Land Use Plan



Land Use	Acres (Net/Gross)	Percentage of Specific Plan Area[4]	Target Density	Target Dwelling Units	Dwelling Units/Acre
High Density Residential – PA1[1]	13.82/15.62	23.6%	8.1-14.0	194	14.0
High Density Residential – PA2[2]	20.51/21.63	35.1%	8.1-14.0	204	9.9
- Residential Subtotals	***34.33/37.25***	***58.7%***	---	***398***	---
Open Space – Recreation – PA1 *Recreation Areas, Parks, Paseos*	4.02	N/A	---	---	N/A
Open Space – Recreation – PA2 *Recreation Areas, Parks, Paseos*	2.42	N/A	---	---	N/A
Commercial Retail – PA3 *Commercial and Professional Office*	14.85/16.78	25.4%	---	---	N/A
Business Park – PA4 *Light Industrial and Business Park*	2.79/2.79	4.8%	---	---	N/A
Open Space – Conservation – PA5 *Open Space*	1.69/1.69	2.8%	---	---	N/A
Major Circulation *Garbani Road, Haun Road, Sherman Road*	4.85	8.3%	---	---	N/A
- Non-Residential Subtotals	***24.18***[3]	***41.3%***	---	---	**N/A**
Project Totals	**58.51**	**100%**		**398**	

1 Includes Open Space – Recreation PA1 4.02 acres.
2 Includes Open Space – Recreation PA2 2.42 acres.
3 Does not include Open Space – Recreation in PA1 and PA2.
4 Based on net acreage.

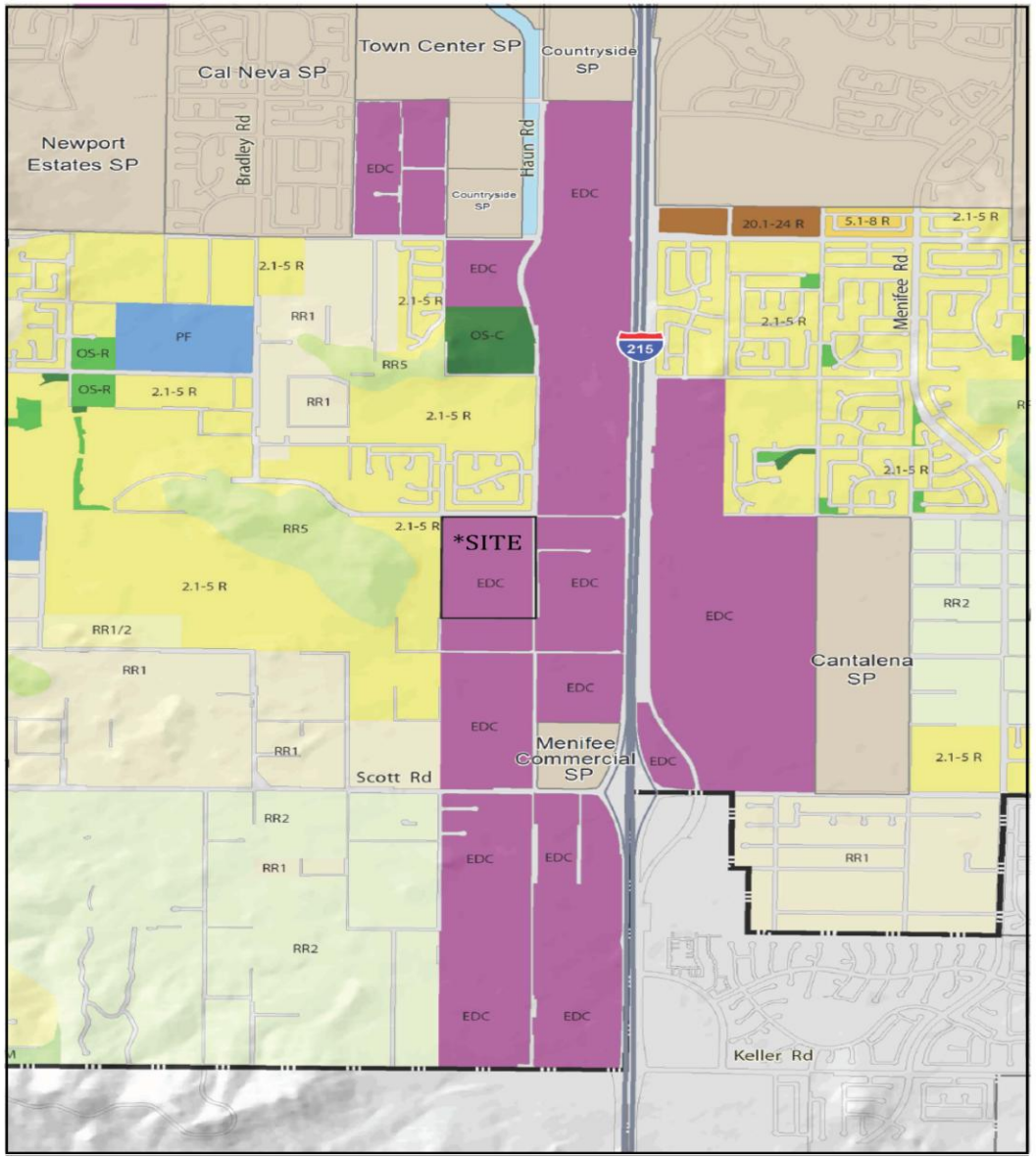
LEGEND

- PA1 - 13.82 AC (HDR)
- PA2 - 20.51 AC (HDR)
- PA3 - 14.85 AC (CR)
- PA4 - 2.79 AC (BP)
- PA5 - 1.69 AC (OS-C)

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-4
Aerial Photo Showing Boundary of Property

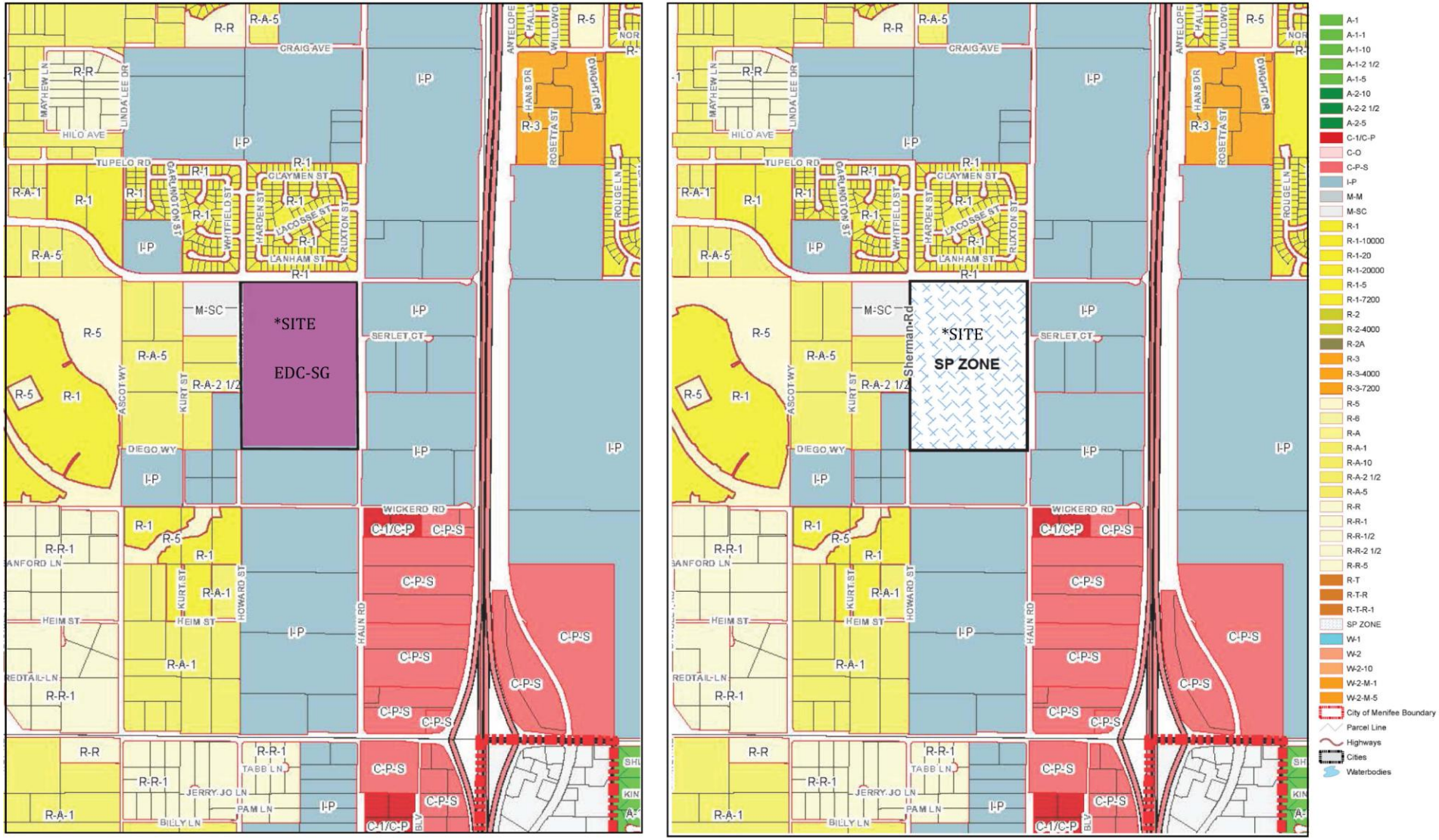
FIGURE 3-5
Existing and Proposed General Plan Land Use Designations



- Rural Mountainous (RM) 10 ac min
- Rural Residential 5 ac min (RR5)
- Rural Residential 2 ac min (RR2)
- Rural Residential 1 ac min (RR1)
- Rural Residential 1/2 ac min (RR1/2)
- 2.1-5 du/ac Residential (2.1-5R)
- 5.1-8 du/ac Residential (5.1-8R)
- 8.1-14 du/ac Residential (8.1-14R)
- 14.1-20 du/ac Residential (14.1-20R)
- 20.1-24 du/ac Residential (20.1-24R)
- Commercial Retail (CR) 0.20 - 0.35 FAR
- Commercial Office (CO) 0.25 - 1.0 FAR
- Heavy Industrial (HI) 0.15 - 0.50 FAR
- Business Park (BP) 0.25 - 0.60 FAR
- Economic Development Corridor (EDC)
- Agriculture (AG)
- Conservation (OS-C)
- Recreation (OS-R)
- Water (OS-W)
- Public/Quasi Public Facilities (PF)
- Public Utility Corridor (PUC)
- Railroad
- Specific Plan (SP)

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-6
Existing and Proposed Zoning Designations



The existing zoning of the site is Economic Development Corridor – Southern Gateway (EDC-SG).
The proposed Zoning is Specific Plan (SP).

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-7
Open Space and Recreation Plan

LEGEND

1 — PA1 RECREATION AREAS - 4.02 Total Acres Reference Figures III-3, III-4, and III-5
(Total acreage includes 1.45 acres of Paseos, not depicted)

2 — PA2 RECREATION AREA - 2.42 Total Acres
Reference Figure III-6
(Total acreage includes 0.44 acre Trail opportunity adjacent to PA5, not depicted, and the 0.76 acre Basin)

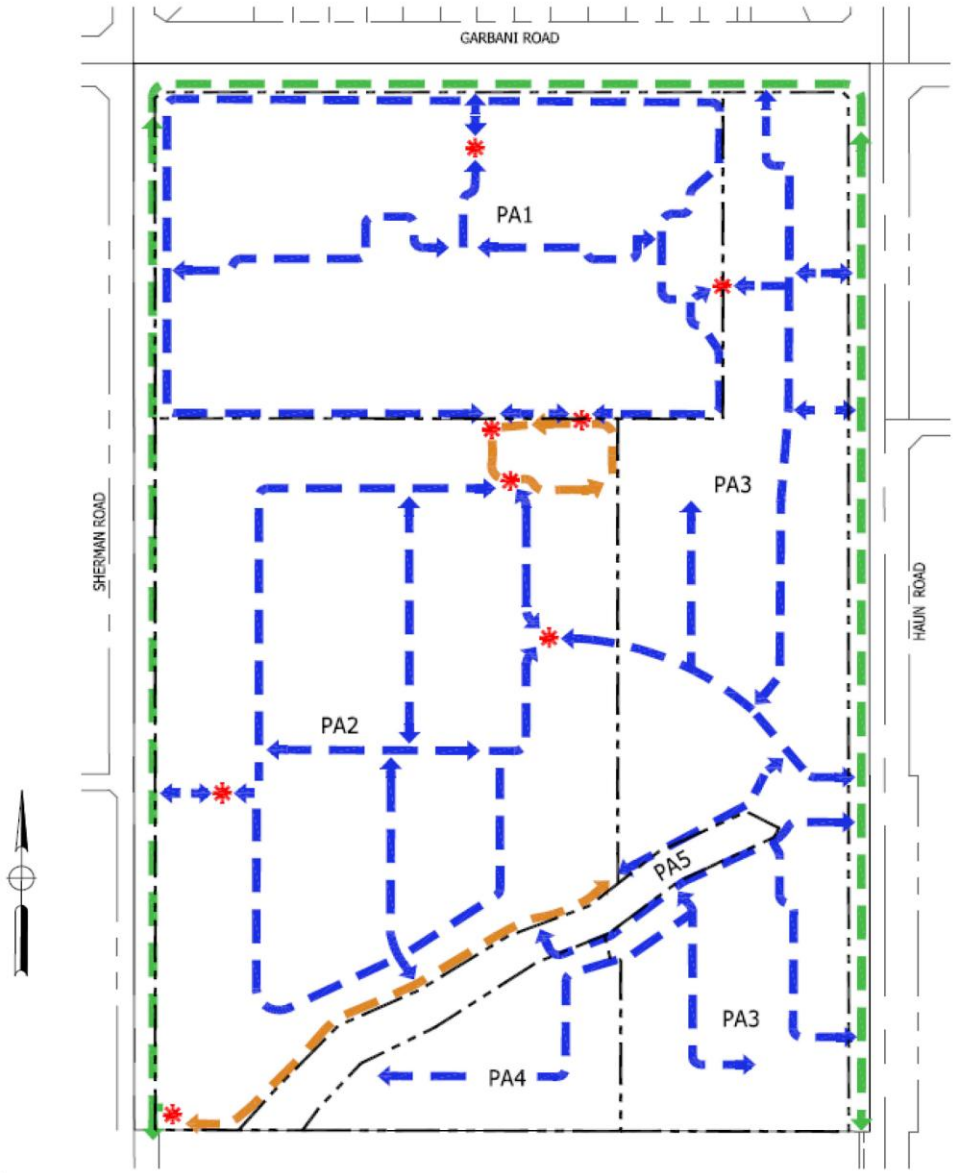
3 — PA2 BASIN - 0.76 Total Acres
Reference Figure III-9

PA5 OPEN SPACE CONSERVATION - 1.69 Acres
Reference Figure V-1

This is a concept plan that shows the general type and location for the open space elements. Final locations for quantities of amenities/facilities and recreation areas (including paseo and trail locations) will be determined at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-8
Non-Vehicular Circulation Plan



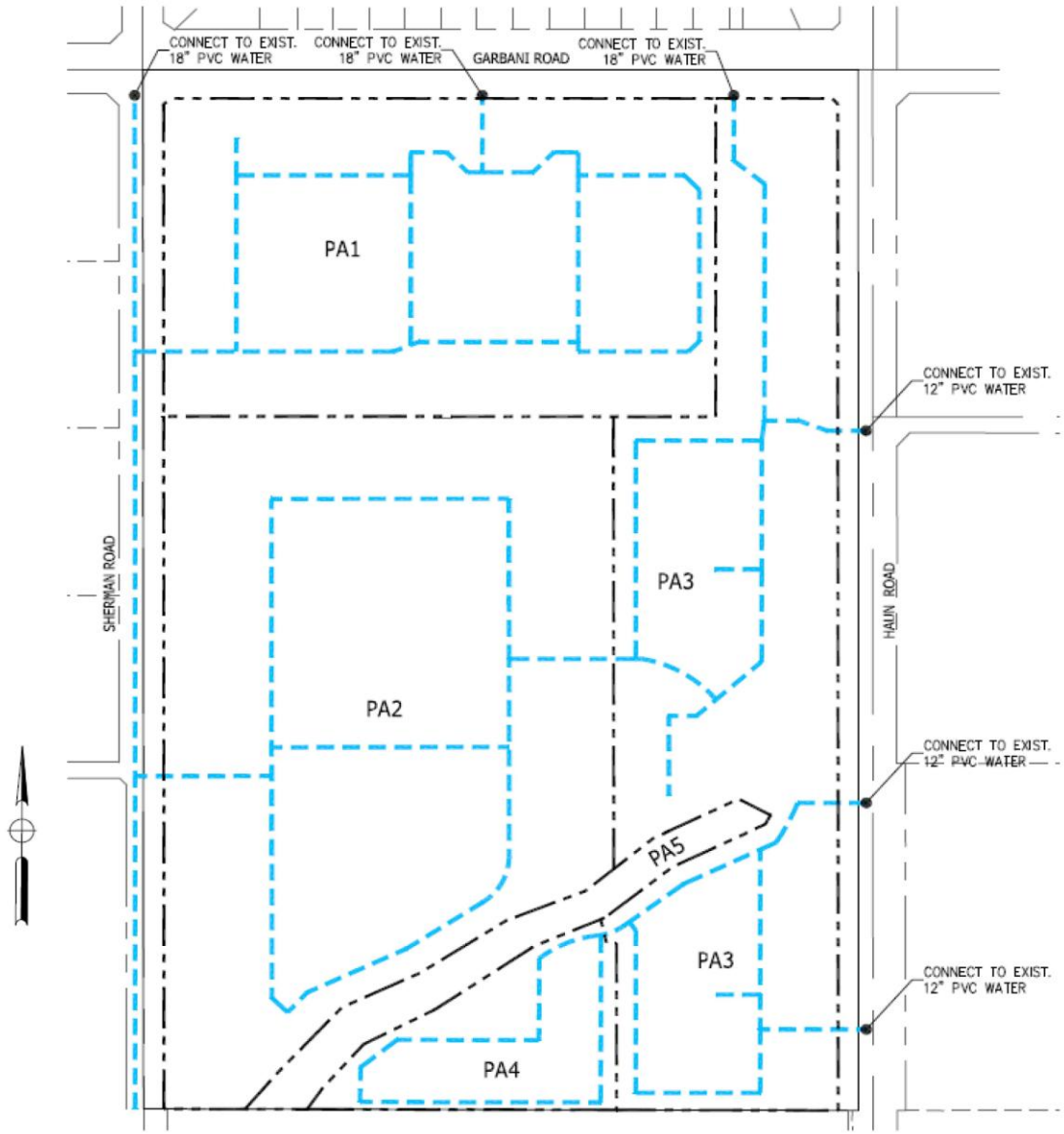
LEGEND	DESCRIPTION
	INTERIOR SIDEWALK
	DECOMPOSED GRANITE PATH (TRAIL)
	WALKWAY/TRAIL
	PEDESTRIAN ACCESS GATE
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY

This is a concept plan that shows the general type and location for the trails and walkways. The specific types and quantities of trails and walkways will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-9
Conceptual Artistic Rendering of the Drainage Adjacent to Onsite Channel

FIGURE 3-10a
Offsite Infrastructure Connections (Water)



LEGEND	DESCRIPTION
	PROP. 12" WATER MAIN
	EXIST. 12" WATER MAIN
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY

Note: Pending Eastern Municipal Water District Approval

This is a concept plan that shows the general type and location for the on-site water lines and off-site points of connection. The specific type and location for the on-site water lines and off-site points of connection will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-10b
Offsite Infrastructure Connections (Sewer)

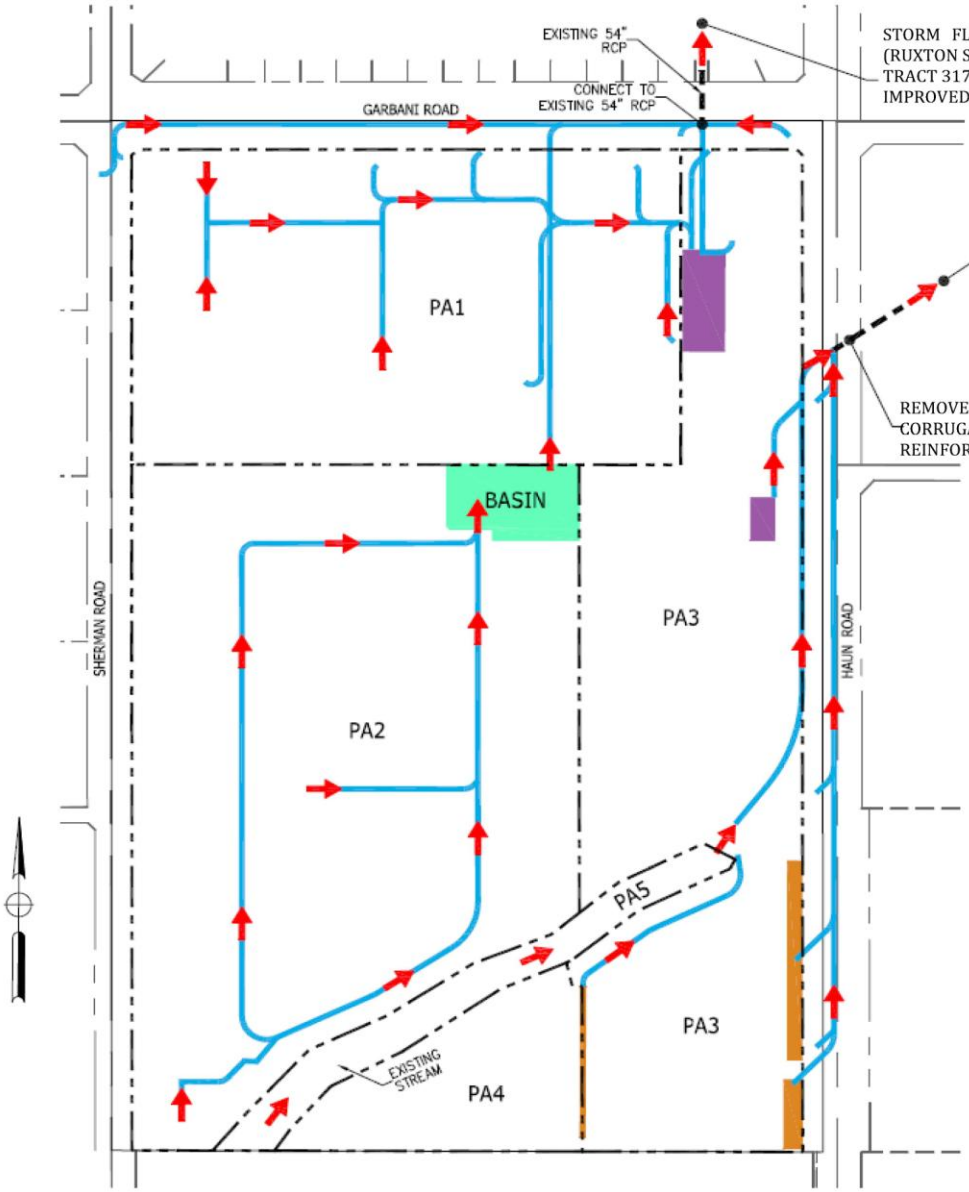
LEGEND	DESCRIPTION
	PROP. 8" SEWER MAIN
	EXIST. 18" SEWER MAIN
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY

Note: Pending Eastern Municipal Water District Approval

This is a concept plan that shows the general type and location for the on-site sewer lines and off-site points of connection. The specific type and location for the on-site sewer lines and off-site points of connection will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-10c
Offsite Infrastructure Connections (Drainage)



STORM FLOWS EXIT THE SITE INTO AN EXISTING 54" STORM DRAIN, (RUXTON STREET STORM DRAIN), WHICH FLOWS TO A DETENTION BASIN IN TRACT 31724 TO THE NORTH, THEN TO AN IMPROVED STREAM BED AND AN IMPROVED CHANNEL TO SALT CREEK.

STORM FLOWS EXIT THE SITE IN CULVERTS UNDERNEATH HAUN ROAD TO AN EXISTING STREAM. THIS STREAM FLOWS NORTHERLY INTO AN UNIMPROVED STREAMBED AND THEN INTO AN IMPROVED CHANNEL TO SALT CREEK.

REMOVE AND REPLACE EXISTING CORRUGATED METAL PIPE WITH REINFORCED CONCRETE BOX.

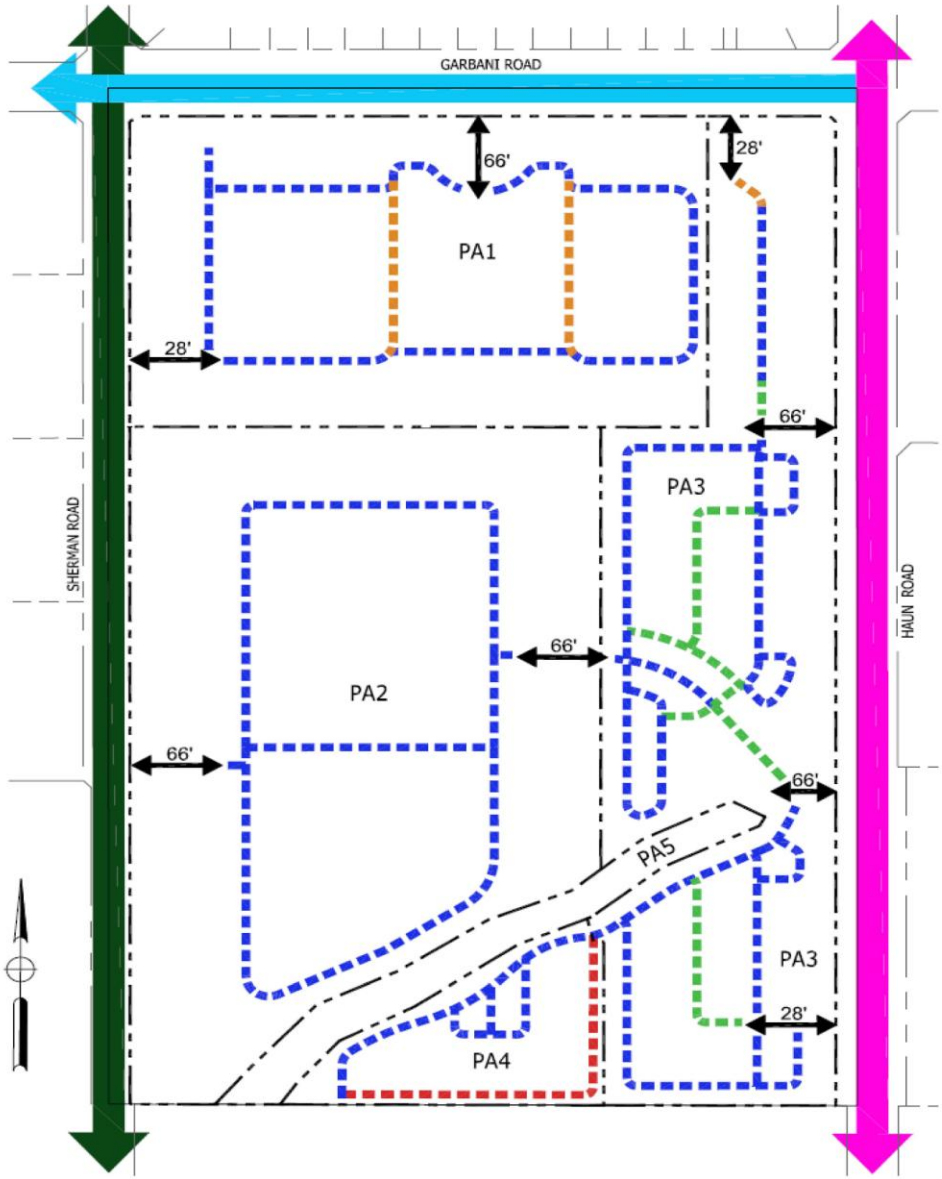
LEGEND	DESCRIPTION
	BASIN
	SAND FILTER/BASIN
	BIO RETENTION/BASIN
	STORM DRAIN (SIZE VARIES)
	FLOW DIRECTION
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY

Note: Pending Approved Preliminary Hydrology Study and Water Quality Management Plan

This is a concept plan that shows the general type and location for the on-site drainage patterns and facilities and the off-site points of connection. The specific type and location for the on-site drainage patterns and facilities and the off-site points of connection will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 3-11
Vehicular Circulation Plan

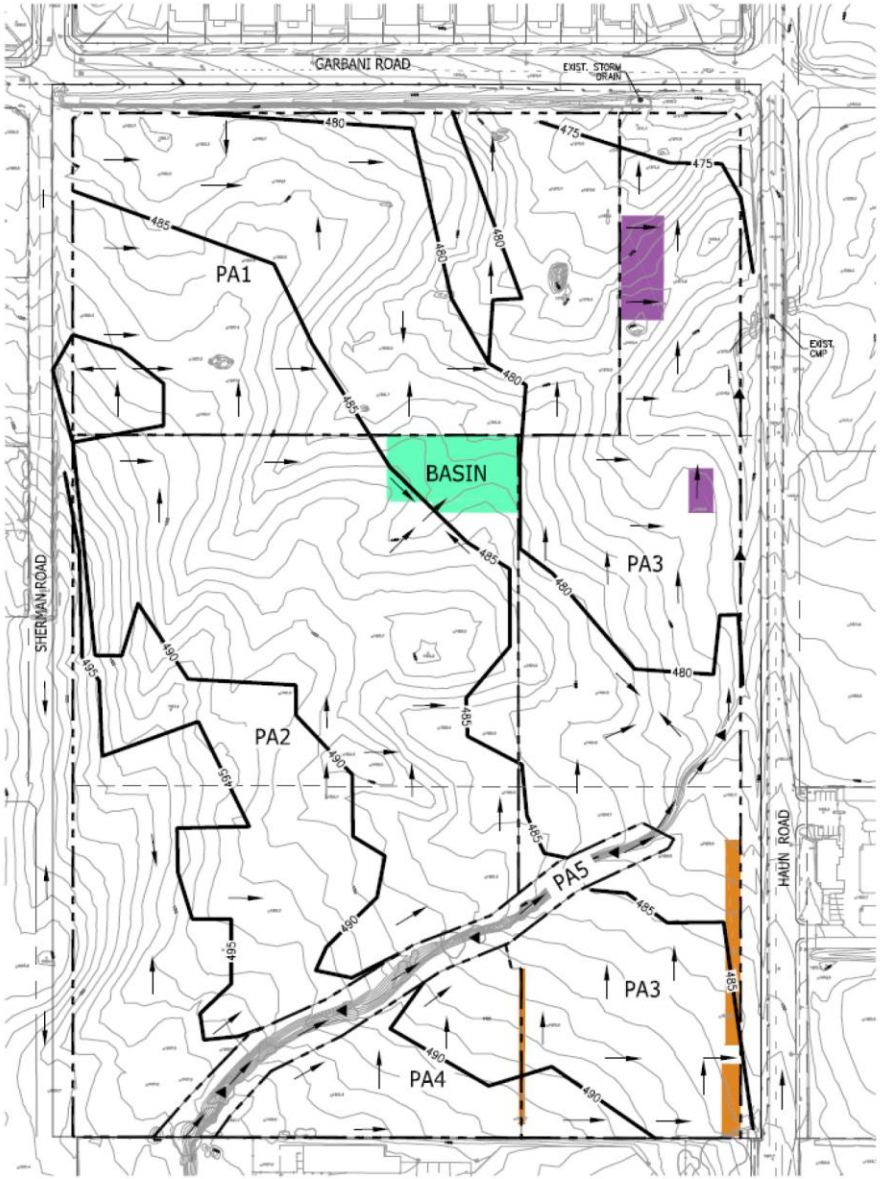


LEGEND	DESCRIPTION
	ENTRANCE/EXIT
	(MAJOR) 4–LANES CITY STD. 110
	(MAJOR) 4–LANES CITY STD. 110 (MODIFIED)
	(COLLECTOR) 4–LANES CITY STD. 113
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY
	24' WIDE DRIVE AISLE
	26' WIDE DRIVE AISLE
	28' WIDE DRIVE AISLE
	30' WIDE DRIVE AISLE

This is a concept plan that shows the general type and location for the roadways. The specific types and quantities of roadways will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

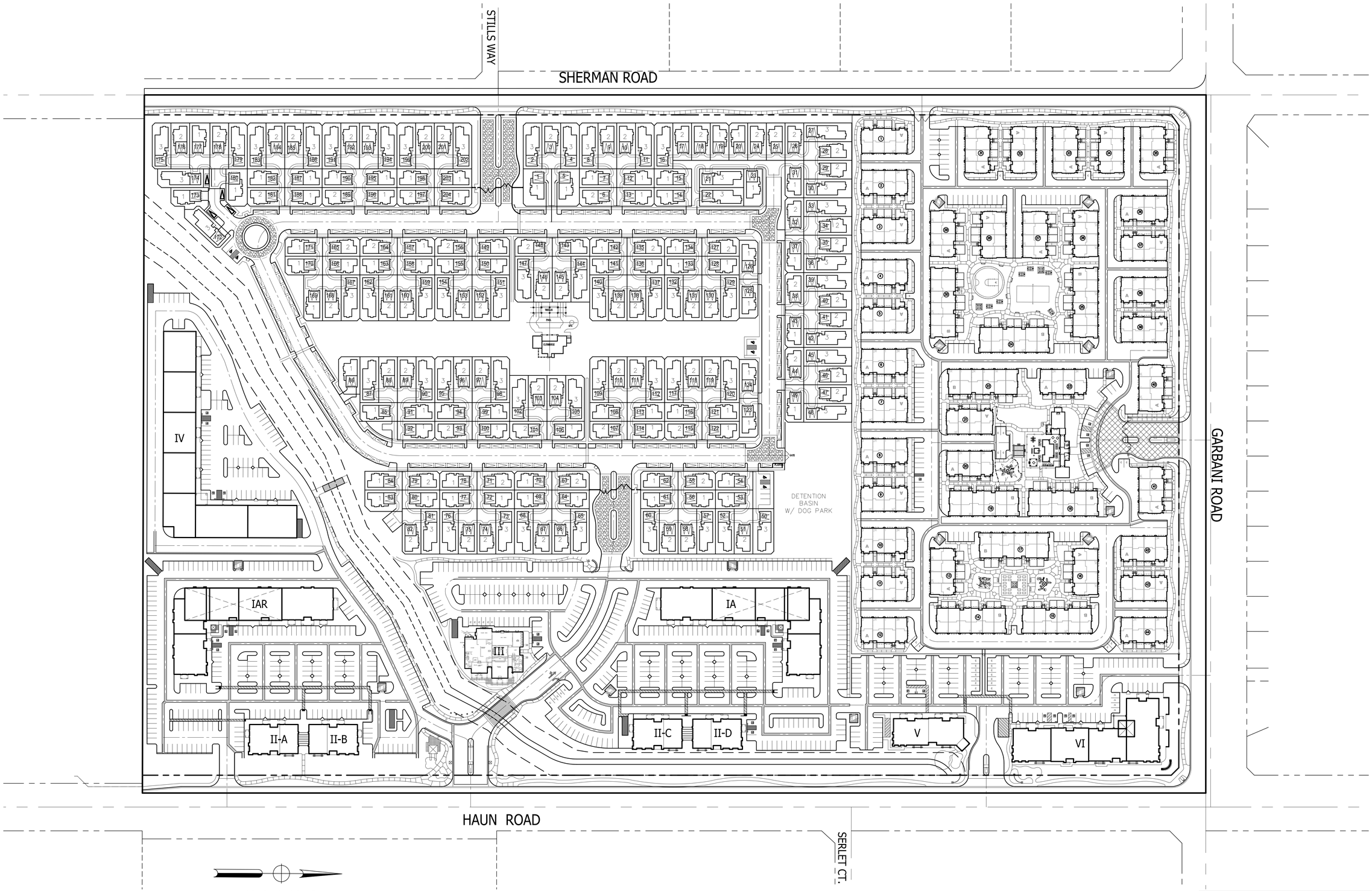
FIGURE 3-12
Conceptual Grading Plan



LEGEND	DESCRIPTION
	BASIN
	SAND FILTER
	BIO RETENTION
→	FLOW DIRECTION
▲	EXISTING STREAM/MILL CREEK
—485—	PROPOSED CONTOUR
—485—	EXISTING CONTOUR
	PLANNING AREA BOUNDARY
	PROJECT BOUNDARY

This is a concept plan that shows the existing topography and a general mass grading design. The site grading design will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019



MILLCREEK PROMENADE

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
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Tel: (951) 698-1350 Fax: (951) 698-8657

Benjie

S:\Land Projects 2004\27259 MILL CREEK PROMENADE\DWG\15-EXHIBITS\MC_SITE PLAN.dwg 3-24-17 11:10:48 AM

FIGURE 3-13

CHAPTER 4 – ENVIRONMENTAL IMPACT EVALUATION

4.1 INTRODUCTION TO ENVIRONMENTAL ANALYSIS

The City of Menifee has prepared this project EIR to evaluate the potential significant environmental impacts that may result from Mill Creek Promenade Project, which includes approval of the Mill Creek Promenade Specific Plan No. 2016-246, Plot Plan No. 2017-167, Plot Plan No. 2016-057, Tentative Tract Map No. 2017-165 (TR 37324), and Tentative Tract Map No. 2017-166 (TR 37127).

This chapter evaluates the significant environmental effects of the proposed project, which is described in Chapter 3, Project Description. The following sections in this chapter analyze the environmental topics listed below:

4.2 Aesthetics
4.3 Agriculture and Forestry Resources
4.4 Air Quality
4.5 Biological Resources
4.6 Cultural Resources
4.7 Geology and Soils
4.8 Greenhouse Gases
4.9 Hazards and Hazardous Wastes
4.10 Hydrology and Water Quality
4.11 Land Use and Planning
4.12 Mineral Resources
4.13 Noise
4.14 Population and Housing
4.15 Public Services
4.16 Recreational Resources
4.17 Transportation and Circulation
4.18 Tribal Cultural Resources
4.19 Utilities and Service Systems
4.20 Wildfire
4.21 Energy

Each environmental topic section will include the following sections:

Introduction: Summarizes the specific issues of concern for each subchapter, as identified in the NOP scoping process.

Regulatory Setting: Describes applicable federal, state and local plans, policies and regulations that the proposed project must address, and will shape its implementation.

Existing Conditions: Describes the existing environmental setting for each physical resource (environmental baseline) related to the topic being analyzed. Existing conditions are determined as of the date of the release of the project's Notice of Preparation ("NOP"), which is November 14, 2017.

Thresholds of Significance: Sets forth the thresholds of significance (significance criteria) used to determine whether impacts are "significant."

Methodology: Describes the methods used to analyze the impact and determine whether it would be significant or less than significant.

Environmental Impacts: Analyzes the potential direct and indirect impacts of the proposed project, identifies the need (if any) for mitigation measures, and identifies the ultimate significance determination (after the incorporation of mitigation) for each threshold of significance.

This document was prepared during the transition from the previous State CEQA Guidelines and the new 2019 State CEQA Guidelines. Thus, the following DEIR analysis has been expanded to include the addition of the two new chapters in the 2019 Guidelines, Wildfire and Energy. However, in reviewing the new questions included in the 2019 State Initial Study Environmental Checklist Form, it was determined that the analyses using the previous Checklist Format covered all of the issues in the new Checklist. In addition this document is being published and distributed prior to the 120-day period for implementation of the new guidelines, which falls on April 30, 2019. Thus, the analyses in the first 19 Subchapters reference the previous Checklist but all of the issues contained in the new Checklist have been fully addressed.

The analyses contained within this chapter are based in part on ten broad categories of technical studies, prepared in support of the DEIR. These technical studies are referenced throughout this chapter, and are compiled in Volume 2 of this DEIR. For example, under the broad category of Biology, a total of four studies are referenced. The information used and analyses performed to make impact forecasts are provided in depth in this document to allow reviewers to follow a chain of logic for each impact conclusion and to allow the reader to reach independent conclusions regarding the significance of the potential impacts described in the following subchapters.

4.2 AESTHETICS

4.2.1 INTRODUCTION

This subchapter evaluates the environmental impacts to aesthetic resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan, the Mill Creek Promenade Specific Plan, technical documents prepared for the Project available in Volume II of this DEIR, personal observations, and Google street views were used in the evaluation presented in this subchapter.

The only comment received regarding this issue area from the public at the public scoping meeting or in response to the Notice of Preparation was with regard to the visual effect of the back sides of the light industrial buildings that will back-up to existing neighborhoods. The intensity of development proposed by the project is addressed in the Land Use section of this document, Subchapter 4.11.

4.2.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

California Building Code: Building Energy Efficiency Standards

Energy conservation standards for new residential and non-residential buildings were adopted by the California Energy Resources Conservation and Development Commission (now the California Energy Commission) ("CEC") in June 1977 and most recently revised in 2016 (Title 24, Part 6, of the California Code of Regulations). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On June 10, 2015, the CEC adopted the 2016 Building Energy Efficiency Standards, which went into effect on January 1, 2017. Title 24 requires outdoor lighting controls to reduce energy usage; in effect, this reduces outdoor lighting.

California Scenic Highways Program

The California Scenic Highways program was established in 1963 to "preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways." The state laws governing the Scenic Highway Program are found in the

Streets and Highway Code, Section 260 *et seq*. No State designated or eligible scenic highways exist within the project area.

Local

City of Menifee General Plan

The following General Plan goals and policies addressing aesthetics are applicable to the project:

Open Space and Conservation Goal

- OSC-3: Undisturbed slopes, hillsides, rock outcroppings, and other natural landforms that enhance the City's environmental setting and rich cultural and historical past and present.

Community Development Goals

- CD-1: Community Image. A unified and attractive community identity that complements the character of the city's distinctive communities.
- CD-2: Rural Design. Preserve and enhance the character of the city's rural areas
- CD-3: Design Quality. 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.
- CD-4: Corridors and Scenic Resources. Recognize, preserve, and enhance the aesthetic value of the city's enhanced landscape corridors and scenic corridors.
- CD-5: Economic Development Corridor design. Economic Development Corridors that are visually distinctive and vibrant and combine commercial, industrial, residential, civic, cultural, and recreational uses.
- CD-6: Community Design Features. Attractive landscaping, lighting, and signage that conveys a positive image of the community.

City General Plan Exhibit CD-2 *Enhanced Landscape Corridors and Scenic Corridors* identifies Haun Road as an Enhanced Landscape Corridor and I-215 as a Scenic Corridor. City General Plan Exhibit C-8 *Scenic Highways* identifies I-215 as an Eligible County Scenic Highway. No other roadways within the vicinity of the proposed Project are identified.

Enhanced Landscape Corridors Policies

- CD-4.1: Create unifying streetscape elements for enhanced landscape streets, including coordinated streetlights, landscaping, public signage, street furniture, and hardscaping.
- CD-4.2: Design new and, when necessary, retrofit existing streets to improve walkability, bicycling, and transit integration; strengthen connectivity; and enhance community identity through improvements to the public right-of-way such as sidewalks, street trees, parkways, curbs, street lighting, and street furniture.
- CD-4.3: Apply special paving at major intersections and crosswalks along enhanced corridors to create a visual focal point and slow traffic speeds

Economic Development Corridor Policies

- CD-5.1: Provide comfortable pedestrian amenities-quality sitting areas, wide paths and shade-along with specialized and engaging design features, such as interesting fountains or public art, which draw and maintain people's attention, as appropriate based on the preferred mix of land uses for each EDC subarea.

- CD-5.2: Include open space and/or recreational amenities in EDC areas to provide visual relief from development, form linkages to adjacent uses and other portions of the economic development corridor, and serve as buffers between uses, where necessary.
- CD-5.3: Consider shared parking and reduced parking standards in areas designated as Economic Development Corridor.
- CD-5.4: Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity in the EDC areas where appropriate.
- CD-5.5: Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic, or where these intersect, give special regard to pedestrian safety.
- CD-5.6: Orient building entrance toward the street and provide parking in the rear, when possible.
- CD-5.7: Where a vertical mix of uses occurs, site retail or office uses on the ground floor, with residential and/or office uses above. Also, encourage architectural detailing that differentiates each use.
- CD-5.8: Encourage adjacent commercial and industrial buildings to share open, landscaped, and/or hardscaped areas for visual relief, access, and outdoor employee gathering places.

Community Design Features Policies

- CD-6.5: Limit light leakage and spillage that may interfere with the operations of the Palomar Observatory.

City of Menifee Municipal Code

The City of Menifee Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provisions from the City's Municipal Code help minimize visual and light and glare impacts associated with new development projects and are relevant to the proposed Project.

<u>Dark Sky; Light Pollution (Chapter 6.01).</u> The City's ordinance establishes lighting standards for specific types of lamps, shielding, hours of operation, and outdoor advertising displays. Low-pressure sodium lamps are preferred. All outdoor lights, with certain exceptions, must be shielded. Security lighting may remain on all night; decorative lighting must be off between 11:00 PM and sunrise; and advertising lighting may remain on until midnight.

4.2.3 EXISTING CONDITIONS

The project site is located on an undeveloped, rectangular–shaped set of parcels. The proposed project is located in the City of Menifee designated Economic Development Corridor (EDC.) As is visible in the aerial photographs that depict the site, (see **Figure 3-2 Project Location Map** and **Figure 3-4 Aerial Photo Showing Boundary of Property**), the project site is situated in an area of mixed vacant, rural, open space and single-family residential uses of varying density with scattered commercial development. The sizeable undeveloped acreage in the immediate vicinity includes property planted for dry farming as well as areas that are not actively farmed and have a cover of native and non-native plants. The General Plan does not identify any important scenic resources on this property, which is consistent with the relatively flat topography of the site and the lack of any distinctive visual features, such as rock outcrops,

vegetation (primarily trees), or any important man-made visual features. Viewing the area from the I-215 corridor the only distinctive visual feature is the hill to the west of the site.

Existing land uses surrounding the site include the following:

North:	Immediately by Garbani Road and single-family residential properties
East:	Immediately by Haun Road, vacant property and a storage facility
South:	Immediately by vacant property and a Verizon Facility
West:	Immediately by a Sherman Road, vacant property and one residence

Elevations on the project site range from approximately 1,470 feet to 1,500 feet above mean sea level, with a gradual incline towards a large hill located approximately 450 feet to the west of the site. Drainage within the property generally flows to the north. The property site has been disturbed by decades of dry-farming activities, and the site shows signs of recent mowing and plowing. Vegetation observed during biological surveys includes species typical of fallow fields in the region such as brome grasses (*Bromus*, sp.), lamb's quarters (*Chenopodium album*), heliotrope (*Heliotropium* sp.), dove weed (*Eremocarpus setigerus*), and goldfields (*Lastenia California*). An intermittent stream, Mill Creek, crosses through the southern portion of the site and continues along the eastern edge of the property before exiting to the east across Haun Road. Mill Creek supports a few riparian plant species including seep willow (*Baccharis emoryi*), red-osier dogwood (*Cornus stolonifera*), cottonwood (*Populus angustifolia*), and arroyo willow (*Salix lasiolepis*). This vegetation is within the creek channel and does not create a visual feature observable off the site. The site soil contains a substantial amount of small to large rocks, with the highest concentrations of rocks located in the northeast corner of the property at the foot of the adjacent hill.

Photographs provided as part of the Burrowing Owl Survey Report and the Cultural Resources Report illustrate the visual setting of the site with valley floor and adjacent development in the foreground; a middle ground view of relatively low hills against the background mountains, the Elsinore Mountains, Bell Mountain, the San Jacinto Mountains and the San Gabriel/San Bernardino Mountains. A small hill is located immediately to the west of the project site and it forms the background for views to the site from the east, including I-215. This hill is currently undeveloped and is covered with typical ground hugging plants and a few trees. The view in all other directions is a mix of vacant land and adjacent development in the foreground against the backdrop of more distant hills and mountains. The adjacent suburban residential development to the north of Garbani Road includes relatively small lot properties with a block wall between the back of the closest home lots and the landscaped path and split rail fence along the road. Land to the east of the site across Haun Road is primarily vacant with a storage facility east of the southern portion of the site. The adjacent land to the south contains a Verizon facility with low buildings and two large parking areas. Land immediately southeast of the site, south of the storage facility and east of the Verizon facility, contains a landscaping nursery operation.

4.2.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AES-1 Have a substantial adverse effect on a scenic vista.

AES-2 Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway.

AES-3 Substantially degrade the existing visual character or quality of the site and its surroundings.

AES-4 Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

4.2.5 METHODOLOGY

The assessment of aesthetic impacts is subjective by nature. Aesthetics generally refer to the identification of visual resources and the quality of what can be seen, as well as an overall visual perception of the environment. This analysis attempts to identify and objectively examine factors that contribute to the perception of aesthetic impacts. Potential aesthetic impacts can be evaluated by considering proposed grade separations, landform alteration, building setbacks, scale, massing, building height, and landscaping features associated with the design of a project. It should be noted, however, that there are no locally designated or defined standards or methodologies for the assessment of aesthetic impacts.

4.2.6 ENVIRONMENTAL IMPACTS

AES-1 Would the project have a substantial effect on a scenic vista?

The dominant landscape feature of area surrounding the project site are the hills, the closest of which is located approximately 450 feet west of the site. The proposed project would replace the foreground view with a landscaped multi-use property, but the hills would remain the dominant background view to the west. In all other directions the scenic qualities are associated with distant hills and mountains that create a layered background scenic vista. Although the foreground and middle ground views to and across the project site will be altered, the scenic views will not be substantially altered by the development of the proposed project. Thus, the proposed project is forecast to alter the views across the property but not obstruct or substantially interfere with any of the existing scenic views that presently exist across the property.

Further, the City General Plan EIR found that no mitigation was required to reduce the aesthetic impacts of implementing the General Plan to a less than significant level. Development of mixed uses at the project site is consistent with the City General Plan. The mix of uses at the project site under the Specific Plan designation varies from that assumed in the General Plan for the EDC designation, but the types of structures and their height is consistent with the EDC development model, except a a lower level of density. Specifically, Community development goals CD-1, CD-3, CD-5 and CD-6 seek to create a unified and attractive identity; as shown on the Specific Plan simulations the site will be visually enhanced and fit into the general development character of the adjacent developments; the mix of uses create a visually distinctive and vibrant community; and the project incorporates attractive landscaping and lighting consistent with these goals. This includes pedestrian amenities, access to buildings along pedestrian areas, important landscaped elements, and a human scale ground floor visual setting. Based on the discussion and analysis presented herein, the Project would have a **less than significant** adverse impact on a scenic vista, and no mitigation is required.

AES-2 Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a state scenic highway?

There are no officially designated scenic highways in or near the City of Menifee. State Route 74 ("SR-74") passes through the northern part of the City and is considered an "Eligible State Scenic Highway–Not Officially Designated" by the California Department of Transportation. The nearest designated state scenic highway to the City is a portion of SR-74 in the San Jacinto Mountains about 17 miles east of the City.

City General Plan Exhibit CD-2 *Enhanced Landscape Corridors and Scenic Corridors* identifies Haun Road as an Enhanced Landscape Corridor and I-215 as a Scenic Corridor. City General Plan Exhibit C-8 *Scenic Highways* identifies I-215 as an Eligible County Scenic Highway. No other roadways within the vicinity of the proposed Project are identified. However, the proposed Mill Creek Promenade Specific Plan is designed in conformance with the Enhanced Landscape Corridor designated along Haun Road, and implementation of this design ensures that the project is developed consistent with the City's standards for this corridor.

There are no unique or landmark features located onsite within the project site boundaries. Only limited riparian vegetation is associated with the on-site drainage, and past dry farming has eliminated all other distinguishing features of the property. There are no landscape features that distinguish the project site from the surrounding land.

Based on the lack of any intrinsic onsite scenic resources, the proposed Project will not cause substantial project specific damage to any such resources. Impacts would be **less than significant**. No mitigation is required.

AES-3 Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

The proposed project will convert the existing agricultural open space to a mixed-use development in a manner consistent with the City General Plan. This change in the visual setting of the site will be substantial, but the proposed change is not inherently negative or aesthetically offensive. The proposed Mill Creek Specific Plan will both supersede and compliment the City's Development Code. It does this by establishing Development Standards and Design Guidelines unique to the project site. These standards and guidelines are provided in Appendix 11 of Volume 2 of this DEIR, in Chapters IV and V.

The project's exterior roadways will be extensively landscaped, and as mentioned previously Haun Road will be landscaped as required of "Enhanced Landscape Corridors." Examples of the landscaping treatment along exterior roadways are shown on **Figure 4.2-1**, **Figure 4.2-2**, and **Figure 4.2-3**. The proposed roadway designs would provide human scaled features to enhance walkability and enhance the visual setting of the site relative to its current condition. The business park/commercial portion of the project would be set back from Haun Road in the southern portion of the site, adjacent to the existing Verizon facility. **Figure 4.2-4** and **Figure 4.2-5** are representative depictions of future commercial and business park development at the project site. Although the Mill Creek Promenade Specific Plan design standards and guidelines may slightly differ from the City's Development Code standards and guidelines, the resulting development is forecast to have a visually pleasing, not degrading, quality. The project would include a landscaping buffer along Sherman Road that would provide a transition between the

existing residence to the west and the proposed business park. Refer to **Figure 4.2-2** for a depiction of this alignment. The portion of the project that is proposed for business and commercial development is along Haun Road and to the south where adjacent development is already industrial or commercial in nature with the exception of the residential development immediately north of the site.

The proposed project would substantially change the existing visual character of the site, but the change would not be significantly adverse with implementation of the design standards established as part of the Mill Creek Promenade Specific Plan. Further as noted above, the types of structures and their height is consistent with the EDC development model, except a lower level of density because the inclusion of a higher residential component in this project. Specifically, Community development goals CD-1, CD-3, CD-5 and CD-6 seek to create a unified and attractive identity; as shown on the Specific Plan simulations the site will be visually enhanced and fit into the general development character of the adjacent developments; the mix of uses create a visually distinctive and vibrant community; and the project incorporates attractive landscaping and lighting consistent with these goals. This includes pedestrian amenities, access to buildings along pedestrian areas, important landscaped elements, and a human scale ground floor visual. Based on the preceding analysis, the proposed project would have a **less than significant impact** on the existing visual character or quality of the site and its surroundings. No mitigation is required.

AES-4 Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

The City of Menifee Municipal Code identifies land use categories, development standards, and other general provisions that ensure consistency between the City's General Plan and proposed development projects. The following provisions from the City's Municipal Code help minimize visual and light and glare impacts associated with new development projects and are relevant to the proposed Project.

Dark Sky; Light Pollution (Chapter 6.01). The City's ordinance establishes lighting standards for specific types of lamps, shielding, hours of operation, and outdoor advertising displays. Low-pressure sodium lamps are preferred. All outdoor lights, with certain exceptions, must be shielded. Security lighting may remain on all night; decorative lighting must be off between 11:00 PM and sunrise; and advertising lighting may remain on until midnight.

The proposed project is a master planned multi-use development. The proposed project would implement Dark Sky standards as required by Chapter 6.01 of the Municipal Code.

Reflective surfaces in or on buildings also have a potential to create glare from reflected sunlight or night lighting. Therefore, **Mitigation Measure 4.2-1** has been identified to minimize the potential for intensive, intrusive light and ensure that glare from night lighting does not become a significant effect from implementing the proposed project. Although reflection of sunlight at certain angles from windows or other reflecting building surfaces within the future development can create glare that may adversely impact adjacent land uses and/or traffic on adjacent roadways, the surrounding landscaping on perimeter roadways will minimize this potential for reflected sunlight to affect residences to the west and north. This type of glare from reflected sunlight can be controlled through a variety of techniques, ranging from orientation of the structure to use of special window treatments or exterior shades to control reflected glare from windows or other reflective surfaces. Also, intervening structures, such as an exterior sound

wall and landscaping can also prevent or control glare from such surfaces. Although it is unusual to encounter significant reflected sun glare from residential structures, **Mitigation Measure 4.2-1** will control any potential for such glare and protect adjacent land uses and traffic on roadways.

> ***Mitigation Measure 4.2-1***
> *Prior to the issuance of building permits, an analysis of potential glare from sunlight or exterior lighting to impact vehicles traveling on adjacent roadways shall be included in the submittal. This analysis shall be prepared by a technical consultant with expertise in lighting and photometrics and shall demonstrate that due to building orientation or exterior treatment, no significant glare may be caused that could negatively impact drivers on the local roadways or impact adjacent land uses. If potential glare impacts are identified, the building orientation, non-glare reflective materials or other design solutions shall be implemented to eliminate glare impacts.*

With implementation of **Mitigation Measure 4.2-1**, any potential for the project to cause significant glare from the sun can be reduced to a less than significant impact level. Therefore, this impact is **less than significant with mitigation**.

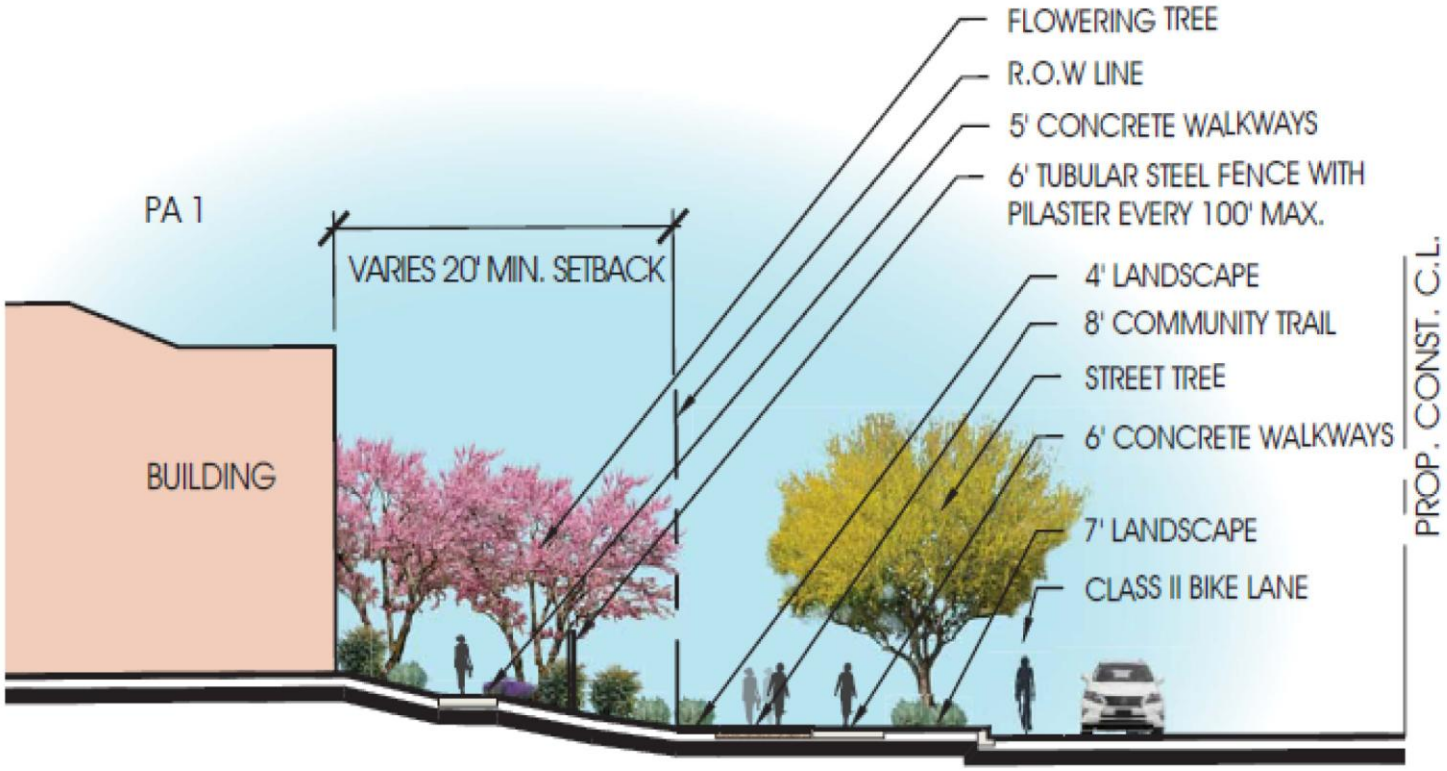
4.2.7 CUMULATIVE IMPACTS

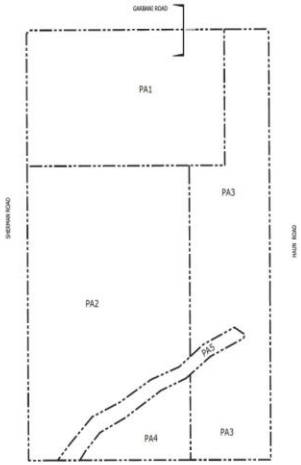
Development of the proposed project will contribute to the change of the general area with an intensification of development substantially greater than that which presently occurs on the site, but which nonetheless is consistent with the City's General Plan for the reasons outlined in the preceding analyses. There will be an associated change in the visual setting, but based on the project's consistency with the adopted General Plan land use designation, this change in view is considered less than significant and will not result in a cumulatively considerable adverse change in the visual setting.

4.2.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable aesthetic impacts will occur as a result of the proposed project.

FIGURE 4.2-1
PA1 - High Density Residential and Garbani Road Edge Condition





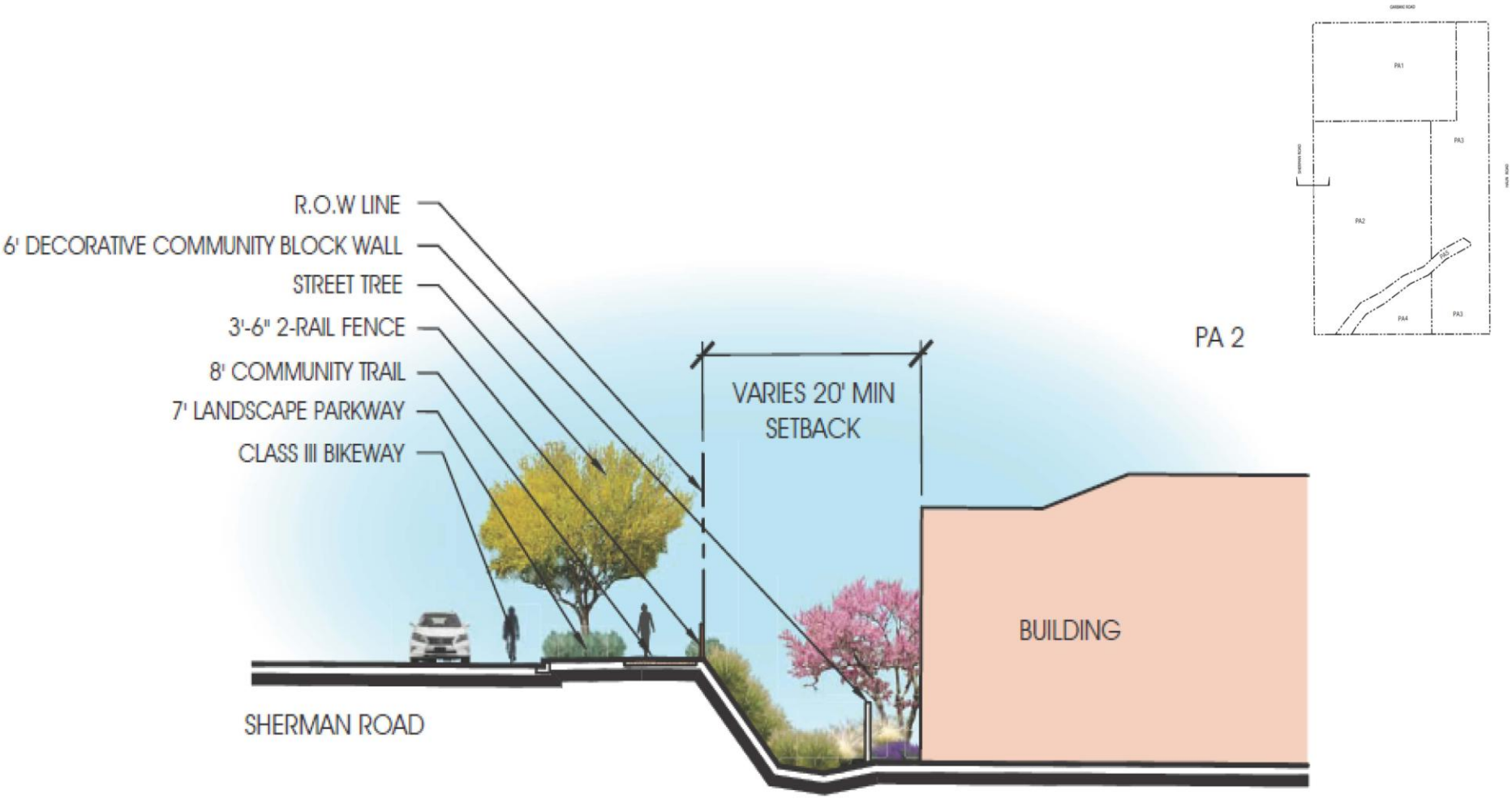
NOTES

1. SEPARATE PERMIT REQUIRED FOR SIGNAGE AND SIGN WALLS.

2. IMPROVEMENTS FOR SIGNAGE, PERIMETER WALLS, FENCING, PILASTER, ETC. SHALL BE MAINTAINED BY THE HOA OR PRIVATE OWNER(S).

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 4.2-2
PA2 - High Density Residential and Sherman Road Edge Condition



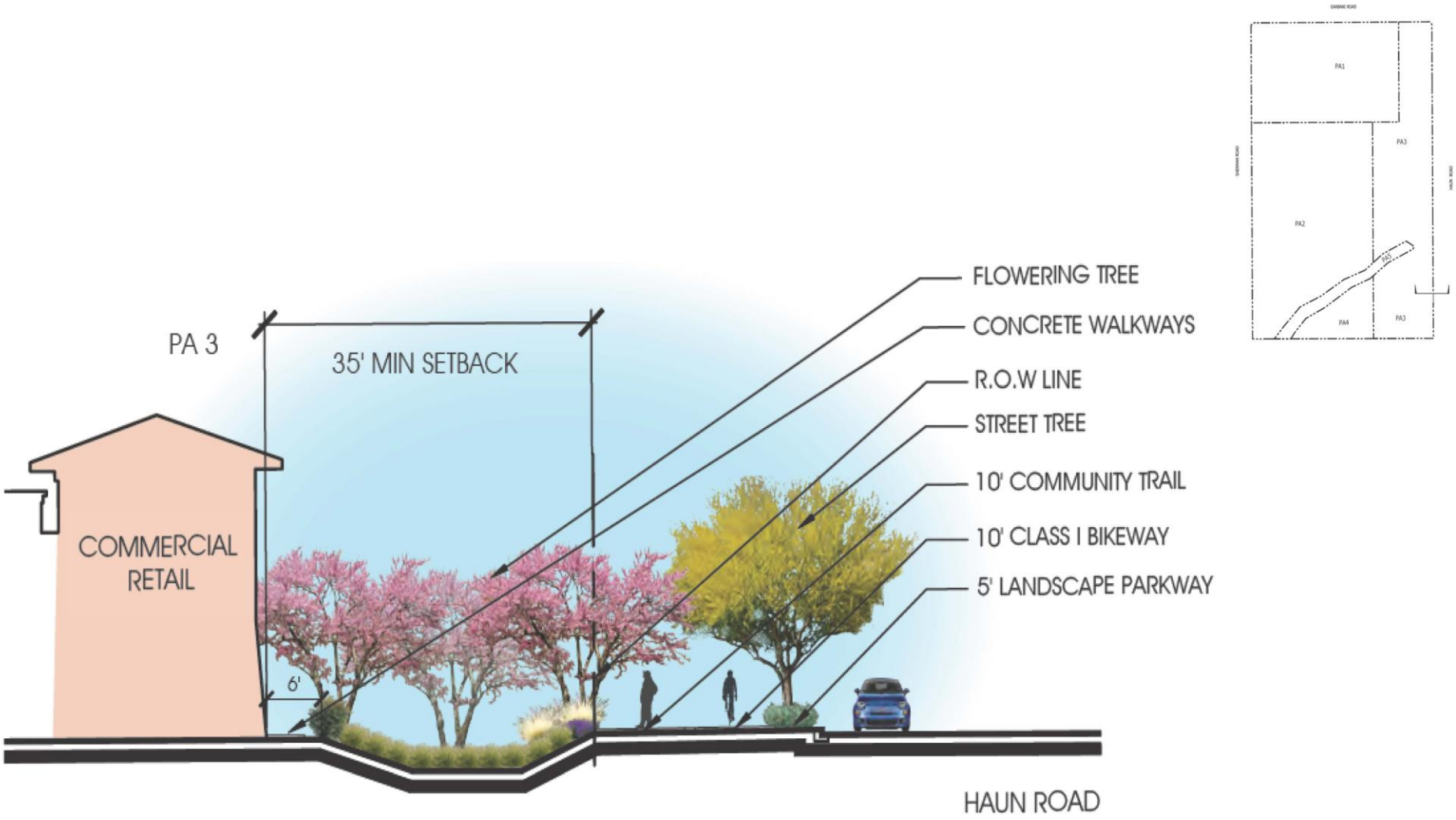
NOTES

1. SEPARATE PERMIT REQUIRED FOR SIGNAGE AND SIGN WALLS.

2. IMPROVEMENTS FOR SIGNAGE, PERIMETER WALLS, FENCING, PILASTER, ETC. SHALL BE MAINTAINED BY THE HOA OR PRIVATE OWNER(S).

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 4.2-3
PA3 - Commercial Retail and Haun Road South Edge Condition



Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 4.2-4
Contemporary Business Park Architectural Style

COMTEMPORARY BUSINESS PARK ELEVATION EXAMPLE - VARIED ROOF DESIGN, BALCONY AND TOWER ELEMENT, HUMAN SCALE ELEMENTS

SCREENED TRASH ENCLOSURES AND LANDSCAPING

STOREFRONT ENTRY EXAMPLE - VISUAL INTERSET, PEDESTRIAN SCALE, VARIETY OF MATERIALS

This is a concept plan that shows typical Contemporary Stucco elevations that may be developed utilizing the standards and guidelines contained in the Specific Plan. The final design will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

FIGURE 4.2-5
Craftsman / Ranch Commercial Retail Architectural Style

CRAFTSMAN / RANCH COMMERCIAL ELEVATION EXAMPLE - VARIED ROOF DESIGN, BALCONY AND TOWER ELEMENT, HUMAN SCALE ELEMENTS

VARIETY OF MATERIALS, PEDESTRIAN SCALE ELEMENTS

RAFTERS, BRACES, AND COLUMNS, PEDESTRIAN INTERST AND SCALE AT ENTRIES

MULTI-PANED WINDOWS, TOWER ELEMENTS, AWNINGS

This is a concept plan that shows typical Craftsman/Ranch combination elevations that may be developed utilizing the standards and guidelines contained in the Specific Plan. The final design will be provided at the Plot Plan stage of development.

Source: Mill Creek Promenade Specific Plan, March 2019

4.3 AGRICULTURE AND FORESTRY RESOURCES

4.3.1 INTRODUCTION

This subchapter evaluates the environmental impacts to agriculture and forestry resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan, the Riverside County Soil Survey, Western Riverside Area California (United States Department of Agriculture – Natural Resources Conservation Service, September 12, 2017, Version 10), the Interpretative Report for Infiltration System Design (May 16, 2016) completed for APN 360-350-017 (Project Number 151064-12A), the Phase 1 Environmental Site Assessment prepared for the proposed project, and the County of Riverside Williamson Act Contract files were used in the evaluation presented in this subchapter.

No comments pertaining to agricultural or forestry resources were received in response to the Notice of Preparation.

4.3.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

Farmland Mapping and Monitoring Program (FMMP)

The California Department of Conservation's Farmland Mapping and Monitoring Program ("FMMP") rates agricultural land soil quality and irrigation status. The first three categories in descending order of potential are Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. In addition, under the FMMP, each county may define and identify lands important to the local agricultural economy, or Farmland of Local Importance. In general, Farmland of Local Importance is either currently producing, or has the capability to produce, but may not meet the criteria of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.

California Land Conservation Act (Williamson Act)

The Williamson Act (Cal. Govt. Code, §51200 et seq.) allows county governments to enter into contracts with private landowners who agree to restrict parcels of land to agricultural uses or uses compatible with agriculture for at least ten years. In return, landowners receive property tax assessments that are much lower than normal because they are based upon income derived from farming and open space uses as opposed to full market value of the property.

California Government Code section 51250 sets forth that a breach of contract has occurred if: 1) a commercial, industrial, or residential building is constructed that is not allowed by Williamson Act, local uniform rules or ordinances consistent with the provisions of the Williamson Act, and that is not related to an agricultural use or compatible use, and 2) the total area of all of the building or buildings causing the breach exceeds 2,500 square feet. State-owned buildings, however, are exempt from these specific breach of contract provisions (Cal. Govt. Code, §51250(s)(1)(C)).

Local

City of Menifee General Plan

The following General Plan policies addressing agricultural and/or forestry resources are applicable to the project:

Open Space and Conservation Goal

- OSC-6: High value agricultural lands available for long-term agricultural production in limited areas of the City.

Open Space and Conservation Policy

- OCS-6.1: Protect both existing farms and sensitive uses around them as agricultural acres transition to more developed land uses.

City General Plan Exhibit OSC-5, *Agricultural Resources*, illustrates significant farmland in the city.

4.3.3 EXISTING CONDITIONS

4.3.3.1 Soil Conditions

City General Plan Exhibit OSC-5, *Agricultural Resources*, identifies the site as farmland of local importance based upon the California Department of Conservation FMMP dated 2010. The 2016 FMMP map of Riverside County Important Farmland sheet 1 of 3 shows the site as farmland of local importance. (ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/riv16_w.pdf accessed February 13, 2018)

According to the Department of Conservation, Riverside County lands that are designated as farmland of local importance meet one or more of the following criteria:

- Lands with soils that would be classified as Prime or Statewide Important Farmlands but lack available irrigation water.
- Lands planted in dry land grain crops such as barley, oats and wheat.
- Lands producing major crops for Riverside County but that are not listed as Unique Farmland crops. Such crops are permanent pasture (irrigated), summer squash, okra, eggplant, radishes, and watermelon. These crops were identified as returning one million or more dollars on the 1980 Riverside County Agriculture Crop Report.
- Dairylands including corrals, pasture, milking facilities, hay and manure storage areas if accompanied with permanent pasture or hayland of 10 acres or more.

- Lands identified by city or county ordinance as Agricultural Zones or Contracts.
- Lands planted with jojoba that are under cultivation and are of producing age.

Under present circumstances the site is vacant but maintained to prevent fuel build up that could contribute to wildland fire. Based on the Phase 1 Environmental Site Assessment it appears that the site historically supported dry-land farming activities until the late 1960's. The agricultural resources (soils, periodic availability of water, and lack of conflicting adjacent land uses) present on the project site would support periodic dry farming activities, primarily grains that can mature based on natural precipitation. The site soils are of sufficient quality to support dry farmed grain agricultural production when sufficient rainfall produces adequate soil moisture to grow grains without irrigation.

According to the Riverside County Soil Survey, Western Riverside Area California (United States Department of Agriculture – Natural Resources Conservation Service, September 12, 2017, Version 10), the following soil series are located on the project site.

CaC2	Cajalco fine sandy loam, 2-8% slopes, eroded
HNC	Honcut sandy loam, 2-8% slopes
LaC	Las Posas loam, 2-8% slopes
LaC2	Las Posas loam, 5-8% slopes, eroded
WyC2	Wyman loam, 2-8% slopes, eroded
YbC	Yokohl loam, 2-8% slopes

A map of the soils is provided as **Figure 4.3-1** at a scale that clearly shows the project site but at a larger scale than the soils map is intended to provide accurate information. In other words, the delineation of soils may appear to be more exact than it actually is.

Earth Strata Geotechnical Services, Inc. provided an *Interpretive Report for Infiltration System Design* dated May 16, 2016 that covered APN 360-350-017 (Project Number 151064-12A) that included information on the soils observed on the portion of the site covered by the interpretive report.

- Topsoil: Residual topsoil, encountered in the upper 1 to 3 feet, blankets the site and underlying bedrock. These materials were noted to be generally yellow brown, sandy clay and clayey sand which were very porous, slightly moist to moist and in a loose state.
- Quaternary Old Fan Deposits (Qof): encountered to a maximum depth of explored. These alluvial deposits consist predominately of interlayered reddish brown to gray brown, fine to coarse grained clayey sand, silty sand, sandy clay, and occasional sandy silt. These deposits were generally noted to be in a slightly moist to moist, medium dense to dense state.
- Cretaceous Gabbro (Kgb): Cretaceous age plutonic rock consisting of gabbro was mapped within the site. The gabbro was observed to be pinkish gray to medium gray, medium to very coarse grained, and in a moderately hard to very hard state. Typically, the upper 1 to 3 feet of this unit is more weathered and not as hard.
- Cretaceous Heterogeneous Granitic Rocks (Khg): Cretaceous age granitic rocks composed of a wide variety of compositions make up this unit. Rock types typically include monzogranite, granodiorite, tonalite and gabbro, with the most common being tonalite (Morton, 2004). This rock unit was mapped within the site. These granitic rocks were observed to be reddish yellow and yellowish brown, medium to coarse grained,

and in a moderately hard to very hard state. Typically, the upper 1 to 3 feet of this unit is more weathered and not as hard.

Based on the historical review presented in the Phase 1 Environmental Site Assessment (ESA) for the proposed project, there is no evidence that the project site has been irrigated historically or of any water irrigation wells on the site.

4.3.3.2 Williamson Act Contracts

Based on a review of the County's Williamson Act Contract files (ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Riverside_w_15_16_WA.pdf accessed February 26, 2018), the project site is not and has not been covered by a Williamson Act contract. The Open Space and Conservation Background Report to the City General Plan indicates that while there were 77 acres of lands (4 parcels) under Williamson Act contracts within the City, the owner(s) of all of the lands filed not to renew the contracts upon completion of their 10-year commitment in 2007, such that all 77 acres would have been out of contract in 2016.

4.3.3.3 Groundwater Wells

The Phase 1 Environmental Assessment prepared for the project found no ground water wells located on the project site, and no evidence that historic irrigated agriculture occurred on the project site.

4.3.3.4 Land Tenure Status

The project site is located in an area transitioning to more dense suburban and urban uses, as envisioned in the City General Plan. Surrounding land uses are suburban, rural residential and light industrial in character. Further, the site is designated by the General Plan for Economic Development Corridor (EDC) uses which envisions a more intense development than being implemented by the project Specific Plan (refer to the alternatives section for an analysis of a development at the proposed intensity for the EDC). No large scale agricultural operations, such as dairies or irrigated agriculture, occur in the vicinity of the project site.

4.3.3.5 Forest and Timberland Resources

The site is not located in an area with forest or timberland resources, as the hot, dry summers and lack of irrigation water make it unsuitable for forest and timberland uses.

4.3.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AG-1 Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.

AG-2 Conflict with existing agricultural use or a Williamson Act (agricultural preserve) contract (Riverside County Agricultural Land Conservation Contract Maps).

AG-3 Cause development of non-agricultural uses within 300 feet of agricultural zoned property.

AG-4 Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use.

AG-5 Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)).

AG-6 Result in the loss of forest land or conversion of forest land to non-forest use.

4.3.5 METHODOLOGY

This section of Subchapter 4.3 evaluates the level of adverse impact to the site's agricultural and forest/timberland resources that is forecast to occur if the project is implemented as proposed. The level of significance is evaluated through the evaluation of the significance of the site's identified agricultural resources and forest/timberland resources and the degree of change that will result from implementing the proposed Project.

4.3.6 ENVIRONMENTAL IMPACTS

AG-1 Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

The project site does not contain any Unique Farmland. Based on classifications presented in the California Department of Conservation Farmland Mapping and Monitoring Program Soil Candidate Listing For Prime Farmland And Farmland Of Statewide Importance Riverside County dated 8/01/95, updated 7/26/2017, the Cajalco fine sandy loam (CaC2) and Las Posas loam (LaC and LaC2) soils on the site meet the criteria for farmland of statewide importance and the Honcut sandy loam (HnC) and Wyman loam (WyC2) on the site meets the criteria for prime farmland.

The City of Menifee General Plan Exhibit OSC-5 Agricultural Resources identifies the site as farmland of local importance based upon the California Department of Conservation Farmland Mapping & Monitoring Program (FMMP) dated 2010. The 2016 FMMP map of Riverside County Important Farmland sheet 1 of 3 shows the site as farmland of local importance. (ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/riv16_w.pdf accessed February 13, 2018). According to the Department of Conservation, Riverside County lands that are designated as farmland of local importance include "*Lands with soils that would be classified as Prime or Statewide Important Farmlands but lack available irrigation water."* As noted, the site lacks any evidence of historic irrigation.

The Project site is not currently in agricultural production and has not been for more than 50 years. The soils onsite are not conducive to economically viable agricultural production. Currently, the whole site is fallow but maintained for fire suppression.

Neither the City's General Plan, nor the Municipal Code, designate the project site as an agricultural use. Therefore, implementation of the proposed project will not cause a significant adverse impact to the approximately 58 acres encompassed by the proposed project when the General Plan did not assign any agricultural value to the project site. Although designated on Figure OS-2 of the General Plan as Local Important Farmlands, the detailed evaluation of the project site does not support a finding that the loss of this acreage to higher density use would constitute a significant adverse impact to agricultural resources or highly valuable and viable agricultural land. Impacts would therefore be **less than significant**. No mitigation is required.

AG-2 Would the project conflict with existing agricultural use or a Williamson Act (agricultural preserve) contract (Riverside County Agricultural Land Conservation Contract Maps)?

The project site is not now nor has it been included in a County Williamson Act contract or an Agricultural Preserve. Further, the project site is not currently dedicated to an existing agricultural use. Therefore, the proposed project will not cause a significant direct impact or conflict with any Williamson Act or existing agricultural use. The site is not currently being farmed and the land use designations (general plan and zoning) support higher density urban/suburban uses, not commercial farming. Also, the current high value of the land and the low value of return on the property when used for dry land farming makes this site unsuitable for continuing agricultural use. Since there are no commercial agricultural activities in the general vicinity of the project site, impacts related to conflicts would be **less than significant**. No mitigation is required.

AG-3 Would the project cause development of non-agricultural uses within 300 feet of agricultural zoned property?

According to City General Plan Exhibit LU-2 Land Use Map, while there is land designated for rural residential uses west of the site, there is no land designated for agricultural uses in the project vicinity. As noted, there are no lands under Williamson Act contract within the City and the closest lands under Williamson Act contract are located more than 3 miles east of the site. The proposed project has no potential to cause development of non-agricultural uses within 300 feet of agricultural zoned land and no conflicts between urban land uses an agricultural land uses will result from project implementation. Impacts would be **less than significant**. No mitigation is required.

AG-4 Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

As described in the preceding evaluation, the proposed project has no potential to cause changes in the existing environment that could result in conversion of farmland to non-agricultural uses or forest land to non-forest use. No such agricultural or forest uses occur in the vicinity of the project site and the proposed changes in land use have no potential to cause conversion of actively farmed land to non-agricultural uses or forested lands to non-forest use. The land use designations and the value of the land reduce the potential for future dry farming of this project site. Impacts would therefore be **less than significant.** No mitigation is required.

AG-5 Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

There is no land zoned for forest land or timberland on the project site or in the vicinity of the Project site. **No impact** to forest or timberland would occur as a result of implementing the proposed Project. No mitigation in required.

AG-6 Would the project result in the loss of forest land or conversion of forest land to non-forest use?

There is no land zoned for forest land or timberland on the project site or in the vicinity of the Project site. **No impact** to forest or timberland would occur as a result of implementing the proposed Project. No mitigation in required.

4.3.7 CUMULATIVE IMPACTS

The City General Plan eliminated continued use of the project site for agricultural purposes and shifted land use to Economic Development. Of the almost 30,000 acres included in the City Land Use Buildout Summary (General Plan Exhibit LU-4), only 79 acres are designated for agricultural use. Hence, the elimination of large scale agricultural activity has already occurred, i.e., is the baseline condition. Since the proposed project will not have adverse impact to significant agricultural resources or resource values, it cannot make a cumulatively considerable impact to such resources or values.

4.3.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to agricultural or forestry resources will occur as a result of the proposed project.

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FIGURE 4.3-1
Soils Map

Credit: Google Imagery 2017, USDA

50 0 50 100 150 200 m

N

Project Border

Soil

- CaC2 - Cajalco fine sandy loam
- HnC - Honocut sandy loam
- LaC2 - Las Posas loam eroded
- WyC2 - Wyman loam
- LaC - Las Posas loam
- YbC - Yokohl loam

RCA ASSOCIATES, INC

Source: Habitat Assessment and MSHCP Consistency Analysis dated April 2018

4.4 AIR QUALITY

4.4.1 INTRODUCTION

This subchapter evaluates the environmental impacts to air quality from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The analysis in this subchapter is based primarily on the *Mill Creek Air Quality and Global Climate Change Impact Analysis (AQIA)* dated February 28, 2018 and prepared by Kunzman and Associates and included as Appendix 1 of Volume 2 of this DEIR

One comment letter regarding air quality was received from the South Coast Air Quality Management District. South Coast requested that the Draft EIR air quality analysis and appendices be sent to it for review and comment. The agency also requested that the current CEQA Handbook and CalEEMod model be used to make the air quality impact forecast. If required, the District asked for a health risk assessment (the site does not require such an analysis because it is greater than 500 feet from the I-215 Freeway). Other general comments requested that mitigation measures be identified and that alternatives be considered if air quality impacts are found to be significant. No air quality permits should be required for this project as stationary sources emission are not anticipated.

4.4.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

The United States Environmental Protection Agency (EPA) is responsible for setting and enforcing the National Ambient Air Quality Standards (NAAQS) for atmospheric pollutants. It regulates emission sources that are under the exclusive authority of the federal government, such as aircraft, ships, and certain locomotives. The National Ambient Air Quality Standards (NAAQS) pollutants were identified using medical evidence and are shown below in Table 4.4-1.

The EPA and the California Air Resource Board (CARB) designate air basins where ambient air quality standards are exceeded as “nonattainment” areas. If standards are met, the area is designated as an “attainment” area. Each standard has a different definition, or ‘form’ of what constitutes attainment, based on specific air quality statistics. Attainment status is shown in Table 4.4-2. As indicated below in Table 4.4-2, the Basin has been designated by the EPA as a nonattainment area for ozone (O3) and suspended particulates (PM10 and PM2.5). Currently, the Basin is in attainment with the ambient air quality standards for carbon monoxide (CO), lead, sulfur dioxide (SO2), and nitrogen dioxide (NO2).

Table 4.4-1
AMBIENT AIR QUALITY STANDARDS

Air Pollutant	Concentration / Averaging Time		Most Relevant Effects
	California Standards	Federal Primary Standards	
Ozone (O_3)	0.09 ppm/1-hour 0.07 ppm/8-hour	0.070 ppm/8-hour	(a) Decline in pulmonary function and localized lung edema in humans and animals; (b) Risk to public health implied by alterations in pulmonary morphology and host defense in animals; (c) Increased mortality risk; (d) Risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long term exposures and pulmonary function decrements in chronically exposed humans; (e) Vegetation damage; and (f) Property damage.
Carbon Monoxide (CO)	20.0 ppm/1-hour 9.0 ppm/8-hour	35.0 ppm/1-hour 9.0 ppm/8-hour	(a) Aggravation of angina pectoris and other aspects of coronary heart disease; (b) Decreased exercise tolerance in persons with peripheral vascular disease and lung disease; (c) Impairment of central nervous system functions; and (d) Possible increased risk to fetuses.
Nitrogen Dioxide (NO_2)	0.18 ppm/1-hour 0.03 ppm/annual	100 ppb/1-hour 0.053 ppm/annual	(a) Potential to aggravate chronic respiratory disease and respiratory symptoms in sensitive groups; (b) Risk to public health implied by pulmonary and extra-pulmonary biochemical and cellular changes and pulmonary structural changes; and (c) Contribution to atmospheric discoloration.
Sulfur Dioxide (SO_2)	0.25 ppm/1-hour 0.04 ppm/24-hour	75 ppb/1-hour 0.14 ppm/24-hour	(a) Bronchoconstriction accompanied by symptoms which may include wheezing, shortness of breath and chest tightness, during exercise or physical activity in persons with asthma.
Suspended Particulate Matter (PM_{10})	50 µg/m3/24-hour 20 µg/m3/annual	150 µg/m3/24-hour	(a) Exacerbation of symptoms in sensitive patients with respiratory or cardiovascular disease; (b) Declines in pulmonary function growth in children; (c) Increased risk of premature death from heart or lung diseases in elderly.
Suspended Particulate Matter ($PM_{2.5}$)	12 µg/m3 / annual	35 µg/m3/24-hour 12 µg/m3/annual	
Sulfates	25 µg/m3/24-hour	No Federal Standards	(a) Decrease in ventilatory function; (b) Aggravation of asthmatic symptoms; (c) Aggravation of cardio-pulmonary disease; (d) Vegetation damage; (e) Degradation of visibility; (f) property damage.
Lead	1.5 µg/m3/30-day	0.15 µg/m3/3-month rolling	(a) Learning disabilities; (b) Impairment of blood formation and nerve conduction.
Visibility Reducing Particles	Extinction coefficient of 0.23 Per kilometer visibility of 10 miles or more due to particles when humidity is less than 70 percent.	No Federal Standards	Visibility impairment on days when relative humidity is less than 70 percent

State

California Air Resources Board

The California Air Resources board (CARB) is responsible for the coordination and administration of both federal and state air pollution control programs within California. In this capacity, the CARB conducts research, sets the California Ambient Air Quality Standards (CAAQS), compiles emission inventories, develops suggested control measures, provides oversight of local programs, and prepares the State Implementation Plan (SIP). The California Ambient Air Quality Standards (CAAQS) for criteria pollutants are shown in Table 4.4-2.

The South Coast Air Basin has been designated by the CARB as a nonattainment area for ozone, PM10 and PM2.5. Currently, the South Coast Air Basin is in attainment with the ambient air quality standards for CO, lead, SO2, NO2, and sulfates and is unclassified for visibility reducing particles and Hydrogen Sulfide.

Table 4.4-2
SOUTH COAST AIR BASIN ATTAINMENT STATUS

Pollutant	State Status[1]	National Status[2]
Ozone (O_3)	Nonattainment	Nonattainment (Extreme)
Carbon Monoxide (CO)	Attainment	Attainment/Unclassified
Nitrogen Dioxide (NO_2)	Attainment	Attainment/Unclassified
Sulfur Dioxide (SO_2)	Attainment	Attainment/Unclassified
PM_{10}	Nonattainment	Attainment (Maintenance)
$PM_{2.5}$	Nonattainment	Nonattainment (Moderate)

[1]Source of State status: California Air Resources Board 2015.
[2]Source of National status: http://www3.epa.gov/airquality/greenbk/index.html and CARB 2015

Local

South Coast Air Quality Management District (SCAQMD)

The SCAQMD is the agency principally responsible for comprehensive air pollution control in the South Coast Air Basin. The SCAQMD develops rules and regulations, establishes permitting requirements for stationary sources, inspects emission sources, and enforces such measures through educational programs or fines, when necessary. The SCAQMD is directly responsible for reducing emissions from stationary, mobile, and indirect sources. It has responded to this requirement by preparing a sequence of Air Quality Management Plans (AQMPs). On June 30, 2016, the SCAQMD released its Draft 2016 AQMP. The 2016 AQMP is a regional blueprint for achieving the federal air quality standards and healthful air. SCAQMD defines a "sensitive receptor" as a land use such as residences, schools, child care centers, athletic facilities, playgrounds, retirement homes and convalescent homes.

The 2016 AQMP includes both stationary and mobile source strategies to ensure that rapidly approaching attainment deadlines are met, that public health is protected to the maximum extent feasible, and that the region is not faced with burdensome sanctions if the Plan is not approved or if the NAAQS are not met on time. The most significant air quality challenge in the Basin is to reduce nitrogen oxide (NOx) emissions sufficiently to meet the upcoming ozone standard deadlines. On March 23, 2017 CARB approved the 2016 AQMP. The primary goal of

this Air Quality Management Plan is to meet clean air standards and protect public health, including ensuring benefits to environmental justice and disadvantaged communities.

During construction and operation, the project must comply with applicable rules and regulations. The following are rules the project may be required to comply with, either directly, or indirectly:

- SCAQMD Rule 402 prohibits a person from discharging from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.
- SCAQMD Rule 403 governs emissions of fugitive dust during construction and operation activities. Compliance with this rule is achieved through application of standard Best Management Practices. In addition, SCAQMD Rule 403 requires implementation of dust suppression techniques to prevent fugitive dust from creating a nuisance off-site.
- SCAQMD Rule 445 prohibits permanently installed wood burning devices into any new development.
- SCAQMD Rule 481 applies to all spray painting and spray coating operations and equipment to prevent the paint from becoming airborne.
- SCAQMD Rule 1108 governs the sale, use, and manufacturing of asphalt and limits the VOC content in asphalt used in the South Coast Air Basin.
- SCAQMD Rule 1113 governs the sale, use, and manufacturing of architectural coating and limits the VOC content in paints and paint solvents.
- SCAQMD Rule 1143 governs the manufacture, sale, and use of paint thinners and solvents used in thinning of coating materials, cleaning of coating application equipment, and other solvent cleaning operations by limiting their VOC content.
- SCAQMD Rule 1186 limits the presence of fugitive dust on paved and unpaved roads and sets certification protocols and requirements for street sweepers that are under contract to provide sweeping services to any federal, state, county, agency or special district such as water, air, sanitation, transit, or school district.
- SCAQMD Rule 1303 governs the permitting of re-located or new major emission sources, requiring Best Available Control Measures and setting significance limits for PM10 among other pollutants.
- SCAQMD Rule 1401—New Source Review of Toxic Air Contaminants—specifies limits for maximum individual cancer risk, cancer burden, and non-cancer acute and chronic hazard index from new permit units, relocations, or modifications to existing permit units, which emit toxic air contaminants.
- SCAQMD Rule 2202—On-Road Motor Vehicle Mitigation Options—provides employers with a menu of options to reduce mobile source emissions generated from employee commutes, to comply with federal and state Clean Air Act requirements, Health & Safety Code Section 40458, and Section 182(d)(1)(B) of the federal Clean Air Act. It applies to any employer who employs 250 or more employees on a full or part-time basis at a worksite for a consecutive six-month period calculated as a monthly average.
- SCAQMD Working Group: Since neither CARB nor the OPR has developed GHG emissions threshold, the SCAQMD formed a Working Group to develop significance thresholds related to GHG emissions.
- Rules 2700 and 2701 The SCAQMD adopted Rules 2700 and 2701 on December 5, 2008, which establish the administrative structure for a voluntary program designed to

quantify GHG emission reductions. Rule 2700 establishes definitions for the various terms used in Regulation XXVII – Global Climate Change. Rule 2701 provides specific protocols for private parties to follow to generate certified GHG emission reductions for projects within the district.

- Rule 2702 The SCAQMD adopted Rule 2702 on February 6, 2009, which establishes a voluntary air quality investment program from which SCAQMD can collect funds from parties that desire certified GHG emission reductions, pool those funds, and use them to purchase or fund GHG emission reduction projects within two years, unless extended by the Governing Board
- Rule 3002 requires facilities that emit greater than 100,000 tons per year of CO2e are required to apply for a Title V permit by July 1, 2011. A Title V permit is for facilities that are considered major sources of emissions.

Southern California Association of Governments (SCAG)

The SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino and Imperial Counties and addresses regional issues relating to transportation, the economy, community development and the environment. SCAG is the Federally designated Metropolitan Planning Organization (MPO) for the majority of the southern California region and is the largest MPO in the nation. With respect to air quality planning, SCAG has prepared the Regional Transportation Plan and Regional Transportation Improvement Plan (RTIP), which addresses regional development and growth forecasts. These plans form the basis for the land use and transportation components of the AQMP, which are utilized in the preparation of air quality forecasts and in the consistency analysis included in the AQMP.

City of Menifee General Plan

The following are applicable goals policies from the City of Menifee General Plan related to air quality:

Circulation Goals

- C-2: A bikeway and community pedestrian network that facilitates and encourages non-motorized travel throughout the City of Menifee.
- C-3: A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Circulation Policies

- C-1.5: Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.
- C-12.2: 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.
- C-2.3: Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- C-2.4: Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way and other potential options.
- C-2.5: Work with the Western Riverside Council of Governments to implement the Non-Motorized Transportation Plan for Western Riverside County.

- C-3.3 Provide additional development-related incentives to projects that promote transit use.

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

Open Space and Conservation Policies
- OSC-9.1: Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.
- OSC-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.
- OSC-9.3: Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.
- OSC-9.4: Support the Riverside County Regional Air Quality Task Force, the Southern California Association of Government's Regional Transportation Plan/Sustainable Communities Strategy, and the South Coast Air Quality Management District's Air Quality Management Plan to reduce air pollution at the regional level.
- OSC-9.5: Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

Land Use Goals
- LU-2 Thriving Economic Development Corridors that accommodate a mix of nonresidential and residential uses that generate activity and economic vitality in the city.

Land Use Policies
- LU-2.1 Promote infill development that complements existing neighborhoods and surrounding areas. Infill development and future growth in Menifee is strongly encouraged to locate within EDC areas to preserve the rural character of rural, estate, and small estate residential uses.
- LU-2.2 Encourage vertical and horizontal integration of uses where feasible on properties in EDCs.

4.4.3 EXISTING CONDITIONS

The air quality at any site is dependent on the regional air quality and local pollutant sources. Regional air quality is determined by the release of pollutants throughout the air basin. Estimates of the existing emissions in the Basin provided in the Final 2016 Air Quality Management Plan prepared by SCAQMD (March 2017) indicate that collectively, mobile sources account for 60 percent of the VOC, 90 percent of the NOx emissions, 95 percent of the CO emissions and 34 percent of directly emitted PM2.5, with another 13 percent of PM2.5 from road dust.

The local air quality can be evaluated by reviewing relevant air pollution concentrations near the project area. For evaluation purposes, the SCAQMD has divided the District into 36 Source Receptor Areas (SRAs), operating monitoring stations in most of the areas. These SRAs are designated to provide a general representation of the local meteorological, terrain, and air quality conditions within the particular geographical area. The project is within the Perris Area

SRA 24. SCAQMD operates the Winchester-33700 Borel Road air monitoring station (Winchester Station) at 33700 Borel Road, Winchester, approximately 7.07 miles southeast of the project site. Since not all the monitoring stations monitor for all pollutants, the next nearest station, Lake Elsinore-W Flint Street (Lake Elsinore Station), located approximately 8.75 miles northwest of the site at 506 W. Flint Street, Lake Elsinore, was used to complete the air pollutants concentration profiles. Table 4.4-3 summarizes 2014 through 2016 published monitoring data from the applicable monitoring station, which is the most recent 3-year period available. The data shows that during the past few years, the project area has exceeded the ozone standards. However, it should be noted that due to the air monitoring station distance from the project site, recorded air pollution levels at the air monitoring station reflect with varying degrees of accuracy, local air quality conditions at the project site.

Ozone

During the 2014 to 2016 monitoring period, the State 1-hour concentration standard for ozone has been exceeded up to one day each year at the Winchester Station. The State 8-hour ozone standard has been exceeded between 14 and 23 days each year over the past three years at the Winchester Station. The Federal 8-hour ozone standard was exceeded between 10 and 20 days each year over the past five years at the Winchester Station.

Carbon Monoxide

CO is another important pollutant that is due mainly to motor vehicles. The Lake Elsinore Station did not record an exceedance of the state or federal 1-hour or 8-hour CO standards for the last three years.

Nitrogen Dioxide

The Lake Elsinore Station did not record an exceedance of the State or Federal NO2 standards for the last three years.

Particulate Matter

The Lake Elsinore Station had insufficient data for the State 24-hour concentration standards for PM10 over the past three years. Over the past three years, the Federal 24-hour standard for PM10 was not exceeded at the Lake Elsinore Station. The Winchester Station had insufficient data for the Federal 24 hour standard for PM2.5 over the past three years. Particulate levels in the area are due to natural sources, grading operations, and motor vehicles.

4.4.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

AQ-1 Conflict with or obstruct implementation of the applicable air quality plan.

AQ-2 Violate any air quality standard or contribute to an existing or projected air quality violation.

AQ-3 Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors).

AQ-4 Expose sensitive receptors to substantial pollutant concentrations.

AQ-5 Create objectionable odors affecting a substantial number of people.

4.4.5 METHODOLOGY

This subchapter evaluates the level of adverse impact to air quality that is forecast to occur if the project is implemented as proposed.

Regional Air Quality

The SCAQMD CEQA Handbook states that any project in the South Coast Air Basin with daily emissions that exceed any of the identified significance thresholds should be considered as having an individually and cumulatively significant air quality impact. For the purposes of this air quality impact analysis, a regional air quality impact would be considered significant if emissions exceed the SCAQMD significance thresholds identified in Table 4.4-4 below.

Local Air Quality

Project-related construction air emissions may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the South Coast Air Basin. In order to assess local air quality impacts the SCAQMD has developed Localized Significant Thresholds (LSTs) to assess the project-related air emissions in the project vicinity. The Localized Significant Threshold Methodology found that the primary emissions of concern are NO2, CO, PM10, and PM2.5. The significance thresholds for the local emissions of NO2 and CO are determined by subtracting the highest background concentration from the last three years of these pollutants from Table 4.4-3 below, from the most restrictive ambient air quality standards for these pollutants that are outlined in the Localized Significant Thresholds. Table 4.4-4 below shows the ambient air quality standards for NO2, CO, PM10, and PM2.5.

Table 4.4-3
PROJECT AREA AIR QUALITY MONITORING SUMMARY (2014 - 2016)[1]

Pollutant (Standard)[2]	2014	2015	2016
Ozone			
Maximum 1-Hour Concentration (ppm)	0.119	0.100	0.092
Number of Days Exceeding CAAQS (0.09 ppm)	**1**	**1**	**0**
Maximum 8-Hour Concentration (ppm)	0.100	0.087	0.082
Number of Days Exceeding NAAQS (0.075 ppm)	**10**	**20**	**19**
Number of Days Exceeding CAAQS (0.070 ppm)	**14**	**23**	**20**
Carbon Monoxide:[3]			
Maximum 8-Hour Concentration (ppm)	*	*	*
Number of Days Exceeding CAAQS (9 ppm)	0	0	0
Number of Days Exceeding NAAQS (9 ppm)	0	0	0
Nitrogen Dioxide:[3]			
Annual Average (ppm)	*	0.008	0.008
1-Hour 98th Percentile (ppm)	0.0396	0.0388	0.0356
Maximum 1-Hour Concentration (ppm)	0.0452	0.0472	0.0513
Number of Days Exceeding CAAQS (0.18 ppm)	0	0	0
Particulates Matter ≤ 10 Microns (PM-10):[3]			
Maximum 24-Hour Concentration (µg/m^3)	86.8	90.7	99.7
Number of Days Exceeding NAAQS (150 µg/m^3)	0	0	0
Number of Days Exceeding CAAQS (50 µg/m^3)	*	*	*
Annual Average (µg/m^3)	26.0	20.1	22.4
Particulates Matter ≤ 2.5 Microns (PM-2.5):			
Maximum 24-Hour Concentration (µg/m^3)	64.0	24.5	26.9
Number of Days Exceeding NAAQS (35 µg/m^3)	*	*	*
Annual Average (µg/m^3)	11.2	*	*

*means no data available
[1]Source: http://www.arb.ca.gov/adam/topfour/topfour1.php Data from Winchester-33700 Borel Road monitoring station unless noted.
[2]CAAQS = California Ambient Air Quality Standard; NAAQS = National Ambient Air Quality Standard; ppm = parts per million
[3]Data from Lake Elsinore-W Flint Street station.

Table 4.4-4
SCAQMD'S CEQA AIR QUALITY SIGNIFICANCE THRESHOLDS[1]

Maximum Daily Emissions Thresholds (Regional Thresholds)		
Pollutant	**Construction**	**Operations**
NOx	100 lbs/day	55 lbs/day
VOC	75 lbs/day	55 lbs/day
PM10	150 lbs/day	150 lbs/day
PM2.5	55 lbs/day	55 lbs/day
SOx	150 lbs/day	150 lbs/day
CO	550 lbs/day	550 lbs/day
Lead	3 lbs/day	3 lbs/day

Toxic Air Contaminants, Odor and GHG Thresholds	
Pollutant	**SCAQMD Standards**
TACs	Maximum Incremental Cancer Risk ≥ 10 in 1 million Cancer Burden > 0.5 excess cancer cases (in areas ≥ 1 in 1 million) Chronic & Acute Hazard Index > 1.0 (project increment)
Odor	Project creates an odor nuisance pursuant to SCAQMD Rule 402

Ambient Air Quality Standard	
Pollutant	**SCAQMD Standards**
NO2 - 1-hour average	0.18 ppm (338 µg/m^3)
PM10 - 24-hour average Construction Operations	 10.4 µg/m^3 2.5 µg/m^3
PM2.5 - 24-hour average Construction Operations	 10.4 µg/m^3 2.5 µg/m^3
SO2 1-hour average 24-hour average	 0.25 ppm 0.04 ppm
CO 1-hour average 8-hour average	 20 ppm (23,000 µg/m^3) 9 ppm (10,000 µg/m^3)
Lead 30- day average Rolling 3-month average Quarterly average	 1.5 µg/m^3 0.15 µg/m^3 1.5 µg/m^3

[1]Source: http://www.aqmd.gov/ceqa/handbook/signthres.pdf

Toxic Air Contaminants

Construction of the project would emit Diesel Particulate Matter (DPM), which is a carcinogen. DPM emissions are short-term in nature. Determination of risk from DPM is considered over a 30-year exposure period because carcinogenic risk is directly related to sustain exposure.

Odor Impacts

The SCAQMD CEQA Handbook states that an odor impact would occur if the proposed project creates an odor nuisance pursuant to SCAQMD Rule 402, which states:

A person shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. The provisions of this rule shall not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.

If the proposed project results in a violation of Rule 402 with regards to odor impacts, then the proposed project would create a significant odor impact.

4.4.6 ENVIRONMENTAL IMPACTS

AQ-1 Would the project conflict with or obstruct implementation of the applicable air quality plan?

The California Environmental Quality Act (CEQA) requires a discussion of any inconsistencies between a proposed project and applicable General Plans and Regional Plans (CEQA Guidelines Section 15125). The regional plan that applies to the proposed project includes the SCAQMD Air Quality Management Plan (AQMP). Therefore, this section discusses any potential inconsistencies of the proposed project with the AQMP.

The purpose of this discussion is to set forth the issues regarding consistency with the assumptions and objectives of the AQMP and discuss whether the proposed project would interfere with the region's ability to comply with Federal and State air quality standards. If the decision makers determine that the proposed project is inconsistent, the lead agency may consider project modifications or inclusion of mitigation to eliminate the inconsistency.

The SCAQMD CEQA Handbook states that "New or amended General Plan Elements (including land use zoning and density amendments), Specific Plans, and significant projects must be analyzed for consistency with the AQMP." Strict consistency with all aspects of the plan is usually not required. A proposed project should be considered to be consistent with the AQMP if it furthers one or more policies and does not obstruct other policies. The SCAQMD CEQA Handbook identifies two key indicators of consistency:

1) Whether the project will result in an increase in the frequency or severity of existing air quality violations or cause or contribute to new violations, or delay timely attainment of air quality standards or the interim emission reductions specified in the AQMP.
2) Whether the project will exceed the assumptions in the AQMP in 2016 or increments based on the year of project buildout and phase.

Both of these criteria are evaluated for the proposed project:

Criterion 1: Increase in the Frequency or Severity of Violations?

Based on the air quality modeling analysis contained in this Air Analysis, with mitigation, the short-term construction impacts will not result in significant impacts based on the SCAQMD regional and local thresholds of significance (refer to Tables 4.4-5 through 4.4-8). However, this Air Analysis also found that even with mitigation, long-term operations impacts will result in significant impacts based on the SCAQMD regional thresholds of significance (refer to Tables 4.4-9 through 4.4-11). Therefore, the proposed project contributes to the exceedance of air pollutant concentration standards and is found to be inconsistent with the AQMP for the first criterion.

The City requested that this air quality analysis evaluate the possible effects of the project's air emissions in the context of the recent *Fresno…*court case. In fact the two projects are not equivalent in their effect on regional air quality. The *Fresno* project was a major specific plan with thousands of residences and the equivalent of major new regional commercial center. The proposed project is a small specific plan in both area and amount of development. As the Localized Significance Thresholds (LSTs) evaluation in this Draft EIR demonstrate this project is not large enough to cause a local significant effect on air quality, let alone a regional effect. Therefore, the proposed Project does not rise to the level of a major development that could influence future regional air quality in the SCAB on its own.

Criterion 2 - Exceed Assumptions in the AQMP?

Consistency with the AQMP assumptions is determined by performing an analysis of the proposed project with the assumptions in the AQMP. The emphasis of this criterion is to ensure that the analyses conducted for the proposed project are based on the same forecasts as the AQMP. The 2016-2040 Regional Transportation/Sustainable Communities Strategy prepared by SCAG (2016) includes chapters on: the challenges in a changing region, creating a plan for our future and the road to greater mobility and sustainable growth. These chapters currently respond directly to federal and state requirements placed on SCAG. Local governments are required to use these as the basis of their plans for purposes of consistency with applicable regional plans under CEQA. For this project, the City Land Use Plan defines the assumptions that are represented in the AQMP.

The General Plan land use designation for the site is Economic Development Corridor (EDC). According to the General Plan, "Overall, residential uses shall not exceed 15 percent of the total EDC acreage or be allowed on parcels or properties directly adjacent to the freeway, and the maximum density permitted is 24 dwelling units per acre." The proposed townhomes at 13.5 DU/acre, single-family dwelling units at 9.39 DU/acre, commercial retail uses, restaurant, and industrial park would be consistent with the current General Plan land use designation and density requirements, would not place sensitive uses in close proximity to the freeway, and would not result in an inconsistency with the current land use designation in the City's General Plan.

The proposed residences are located about one quarter mile from the I-215 Freeway to the east at the nearest point within the project site. The proposed project would develop more than 15% of the EDC acreage within the project site as the residential land use acreage area will be approximately ~34.33 acres of the 58.5 acres that make up the project site; however, within the EDC land use designation, there are 832 acres, 10% of which is preferred for residential uses. The Project concentrates ~34.33 acres of the ~83.2 acres to be developed as residential in the

EDC-SG at the northwestern extent of the EDC-SG where the proposed high-density residential development will provide a transition to existing lower density residential to the west and north and will buffer existing residential areas from other higher density uses. Roughly half of the land within the EDC-SG is located adjacent to the I-215 freeway, where residential development is considered unsuitable per the EDC descriptions. As such, the proposed project is consistent with the Land Use Goals for the EDC designation outlined in the City of Menifee General Plan. Therefore, the proposed project is not anticipated to exceed the AQMP assumptions for the project site and is found to be consistent with the AQMP for the second criterion.

However, based on the failure of Criterion 1 above, the proposed project will result in an inconsistency with the SCAQMD AQMP. **Mitigation Measures 4.4-1** through **4.4-10** are identified to offset the NOx emissions from VMT, but the success of these measures cannot be fully quantified. The primary route of exposure to nitrogen oxides is by inhalation, but exposure by any route can cause systemic effects. Nitrogen oxides are irritating to the eyes, skin, mucous membranes, and respiratory tract. On contact with moisture, nitrogen dioxide forms a mixture of nitric and nitrous acids.

Mitigation Measure 4.4-1:
The project applicant shall provide sidewalks within the project boundary and connecting off-site.

Mitigation Measure 4.4-2:
The project applicant shall require that all building structures meet or exceed 2016 Title 24, Part 6 Standards and meet Green Building Code Standards.

Mitigation Measure 4.4-3:
The project applicant shall require that all faucets, toilets and showers installed in the proposed structures utilize low-flow fixtures that would reduce indoor water demand by 20% per CalGreen Standards.

Mitigation Measure 4.4-4:
The project applicant shall require that a water-efficient irrigation system be installed that conforms to the requirements of City codes.

Mitigation Measure 4.4-5:
The project applicant shall require that ENERGY STAR-compliant appliances are installed on-site.

Mitigation Measure 4.4-6:
The project applicant shall require recycling programs that reduces waste to landfills by a minimum 75 percent per AB 341.

Mitigation Measure 4.4-7:
The project applicant shall require that high-efficiency lighting be installed that is at least 34% more efficient than standard lighting.

Mitigation Measure 4.4-8:

For each 20,000 square feet of commercial/business park uses at the site one electric vehicle charging station shall be installed within this area of the development.

Mitigation Measure 4.4-9:
Within the Commercial/business park parking areas a minimum of 10,000 square feet of covered parking shall be installed and as many kilowatts of solar electric panels as feasible shall be installed on this parking area.

Mitigation Measure 4.4-10:
Commercial and business park businesses with more than 20 employees shall prepare a Rule 2202 "On-Road Motor Vehicle Mitigation Plan" to reduce vehicle miles traveled. This Plan shall be submitted to the City for review and approval and the approved Plan shall be implemented by the business owner.

Because the above measures' reductions cannot be fully quantified, a significant impact will nonetheless potentially occur. The proposed project includes residential transition that would buffer existing lower density residential development from the proposed commercial and business park development on the site as well as from any future proposed development south of the site. However, because impacts cannot be reduced despite the incorporation of mitigation measures, **impacts are significant and unavoidable**.

AQ-2 Would the project violate any air quality standard or contribute to an existing or projected air quality violation; and

AQ-3 Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions, which exceed quantitative thresholds for ozone precursors)?

Construction activities associated with the proposed project would have the potential to generate air emissions, toxic air contaminant emissions, and odor impacts. The construction activities for the proposed project are anticipated to include: for phase one, grading of approximately 18.12 acres; building construction of 33,800 square feet of industrial park, 122,727 square feet of commercial retail, an 8,000 square foot high-turnover (sit-down) restaurant, and approximately 3 acres of landscaping; paving of 836 parking spaces; and painting. For phase two, grading of approximately 37.33 acres; building construction of 204 single-family detached residential dwelling units, 210 multi-family attached residential dwelling units, a 1,781 square foot clubhouse, a 1,972 square foot clubhouse, and approximately 15.47 acres of landscaping/outdoor recreational areas; paving of 278 parking spaces and approximately 25 percent of the Phase 2 area as on-site roadways (~9.33 acres); and painting.

Construction of Phase 1 is anticipated to start no sooner than late- 2019 and be completed by December 2020. Phase 2 is expected to begin construction no sooner than mid-December 2020 and be completed by the beginning of September 2022. Phase 1 is expected to be operational in 2020 and Phase 2 in 2022.

The project will be required to comply with existing SCAQMD rules for the reduction of fugitive dust emissions. SCAQMD Rule 403 establishes these procedures. Compliance with this rule is achieved through application of standard best management practices in construction and operation activities, such as application of water or chemical stabilizers to disturbed soils, managing haul road dust by application of water, covering haul vehicles, restricting vehicle speeds on unpaved roads to 15 mph, sweeping loose dirt from paved site access roadways, cessation of construction activity when winds exceed 25 mph and establishing a permanent, stabilizing ground cover on finished sites. In addition, projects that disturb 50 acres or more of soil or move 5,000 cubic yards of materials per day are required to submit a Fugitive Dust Control Plan or a Large Operation Notification Form to SCAQMD. Although the Project area (approximately 58.51 acres) is over 50 acres, it is anticipated that the project will not disturb more than 5 acres per day; therefore, a Fugitive Dust Control Plan or Large Operation Notification is not be required. Per SCAQMD Rule 1113 as amended on June 3, 2011, the architectural coatings applied to buildings after January 1, 2014 will be limited to an average of 50 grams of VOC per liter or less.

The phases of the construction activities which have been analyzed in the tables below are: (1) grading, (2) building construction, (3) paving, and (4) application of architectural coatings for Phases 1 and 2. The construction-related criteria pollutant emissions are shown in Table 4.4-5 for Phase 1 and Table 4.4-6 for Phase 2. As shown in Tables 4.4-5 and 4.4-6, the regional construction emissions for Phase 1 and Phase 2 of each phase would not exceed regional emissions thresholds for any of the analyzed criteria pollutants. As shown in Table 4.4-6, Phase 2 architectural coatings have been mitigated to 10 g/L VOC for buildings and 100 g/L VOC for parking lot striping, which complies with SCAQMD Rule 1113 (see Mitigation Measure 4.4-11 below). Therefore, with incorporation of the architectural coating mitigation for Phase 2, a less than significant regional air quality impact would occur from construction of the proposed project. Impacts would be **less than significant with mitigation**.

Table 4.4-5
REGIONAL CONSTRUCTION-RELATED POLLUTANT EMISSIONS FOR PHASE 1[1]

PHASE 1						
	POLLUTANT EMISSIONS (POUNDS PER DAY)					
ACTIVITY	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Grading	-	-	-	-	-	-
On-Site[2]	4.74	54.52	33.38	0.06	4.97	3.51
Off-Site[3]	0.11	0.07	0.89	0.00	0.22	0.06
Subtotal	**4.85**	**54.59**	**34.27**	**0.06**	**5.19**	**3.57**
Building Construction	-	-	-	-	-	-
On-Site	2.36	21.08	17.16	0.03	1.29	1.21
Off-Site	2.21	16.00	17.10	0.07	4.58	1.33
Subtotal	**4.57**	**37.08**	**34.26**	**0.10**	**5.86**	**2.54**
Paving	-	-	-	-	-	-
On-Site	2.25	14.07	14.65	0.02	0.75	0.69
Off-Site	0.08	0.05	0.60	0.00	0.17	0.05
Subtotal	**2.33**	**14.11**	**15.26**	**0.02**	**0.92**	**0.74**
Architectural Coating	-	-	-	-	-	-

PHASE 1						
	POLLUTANT EMISSIONS (POUNDS PER DAY)					
ACTIVITY	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
On-Site	58.32	1.68	1.83	0.00	0.11	0.11
Off-Site	0.33	0.20	2.58	0.01	0.72	0.19
Subtotal	**58.64**	**1.88**	**4.41**	**0.01**	**0.83**	**0.30**
Total of Overlapping Construction Phases[4]	**65.54**	**53.08**	**53.93**	**0.13**	**7.62**	**3.58**
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	NO	NO	NO	NO	NO	NO

[1]Source: CalEEMod Version 2016.3.2 Phase 1
[2]On-site emissions from equipment operated on-site that is not operated on public roads.
[3]Off-site emissions from equipment operated on public roads.
[4]Construction phase, paving phase and painting phase may overlap.

Table 4.4-6
REGIONAL CONSTRUCTION-RELATED POLLUTANT EMISSIONS FOR PHASE 2[1]

PHASE 2						
	POLLUTANT EMISSIONS (POUNDS PER DAY)					
ACTIVITY	VOC	NOx	CO	SO_2	PM_{10}	$PM_{2.5}$
Grading	-	-	-	-	-	-
On-Site[2]	4.45	50.20	31.96	0.06	4.96	3.34
Off-Site[4]	0.10	0.06	0.81	0.00	0.22	0.06
Subtotal	**4.55**	**50.26**	**32.76**	**0.06**	**5.19**	**3.40**
Building Construction	-	-	-	-	-	-
On-Site	1.90	17.43	16.58	0.03	0.96	0.90
Off-Site	4.01	24.17	30.84	0.14	9.75	2.68
Subtotal	**5.91**	**41.61**	**47.42**	**0.17**	**10.71**	**3.58**
Paving	-	-	-	-	-	-
On-Site	2.25	11.12	14.58	0.02	0.57	0.52
Off-Site	0.07	0.04	0.51	0.00	0.17	0.05
Subtotal	**2.32**	**11.16**	**15.09**	**0.02**	**0.74**	**0.57**
Architectural Coating[3]	-	-	-	-	-	-
On-Site	23.70	1.41	1.81	0.00	0.08	0.08
Off-Site	0.64	0.36	4.94	0.01	1.63	0.44
Subtotal	**24.34**	**1.77**	**6.76**	**0.02**	**1.71**	**0.52**
Total of Overlapping Construction Phases[5]	**32.57**	**54.54**	**69.27**	**0.21**	**13.16**	**4.67**
SCAQMD Thresholds	75	100	550	150	150	55
Exceeds Thresholds?	NO	NO	NO	NO	NO	NO

[1]Source: CalEEMod Version 2016.3.2 Phase 2
[2]On-site emissions from equipment operated on-site that is not operated on public roads. *Mitigated on-site values for fugitive dust used during grading to show compliance with SCAQMD Rule 403.
[3]Architectural coating values show mitigation of 10 g/L VOC for buildings and 100 g/L VOC for parking lot striping.
[4]Off-site emissions from equipment operated on public roads.
[5]Construction phase, paving phase and painting phase may overlap.

Operational Criteria Pollutant Analysis

The on-going operation of the proposed project would result in a long-term increase in air quality emissions. This increase would be due to emissions from the project-generated vehicle trips and through operational emissions from the on-going use of the proposed project. The following section provides an analysis of potential long-term air quality impacts due to: regional air quality and local air quality impacts with the on-going operations of the proposed project.

The operations-related criteria air quality impacts created by the proposed project have been analyzed through use of the CalEEMod model. The operating emissions were based on the year 2020 for Phase 1 and year 2022 for Phase 2. The CalEEMod analyzes operational emissions from area sources, energy usage, and mobile sources, which are discussed below.

Mobile Sources

Mobile sources include emissions from the additional vehicle miles generated from the proposed project. The vehicle trips associated with the proposed project have been analyzed based on the project trip generation calculated in the traffic impact analysis. For Phase 1, a 15 percent reduction in trip generation was taken. The commercial retail and the high-turnover (sit-down) restaurant will result in trip generation rates of 47.85 trips per thousand square feet and 92.25 trips per thousand square feet, respectively. Phase 1 also includes a trip generation rate of 3.37 trips per thousand square feet for the industrial park. For Phase 2, the multi-family and single-family uses would result in trip generation rates of 6.59 trips per dwelling unit and 8.5 trips per dwelling unit, respectively. The program then applies the emission factors for each trip which is provided by the EMFAC2014 model to determine the vehicular traffic pollutant emissions.

Area Sources

Area sources include emissions from consumer products, landscape equipment and architectural coatings. Landscape maintenance includes fuel combustion emissions from equipment such as lawn mowers, rototillers, shredders/grinders, blowers, trimmers, chain saws, and hedge trimmers, as well as air compressors, generators, and pumps. As specifics were not known about the landscaping equipment fleet, CalEEMod defaults were used to estimate emissions from landscaping equipment. In order to account for SCAQMD Rule 445, no wood burning stoves or fireplaces will be included and the CalEEMod defaults for such have been adjusted accordingly. No other changes were made to the default area source parameters.

Energy Usage

Energy usage includes emissions from the generation of electricity and natural gas used on-site. ENERGY STAR-compliant appliances are to be installed on-site. No other changes were made to the CalEEMod default energy use parameters.

The worst-case unmitigated summer or winter VOC, NOx, CO, SO2, PM10, and PM2.5 emissions created from the proposed project's long-term operations have been calculated and are summarized below, for Phases 1 and 2, in Table 4.4-8. Table 4.4-8 also includes the total emissions for the entire project, both Phases 1 and 2. The results show that Phase 2 individually would not exceed SCAQMD regional thresholds. However, Phase 1 individually and the entire

project (Phases 1 and 2 combined) would exceed SCAQMD regional thresholds for NOx. Therefore, a potentially significant regional air quality impact would occur from operation of the proposed project and mitigation measures are required to reduce the project's NOx emissions. The NOx emissions would be primarily from mobile sources. Mitigation has been provided in Section 4.4-6, AQ-1, to reduce the project's total NOx emissions, primarily by reducing energy consumption at the site. Additional measures have been incorporated to reduce vehicle miles traveled (VMT). Those mitigated values are shown in Table 4.4-9. The data in Table 4.4-10 shows that even with incorporation of **Mitigation Measures 4.4-1** through **4.4-10**, emissions from the operation of Phase 1 of the proposed project and the entire project (Phases 1 and 2 combined) would still exceed SCAQMD operational thresholds for NOx. Therefore, even with mitigation, a significant regional air quality impact would occur from operation of the proposed project. Impacts would be **significant and unavoidable**.

Table 4.4-7
MAXIMUM NUMBER OF ACRES DISTURBED PER DAY[1]

ACTIVITY	EQUIPMENT	NUMBER	ACRE/8HR-DAY	TOTAL ACRES
-----Phase 1-----				
Site Grading	Graders	1	0.5	0.5
	Rubber Tire Dozers	1	0.5	0.5
	Excavators	2	0.5	1
	Scrapers	2	1	2
	Tractors/Loaders/Backhoes	2	0.5	1
Total Per Phase		**-**	**-**	**5**

ACTIVITY	EQUIPMENT	NUMBER	ACRE/8HR-DAY	TOTAL ACRES
-----Phase 2-----				
Site Grading	Graders	1	0.5	0.5
	Rubber Tire Dozers	1	0.5	0.5
	Excavators	2	0.5	1
	Scrapers	2	1	2
	Tractors/Loaders/Backhoes	2	0.5	1
Total Per Phase		**-**	**-**	**5**

[1]Source: South Coast AQMD, Fact Sheet for Applying CalEEMod to Localized Significance Thresholds

Table 4.4-8
LOCAL CONSTRUCTION EMISSIONS AT THE NEAREST RECEPTORS[1]

PHASE 1 ACTIVITY	ON-SITE POLLUTANT EMISSIONS (POUNDS/DAY)			
	NOx	CO	PM_{10}	$PM_{2.5}$
Grading	54.52	33.38	4.97	3.51
Building Construction	21.08	17.16	1.29	1.21
Paving	14.07	14.65	0.75	0.69
Architectural Coating	1.68	1.83	0.11	0.11
SCAQMD Thresholds[2]	**270**	**1,577**	**13**	**8**
Exceeds Thresholds?	NO	NO	NO	NO

PHASE 2 ACTIVITY	ON-SITE POLLUTANT EMISSIONS (POUNDS/DAY)			
	NOx	CO	PM_{10}	$PM_{2.5}$
Grading	50.20	31.96	4.96	3.34
Building Construction	17.43	16.58	0.96	0.90
Paving	11.12	14.58	0.57	0.57
Architectural Coating	1.41	1.81	0.08	0.08
SCAQMD Thresholds[2]	**270**	**1,577**	**13**	**8**
Exceeds Thresholds?	NO	NO	NO	NO

[1]Source: Calculated from CalEEMod 2016.3.2
[2]Source: SCAQMD's Mass Rate Look-up Tables for five acres at a distance of 25-m in SRA 24 Perris Valley Area

Conclusion: Construction Emissions

The regional construction emissions for the project would not exceed regional emissions thresholds for any of the analyzed criteria pollutants, and architectural coatings have been mitigated to 10 g/L VOC for buildings and 100 g/L VOC for parking lot striping (see **Mitigation Measure 4.4-11**, below). Additionally, **Mitigation Measures 4.4-12** through **4.4-23** further reduce these already less than significant construction related emissions. Therefore, with incorporation of mitigation, a less than significant regional air quality impact would occur from construction of the proposed project.

Mitigation Measure 4.4-11:
All architectural coatings for Phase 2 of the proposed project are to be limited to 10 grams per liter VOC for buildings and 100 g/L VOC for parking lot striping.

Mitigation Measure 4.4-12:
The following fugitive dust control measures shall be incorporated into Project plans and specifications for implementation:

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

Mitigation Measure 4.4-13:
Plans, specifications and contract documents shall direct that a sign must be posted on-site stating that construction workers shall not idle diesel engines in excess of five minutes.

Mitigation Measure 4.4-14:
Gravel pads must be installed at all access points to prevent tracking of mud onto public roads.

Mitigation Measure 4.4-15:
Install and maintain trackout control devices in effective condition at all access points where paved and unpaved access or travel routes intersect (e.g., Install wheel shakers, wheel washers, and limit site access).

Mitigation Measure 4.4-16:
When materials are transported off-site, all material shall be covered, effectively wetted to limit visible dust emissions, and at least six inches of freeboard space from the top of the container shall be maintained.

Mitigation Measure 4.4-17:
All streets shall be swept at least once a day using SCAQMD Rule 1186 certified street sweepers if visible soil materials are carried to adjacent streets.

Mitigation Measure 4.4-18:
The contractor or builder shall designate a person or persons to monitor the dust control program and to order increased watering, as necessary, to prevent transport of dust offsite.

Mitigation Measure 4.4-19:
Post a publicly visible sign with the telephone number and person to contact regarding dust complaints. This person shall respond and take corrective action within 24 hours.

Mitigation Measure 4.4-20:
Any on-site stockpiles of debris, dirt or other dusty material shall be covered or watered three times daily.

Mitigation Measure 4.4-21:
A high wind response plan shall be formulated for enhanced dust control if winds are forecast to exceed 25 mph in any upcoming 24-hour period.

Mitigation Measure 4.4-22:
Implement activity management techniques including (a) development of a comprehensive construction management plan designed to minimize the number of large construction equipment operating during any given time period; (b) scheduling of construction truck trips during non-peak hours to reduce peak hour emissions; and (c) phasing of construction activities.

Mitigation Measure 4.4-23:
Use electric construction equipment where technically feasible, where the electric equipment can perform comparably to fueled equipment.

Conclusion: Operational Emissions

While construction emissions can be fully mitigated to a level of less than significant, as shown in Table 4.4-10, operational emissions remain significant even with the incorporation of all feasible mitigation measures, **Mitigation Measures 4.4-1** through **4.4-10**, identified above.

Table 4.4-9
UNMITIGATED REGIONAL OPERATIONAL POLLUTANT EMISSIONS FOR PHASES 1 & 2[1]

PHASE 1 ACTIVITY	POLLUTANT EMISSIONS (POUNDS/DAY)					
	VOC	NOX	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources[2]	4.06	0.00	0.10	0.00	0.00	0.00
Energy Sources[3]	0.08	0.70	0.59	0.00	0.05	0.05
Mobile Sources[4]	12.92	86.81	121.33	0.46	30.81	8.52
Total Emissions	**17.05**	**87.50**	**122.02**	**0.46**	**30.86**	**8.57**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	**YES**	NO	NO	NO	NO

PHASE 2 ACTIVITY	POLLUTANT EMISSIONS (POUNDS/DAY)					
	VOC	NOX	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources[2]	14.77	6.58	36.85	0.04	0.69	0.69
Energy Sources[3]	0.28	2.43	1.05	0.02	0.20	0.20
Mobile Sources[4]	5.85	42.15	69.95	0.30	22.92	6.27
Total Emissions	**20.91**	**51.16**	**107.85**	**0.36**	**23.81**	**7.15**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	NO	NO	NO	NO	NO

Total for Phases 1 & 2	**37.96**	**138.66**	**229.87**	**0.82**	**54.67**	**15.72**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	**YES**	NO	NO	NO	NO

[1]Source: CalEEMod Version 2016.3.2
[2]Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3]Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
[4]Mobile sources consist of emissions from vehicles and road dust.

Table 4.4-10
MITIGATED REGIONAL OPERATIONAL POLLUTANT EMISSIONS FOR PHASES 1 & 2[1]

PHASE 1 ACTIVITY	POLLUTANT EMISSIONS (POUNDS/DAY)					
	VOC	NOX	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources[2]	4.06	0.00	0.10	0.00	0.00	0.00
Energy Sources[3]	0.08	0.70	0.59	0.00	0.05	0.05
Mobile Sources[4]	11.96	77.08	92.33	0.34	21.20	5.87
Total Emissions	**16.09**	**77.78**	**93.02**	**0.34**	**21.25**	**5.93**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	**YES**	NO	NO	NO	NO

PHASE 2 ACTIVITY	POLLUTANT EMISSIONS (POUNDS/DAY)					
	VOC	NOX	CO	SO_2	PM_{10}	$PM_{2.5}$
Area Sources[2]	14.77	6.58	36.85	0.04	0.69	0.69
Energy Sources[3]	0.28	2.43	1.05	0.02	0.20	0.20
Mobile Sources[4]	5.14	35.60	48.09	0.20	14.44	3.95
Total Emissions	**20.20**	**44.61**	**86.00**	**0.26**	**15.32**	**4.84**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	NO	NO	NO	NO	NO

Total for Phases 1 & 2	**36.29**	**122.38**	**179.01**	**0.61**	**36.57**	**10.76**
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	**YES**	NO	NO	NO	NO

[1]Source: CalEEMod Version 2016.3.2
[2]Area sources consist of emissions from consumer products, architectural coatings, and landscaping equipment.
[3]Energy usage consists of emissions from generation of electricity and on-site natural gas usage.
[4]Mobile sources consist of emissions from vehicles and road dust.

Table 4.4-11
OVERLAPPING MITIGATED REGIONAL CONSTRUCTION AND MITIGATED OPERATIONAL EMISSIONS[1]

ACTIVITY	POLLUTANT EMISSIONS (POUNDS/DAY)					
	VOC	NOX	CO	SO_2	PM_{10}	$PM_{2.5}$
Total for Operation of Phase 1 & Construction of Phase 2	48.66	132.32	162.28	0.55	34.41	10.60
SCAQMD Thresholds	**55**	**55**	**550**	**150**	**150**	**55**
Exceeds Thresholds?	NO	**YES**	NO	NO	NO	NO

[1]Source: CalEEMod Version 2016.3.2

Specifically, even with the above mitigation measures incorporated, operational emissions of NOx would exceed SCAQMD operational thresholds. Therefore, operational emissions would result in a **significant and unavoidable environmental impact**.

AQ-4 Would the project expose sensitive receptors to substantial pollutant concentrations?

Construction-related air emissions may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the South Coast Air Basin. However, based on the data in Table 4.4-8 the localized significance thresholds will not be exceeded by the proposed project during construction.

The proposed project has also been analyzed for the potential local air quality impacts created from the following: construction-related fugitive dust and diesel emissions; from toxic air contaminants; and from construction-related odor impacts. None of these potential local air quality impacts were found to be significantly adverse.

Hot Spot Analysis

CO is the pollutant of major concern along roadways because the most notable source of CO is motor vehicles. For this reason, CO concentrations are usually indicative of the local air quality generated by a roadway network and are used as an indicator of potential local air quality impacts. Local air quality impacts can be assessed by comparing future without and with project CO levels to the State and Federal CO standards. To determine if the proposed project could cause emission levels in excess of the CO standards, a sensitivity analysis is typically conducted to determine the potential for CO “hot spots” at a number of intersections in the general project vicinity. Because of reduced speeds and vehicle queuing, “hot spots” potentially can occur at high traffic volume intersections with a Level of Service E or worse.

The analysis prepared for CO attainment in the South Coast Air Basin by the SCAQMD can be used to assist in evaluating the potential for CO exceedances in the South Coast Air Basin. CO attainment was thoroughly analyzed as part of the SCAQMD's 2003 Air Quality Management Plan (2003 AQMP) and the 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan). As discussed in the 1992 CO Plan, peak carbon monoxide concentrations in the South Coast Air Basin are due to unusual meteorological and topographical conditions, and not due to the impact of particular intersections. Considering the region’s unique meteorological conditions and the increasingly stringent CO emissions standards, CO modeling was performed as part of 1992 CO Plan and subsequent plan updates and air quality management plans.

The traffic impact analysis showed that the entire project would generate a maximum of approximately 9,881 trips per day. The intersection with the highest traffic volume is located at the I-215 Freeway Southbound Ramps and Newport Road and has Existing Plus Ambient Growth Plus Project Plus Cumulative (without Holland Overpass) evening peak hour volume of 2,688 vehicles. This intersection would operate at LOS D without the Holland Overpass, though it would operate at LOS A during peak hours with the Holland Overpass. The City has established, as a Citywide target, a Level of Service C on all City maintained roads and conventional State Highways, except that a Level of Service D could be allowed on at any combination of Major Arterials, Expressways, or conventional State Highways as specified in the County of Riverside Congestion Management Plan, 2011.The maximum average daily traffic (ADT) volumes for Existing Plus Ambient Growth Plus Project (without Holland Road Overpass) is 62,600 vehicles on Newport Road from Bradley Road to Haun Road. The 1992 Federal Attainment Plan for Carbon Monoxide (1992 CO Plan) showed that an intersection which has a daily traffic volume of approximately 100,000 vehicles per day would not violate the CO

standard. Therefore, as both the intersection and average daily traffic volumes fall short of 100,000 vehicles per day, no CO "hot spot" modeling was performed and no significant long-term air quality impact is anticipated to local air quality due to the on-going use of the proposed project. Impacts would be **less than significant**.

Local Air Quality Impacts from On-Site Operations

Project-related air emissions from on-site sources such as architectural coatings, landscaping equipment, on-site usage of natural gas appliances as well as the operation of vehicles on-site may have the potential to exceed the State and Federal air quality standards in the project vicinity, even though these pollutant emissions may not be significant enough to create a regional impact to the Air Basin. The nearest sensitive receptors that may be impacted by the proposed project are the mobile home to the east, and other residential uses to the north of the project site. According to SCAQMD LST methodology, LSTs would apply to the operational phase of a project, if the project includes stationary sources, or attracts mobile sources (such as heavy-duty trucks) that may spend long periods queuing and idling at the site; such as industrial warehouse/transfer facilities. The proposed project is a mixed-use project consisting of residential, commercial uses, and industrial park uses and does not include such uses. Therefore, due the lack of stationary source emissions, no long-term localized significance threshold analysis is warranted. Impacts would be **less than significant**.

Localized Significance Thresholds

The local air quality emissions from construction were analyzed using the SCAQMD's Mass Rate Localized Significant Threshold Look-up Tables and the methodology described in Localized Significance Threshold Methodology prepared by SCAQMD (revised July 2008). The Look-up Tables were developed by the SCAQMD in order to readily determine if the daily emissions of CO, NOx, PM10, and PM2.5 from the proposed project could result in a significant impact to the local air quality. The emission thresholds were calculated based on the Perris source receptor area (SRA) 24 and a disturbance value of five acres per day (see Table 4.4-7, above). According to LST Methodology, any receptor located closer than 25 meters (82 feet) shall be based on the 25 meter thresholds. The nearest sensitive receptors are an existing mobile home, whose property is located approximately 30 feet west of the project site, and the existing single-family detached residential dwelling units located approximately 125 feet north of the site; therefore, the SCAQMD Look-up Tables for 25 meters was used. Table 4.4-8 shows the on-site emissions from the CalEEMod model for the different construction phases for both Phases and the calculated emissions thresholds. The data provided in 4.4-8 shows that none of the analyzed criteria pollutants for either site would exceed the SCAQMD local emissions thresholds at the nearest sensitive receptors.

Regarding potential health risks during construction, SCAQMD does not require any construction-based Health Risk Assessment (HRA) as such. Based on input from Mr. Michael Krause at SCAQMD, construction based LSTs already assess impacts from construction-related particulate emissions including diesel particulate matter (DPM) emissions) to sensitive receptors in a project's vicinity. As emissions of particulate matter, including DPM, do not exceed SCAQMD LSTs at the closest sensitive receptor, the potential for short-term TAC impacts from construction equipment are also anticipated to be less than significant. Therefore, a less than significant local air quality impact would occur from construction of the proposed project. Impacts would be **less than significant**.

Toxic Air Contaminants

The greatest potential for toxic air contaminant emissions would be related to diesel particulate emissions associated with heavy equipment operations during construction of the proposed project. According to SCAQMD methodology, health effects from carcinogenic air toxics are usually described in terms of "individual cancer risk". "Individual Cancer Risk" is the likelihood that a person exposed to concentrations of toxic air contaminants over a 30 year lifetime will contract cancer, based on the use of standard risk-assessment methodology. Given the relatively limited number of heavy-duty construction equipment and the short-term construction schedule, the proposed project would not result in a long-term (i.e., 30 years) substantial source of toxic air contaminant emissions and corresponding individual cancer risk. Furthermore, construction-based particulate matter (PM) emissions (including diesel exhaust emissions) do not exceed any local or regional thresholds. Therefore, no significant short-term toxic air contaminant impacts would occur during construction of the proposed project. Impacts would be **less than significant**.

AQ-5 Would the project create objectionable odors affecting a substantial number of people?

The SCAQMD recommends that odor impacts be addressed in a qualitative manner. Such an analysis shall determine whether the project would result in excessive nuisance odors, as defined under the California Code of Regulations and Section 41700 of the California Health and Safety Code, and thus would constitute a public nuisance related to air quality. Land uses typically considered associated with odors include wastewater treatment facilities, waste-disposal facilities, or agricultural operations. The project does not contain land uses typically associated with emitting objectionable odors. Diesel exhaust and VOCs would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the project site and therefore should not reach an objectionable level at the nearest sensitive receptors.

Potential sources that may emit odors during construction activities include the application of materials such as asphalt pavement. The objectionable odors that may be produced during the construction process are short-term in nature and the odor emissions are expected to cease upon the drying or hardening of the odor producing materials. Diesel exhaust and VOCs would be emitted during construction of the project, which are objectionable to some; however, emissions would disperse rapidly from the project site and therefore should not reach an objectionable level at the nearest sensitive receptors. Due to the short-term nature and limited amounts of odor producing materials being utilized, no significant impact related to odors would occur during construction of the proposed project. Impacts would be **less than significant**.

4.4.7 CUMULATIVE IMPACTS

Cumulative projects include local development as well as general growth within the project area. However, as with most development, the greatest source of emissions is from mobile sources, which travel well out of the local area. Therefore, from an air quality standpoint, the cumulative analysis would extend beyond any local projects and when wind patterns are considered would cover an even larger area. Accordingly, the cumulative analysis for the project's air quality must be generic in nature.

The project area is out of attainment for both ozone and particulate matter (PM-10 and PM-2.5). Construction and operation of cumulative projects will further degrade the local air quality, as well as the air quality of the South Coast Air Basin. The greatest cumulative impact on the quality of regional air cell will be the incremental addition of pollutants mainly from increased traffic volumes from residential, commercial, and industrial development and the use of heavy equipment and trucks associated with the construction of these projects. Air quality will be temporarily degraded during construction activities that occur separately or simultaneously. However, in accordance with the SCAQMD methodology, projects that do not exceed the SCAQMD criteria or can be mitigated to less than criteria levels are not significant and do not add to the overall cumulative impact. As previously noted, with implementation of the recommended mitigation measures, the proposed project would not exceed the applicable SCAQMD regional threshold for construction emissions. Operational source NOx emissions will exceed thresholds and they are considered cumulatively considerable. As such, the proposed project would result in a cumulatively considerable/significant adverse air quality impact.

4.4.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, the project would result in significant and unavoidable impacts relating to operational NOx emissions. Project operational-source emissions would exceed applicable SCAQMD regional thresholds of significance for emissions of NOx during operation, even after implementation of all identified mitigation measures. No additional feasible mitigation measures have been identified that would reduce these emissions to levels that are less-than-significant. Further, the NOx exceedances would also cause significant and unavoidable impacts because the project would not be consistent with the AQMD, which would result in a cumulatively unavoidable significant adverse impact. Therefore, both exceedances of applicable SCAQMD regional thresholds, and the inconsistency with the AQMP are considered **significant and unavoidable**.

4.5 BIOLOGICAL RESOURCES

4.5.1 INTRODUCTION

This subchapter evaluates the environmental impacts to biological resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The analysis in this subchapter is based on the following reference documents (each contained within Appendix 2, of Volume 2 of this DEIR):

- *Burrowing Owl Focused Survey Report, Mill Creek Promenade (APN 360-350-006, 360-350-011, & 360-350-017) Menifee, California (Township 6 South, Range 3 West, Section 15)* dated April 2018 prepared by RCA Associates, Inc.
- *Determination of Biological Equivalent or Superior Preservation (DBESP) For Riparian/Riverine Habitat Mill Creek Promenade Menifee, California Township 7 South, Range 3 West, Section 15 (APN 360-350-006, 360-350-011, and 360-350-017)* dated April 23, 2018 (Updated August 16, 2018), prepared by RCA Associates, Inc.
- *General Biological Resources Assessment, Rancho Bonito* dated January 22, 2016 prepared by RCA Associates, Inc.
- *Habitat Assessment and MSCHP Consistency Analysis, Mill Creek Promenade (APN 360-350-006, 360-350-011, & 360-350-017) Menifee, California* dated April 2018 prepared by RCA Associates, Inc.
- *Jurisdictional Waters Delineation Mill Creek Promenade Menifee, California (APN 360-350-006, 360-350-011, and 360-350-017)* dated January 29, 2018 (Updated) August 7, 2018), prepared by RCA Associates, Inc.

No comments were received pertaining to air quality in response to the Notice of Preparation.

4.5.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Federal Endangered Species Act of 1973

The Federal Endangered Species Act of 1973 (16 U.S.C. 1531-1543) and subsequent amendments provide for the conservation of endangered and threatened species and the habitats on which they depend. Federally endangered species are ones facing extinction throughout all or a significant portion of its geographical range. A federally threatened species is one likely to become endangered within the foreseeable future throughout all or a significant

portion of its range. The presence of any federally threatened or endangered species on a site generally imposes severe constraints on development; particularly if development would result in a "take" of the species or its habitat. The term "take" means to harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, collect, or attempt to engage in such conduct. Harm in this sense can include any disturbance to habitats used by the species during any portion of its life history.

Federal Clean Water Act

Pursuant to Section 404 of the Clean Water Act, the United States Army Corps of Engineers (ACOE) regulates discharges of dredged and/or fill material into waters of the United States. "Waters of the United States" are defined in ACOE regulations at 33 C.F.R. Part 328.3(a). Navigable waters of the United States are those waters of the United States that are navigable in the traditional sense. Waters of the United States is a broader term than navigable waters of the United States and includes adjacent wetlands and tributaries to navigable waters of the United States and other waters where the degradation or destruction of which could affect interstate or foreign commerce.

Migratory Bird Treaty Act

The Federal Migratory Bird Treaty Act (MBTA), 50 C.F.R. Part 10, prohibits take of migratory birds. Under the MTBA, it is unlawful to "pursue, hunt, take, capture or kill; attempt to take, capture or kill; possess, offer to or sell, barter, purchase, deliver or cause to be shipped, exported, imported, transported, carried or received any migratory bird, part, nest, egg or product." Implementation of the proposed Project will be required to comply with the MTBA, which prohibits the take of migratory bird species that are considered to utilize the site and their nests or eggs. In addition, Sections 3505, 3503.5, and 3800 of the California Department of Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs.

State

California Endangered Species Act

California Endangered Species Act (Fish and Game Code 2050, et seq.) (CESA) establishes that it is the policy of the state to conserve, protect, restore, and enhance threatened or endangered species and their habitats. CESA mandates that state agencies should not approve projects which would jeopardize the continued existence of threatened or endangered species if reasonable and prudent alternatives are available that would avoid jeopardy. CESA requires state lead agencies to notify the California Department of Fish and Wildlife (CDFW) during the CEQA process regarding potential effects to threatened or endangered species as a CEQA Trustee Agency.

California Fish and Game Code

Section 1600 of the Fish and Game Code, regulates all diversions, obstructions, or changes to the natural flow or bed, channel or bank of any river, stream, or lake, which supports fish or wildlife. The Code defines a stream, including creeks and rivers, as "a body of water that flows at least periodically or intermittently through a bed or channel having surface or subsurface flow that supports or has supported riparian vegetation." Lakes under the jurisdiction of CDFW may also include man-made features.

Local

Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP)

On June 17, 2003 the Riverside County Board of Supervisors approved the MSHCP, certified the EIR/EIS for the Plan, and authorized the Chairman to sign the Implementing Agreement. The City of Menifee, a signatory to the Implementing Agreement (IA), is required to comply with all applicable policies and requirements of the MSHCP. As outlined in Section 6 of the MSHCP, "Payment of the mitigation fee and compliance with the requirements of Section 6.0 are intended to provide full mitigation under the California Environmental Quality Act (CEQA), National Environmental Policy Act (NEPA), Federal Endangered Species Act, and California Endangered Species Act for impacts to the species and habitats covered by the MSHCP pursuant to agreements with the U.S. Fish and Wildlife Service, the California Department of Fish and Wildlife and/or any other appropriate participating regulatory agencies and as set forth in the Implementing Agreement for the MSHCP." The Western Riverside County Regional Conservation Authority (RCA), of which the City of Menifee is a member, was formed in 2004 to acquire and manage reserve lands, monitor habitat loss and review infrastructure and development applications.

The MSHCP Conservation Area is comprised of a variety of existing and proposed Cores, Extensions of Existing Cores, Linkages, Constrained Linkages and Non-contiguous Habitat areas that are conserved in perpetuity. The MSHCP boundaries are divided into Area Plans (AP) based on the Riverside County's General Plan Area Plan boundaries. Each of the AP's has established conservation criteria, species specific surveys that may be required based on on-site Habitat Assessment, and resources and areas identified for conservation. In each Area Plan text, applicable Cores and Linkages are identified. Surveys are not required for the majority of the species covered by the Plan; however, if suitable habitat is identified within designated 'survey areas' mapped for specific species, focused surveys are required.

The City of Menifee has adopted Riverside County Ordinance No. 810.2 for use within the City. On July 22, 2003, the Riverside County Board of Supervisors adopted Ordinance Amendment 810.2, an amendment to Ordinance No. 810, which establishes the Western Riverside County Multiple Species Habitat Conservation Plan Mitigation Fee. As of July 3, 2017, the fee schedule was as follows:

Single-family residential $2,031/per dwelling
Residential (8.1-14 dwelling units/acre) $1,300/per dwelling
Residential (>14.1 dwelling units/acre) $ 1,056/per dwelling
Commercial $6,914 per acre
Industrial $6,914 per acre

All building permit applicants may pay their Western Riverside County MSHCP mitigation fees at any time after having an approved land development permit from the City of Menifee Community Development Department (ex: conditional use permit, public use permit, plot plan) and have also paid for building permit plan review or permit fees.

Stephens' Kangaroo Rat Habitat Conservation Plan

The proposed Project is located within the boundary of the adopted Habitat Conservation Plan (HCP) for the endangered Stephens' kangaroo rat (SKR) implemented by the Riverside County

Habitat Conservation Agency (RCHCA). The SKR HCP mitigates impacts from development on the SKR by establishing a network of preserves and a system for managing and monitoring them. Through implementation of the SKR HCP, more than $45 million has been dedicated to the establishment and management of a system of regional preserves designed to ensure the persistence of SKR in the plan area. This effort has resulted in the permanent conservation of approximately 50% of the SKR occupied habitat remaining in the HCP area. Through direct funding and in-kind contributions, SKR habitat in the regional reserve system is managed to ensure its continuing ability to support the species. The proposed Project is located within the SKR HCP area and will be required to comply with applicable provisions of this plan.

The City of Menifee adopted Riverside County Ordinance No. 663 for use within the City. The Riverside County Board of Supervisors adopted Ordinance Amendment 663.10, an amendment to Ordinance No. 663, establishing the Riverside County Stephens' Kangaroo Rat Habitat Conservation Plan Fee Assessment Area and Setting Mitigation Fees. The mitigation fees are as follows: All applicants for development permits within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation as determined through the environmental review process shall pay a Mitigation Fee of $500.00 per gross acre of parcels proposed for development. However, for single-family residential development, wherein all lots within the development are greater than one-half (1/2) acre in size, a Mitigation Fee of $250.00 per residential unit shall be paid; and for agricultural development which requires a development permit, excluding the construction of single-family residences in connection with said agricultural development, a Mitigation Fee of $100.00 or one percent (1%) of the valuation of the buildings to be constructed, whichever is greater shall be paid, provided that at no time shall such fee exceed the amount required to be paid if a fee of $500.00 per gross acre were applied to the parcel proposed for agricultural development. The determination of value or valuation of an agricultural building shall be made by the building official.

City of Menifee General Plan, Open Space and Conservation Element OSC-8: Biological

Biological
Wildlife, including threatened or endangered species, may make their homes in urbanized, agriculturally productive, and open space area. These areas support various native and nonnative wildlife species. The main general habitat types commonly encountered within the City of Menifee include grasslands, nonnative grasslands, coastal sage scrub, and wetland/riparian/woodlands. See Exhibit OSC-7 for an illustration of the city's biological resources and Exhibit OSC-8 for a map of the MSHCP survey areas.

Goal	OSC-8	Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.
Policies	OSC-8.1	Work to implement the Western Riverside County Multiple Species Habitat Conservation Plan in coordination with the Regional Conservation Authority.
	OSC-8.2	Support local and regional efforts to evaluate, acquire, and protect natural habitats for sensitive, threatened, and endangered species occurring in and around the city.

OSC-8.3 Partners with non-profit agencies at the local, regional, state, and federal level to fulfill the obligations of the MSHCP to preserve and protect significant biological resources.

OSC-8.4 Identify and inventory existing natural resources in the City of Menifee.

OSC-8.5 Recognize the impacts new development will have on the city's natural resources and identify ways to reduce these impacts.

OSC-8.6 Pursue opportunities to help the public understand and appreciate Menifee's biological resources.

OSC-8.7 Manage the recreational use of the city's unimproved open space areas for compatibility with sensitive biological resources as well as MSHCP Conservation Areas.

OSC-8.8 Implement and follow MSHCP goals and policies when making discretionary actions pursuant to Section 13 of the Implementing Agreement.

These goals and policies are designed to ensure implementation of the MSHCP within the City of Menifee.

4.5.3 EXISTING CONDITIONS

4.5.3.1 Historic and Adjacent Uses

Under present circumstances the site is vacant. The site is situated in an area of mixed vacant land, dry-land farming and single-family residential uses of varying density, with scattered commercial and light industrial uses. Surrounding land uses include the following: north of the site consists of Garbani Road, and low density residential uses; east of the site land uses consist of vacant land and a storage facility; immediately south of the Project site is open space and a Verizon facility; and west of the site is vacant land and one single family residence. As detailed in Chapter 4.6 Cultural Resources, historical photographs demonstrate that although the surrounding area experienced gradual growth during the course of the 20th century, the Project site has remained in use solely as active or fallow agricultural fields to the present time (Figures 7, 8; NETR Online 1938-2012). Based on the Phase 1 Environmental Site Assessment, it appears that the site historically supported dry-land farming activities until the late 1960's.

4.5.3.2 General Overview of Plant and Wildlife Species

The Project site is relatively flat with an elevation of approximately 1,490 feet above mean sea level (AMSL). The Project site slopes primarily from west to east. As noted, the property site has been disturbed by decades of agricultural activities (dry-farming hay production), and the site shows signs of recent mowing and plowing. Vegetation observed during biological surveys includes brome grasses (Bromus, sp.), lamb's quarters (Chenopodium album), heliotrope (Heliotropium sp.), dove weed (Eremocarpus setigerus), and goldfields (Lastenia California). An intermittent stream (Mill Creek) bisects the southern portion of the site and supports a few riparian plant species such as seep willow (Baccharis emoryi), red-osier dogwood (Cornus

stolonifera), cottonwood (Populus angustifolia), and arroyo willow (Salix lasiolepis). The property also contains a small manmade v-drainage feature along the south side of Garbani Road. This v-ditch is considered to be an ephemeral drainage that does not support any riparian vegetation. Both channels connect to the north flowing channel on the east side of Haun Road. A compendium of all plant and animal species observed during the January 15, 2018 biological survey, is presented below (see also Tables 1 and 2 of the DBESP Report). OHV trails and numerous debris piles (i.e., illegal dumping) were observed on the site.

PLANTS OBSERVED ON-SITE OR KNOWN TO OCCUR IN THE AREA

Common Name	Scientific Name	Comments
Annuals		
Snakeweed	*Gutierrezia sarothrea*	Observed off-site
Telegraph weed	*Heterotheca gradifolia*	“
Bladderpod	*Isomeris aroborea*	“
Fiddleneck	*Amsinckia tessellate*	“
Black mustard	*Brassica nigra*	“
Plantain	*Plantago erecta*	“
Croton	*Croton califonica*	“
Coyote melon	*Cucurbita foetidissma*	“
Pearly everlasting	*Gnaphalium californicum*	“
Phacelia	*Phacelia distans*	“
Lambs quarters	*Chenopodium califonicum*	“
Centaurem	*Centaurea squarrosa*	“
Brome grass	*Bromus sp.*	On-site
Dove weed	*Eremocarpus setigerus*	“
Tobacco	*Nicotiana attenuta*	“
Lamb’s quarters	*Chenopodium album*	“
Cottonwood	*Populus angustifolia*	“
Arroyo Willow	(*Salix lasiolepis*	“
Heliotrope	*Heliotropium sp.*	“
Erodium	*Erodium cicutarium*	“
Goldfields	*Lasthenia californica*	“
Russian thistle	*Salsola tragus*	“
Stephanomeria	*Stephanomeria sp.*	“
Seep willow	*Baccaharis emoryi*	“
Mustard	*Brassica tourneforti*	“
Red-osier dogwood	*Cornus stolonifera*	“
Tamarisk	*Tamarix ramoissina*	“

Source: Munz, P.A. 1974. A Flora of Southern California. University of California Press. Berkeley, California. 1086 pp.

WILDLIFE OBSERVED ON-SITE OR KNOWN TO OCCUR IN THE AREA

Common Name	Scientific Name	Comments
Mammals		
Desert cottontail	*Sylvilagus auduboni*	Observed onsite
California ground squirrel	*Spermophilus beecheyi*	“
Coyote	*Canis latrans*	Scats observed onsite
Deer mouse	*Peromyscus maniculatus*	May occur onsite
California mouse	*P. californicus*	“
Botta’s pocket gopher	*Thomonys bottae*	“
Birds		
Raven	*Corvus corax*	Observed onsite
Crow	*C. brachyrhynchos*	“
American Kestrel	*Falco sparverius*	“
Burrowing owl	*Athene cunicularia*	“
Western meadowlark	*Sturnella neglecta*	“
Western kingbird	*Tyrannus verticalis*	“
Say’s Phoebe	*Sayornis saya*	“
Northern mockingbird	*Mimus polyglottus*	“
Anna’s hummingbird	*Calypte amna*	“
Mourning dove	*Zenaida macroura*	“
California quail	*Callipepla Californica*	Observed in surrounding area
White-crowned sparrow	*Zonotrichia leucophrys*	“
Red-tailed hawk	*Buteo jamaicensis*	“
Greater roadrunner	*Geococcyx californianus*	“
Rock pigeon	*Columba livia*	“
Brewer’s blackbird	*Euphagus cyanocephalus*	“
Lark sparrow	*Chondestes grammacus*	“
House finch	*Carpodacus mexicanis*	“
Bullock’s oriole	*Icterus bullockii*	“
Sage sparrow	*Amphispiza belli*	“
Costa hummingbird	*Calypte costae*	“
Ash-throated flycatcher	*Myiarchus cinerascens*	“
American robin	*Turdus migratorius*	“
Scrub jay	*Aphelocoma coerulescens*	“
Reptiles and Amphibians		
Side-blotched lizard	*Uta stansburiana*	Observed onsite
Western fence lizard	*Sceloprus occidentalis*	“
Granite spiny lizard	*Sceloporus orcuttii*	“
Common garter snake	*Thamnophis sirtalis*	Occurs in area
Gopher snake	*Pituphis melanolecus*	“
Western toad	*Bufo boreas*	“
Southwestern toad	*Bufo mircroscaphus*	“

4.5.3.3 Drainages

The onsite intermittent stream connects downstream with a larger stream channel that supports riparian habitat (refer to Figures 4.5-1, 4.5-2). Water flows through the Mill Creek channel in a northerly direction and has a hydrological connection with these downstream aquatic resources. Based on the proposed construction plans, the Project would impact approximately 0.22-acre of riverine and riparian habitats to construct vehicle and pedestrian crossings connecting residential and commercial/office portions of the planned development. Approximately 0.20 acre of the disturbance within the channel will occur because the existing RCP undercrossing beneath Haun Road will be replaced by a double 5 foot (5') high by 10' wide reinforced concrete box (RCB) storm drain, which will transition into a double 4' high by 12' wide RCB at the downstream end of the storm drain where is crosses the road. The channel is considered jurisdictional, and the proposed Project would result in unavoidable adverse impacts to riverine habitats. The v-ditch adjacent to Garbani encompasses approximately 0.06 acre of waters of the United States and State and also connects to to the larger stream on the east side of Haun Road. Thus, the total area of waters that will be disturbed is 0.28 acre. A Determination of Biologically Equivalent or Superior Preservation (DBESP) document as per Section 6.1.2 of the MSHCP was prepared for the Project to fully analyze the intermittent channels and the potential impacts which would occur to the on-site channel and the downstream aquatic habitat. In addition, a "Notification of Lake or Streambed Alteration" will be submitted to CDFW and a 1600 Permit will be prepared for the Project. USCOE will also be contacted regarding the potential need for a Section 404 permit. A RWQCB Water Quality permit application (401 Certification) will also be prepared and submitted.

4.5.3.4 Special Status Wildlife

The project site contains some suitable nesting habitat for avian species. Nesting birds are protected under section 3503 of the CDFW code and/or the Migratory Bird Treaty Act (MBTA). A few common bird species were observed within the Project area during the survey with American crow (Corvus brachyrhynchos), common raven (Corvus corax), western meadowlark (Sturnella neglecta), Anna's hummingbird (Calypte anna), western kingbird (Tyrannus verticalis), and American kestrel (Falco sparverius). Of particular note, a burrowing owl (Athene cunicularia) and two active owl burrows were observed during the field investigations (refer to Figure 4.5-3). All bird species observed are included in the faunal compendium in Appendix A, Table 3 of the DBESP.

Burrowing Owl: The Project site is located within the MSHCP Additional Survey Areas for Burrowing Owl. Owl colonies have been observed in the region with the nearest observation about 0.1 miles west of the site. As noted, one burrowing owl was observed during the field investigation on January 15, 2018. The owl was observed outside of an active burrow in the northwest portion of the site. Numerous other burrows observed on site were suitable for burrowing owls. A total of four (4) focused burrowing owl surveys were performed on February 14th, February 21st, February 27th, and April 6th of 2018 during which meandering 30-meter transects were walked throughout the site to determine the presence/absence of burrowing owls, active owl burrows, and/or owl sign (excrement, casting, etc.) During focused surveys two owls were observed and two active burrows were identified.

There are thirty-nine special status wildlife species which have been documented in the region. Of these species, the following have been observed to occur in the general area in addition to burrowing owl.

Coastal California Gnatcatcher: Coastal California gnatcatchers (CAGN) have been documented in the region. CAGN was listed by the USFWS as a threatened species pursuant to the Federal Endangered Species Act (ESA) on March 25, 1993. The ESA prohibits anyone from "taking" a listed species. Take includes, but is not limited to, harming, harassing or killing individuals of a listed species as well as the destruction of habitat occupied by listed species. CAGN typically inhabit sage scrub shrub communities. CAGN is one of the species covered by the MSHCP. No suitable habitat for CAGN occurs on the site.

Riverside fairy shrimp: Riverside fairy shrimp have been documented in the region, with the closest observation 1.5-miles southeast of the property and the most recent documentation in 2006 (CNDDB, 2018). The soils on the site are sandy loams that drain quickly and do not support ponding. Other non-vernal pool features such as depressions, drainages, and road ruts were examined for suitable fairy shrimp habitat. The general biological survey concluded that Riverside fairy shrimp is not likely to inhabit the site due to lack of suitable habitat for the species.

Long-spined spineflower: Long-spined spineflower has been documented in the region, with the most recent documented observation located 0.5 miles west of the property (CNDDB, 2018). No spineflower was observed during intensive field surveys of the site.

Smooth tarplant: Smooth tarplant has been documented in the region, with the most recent documented observation located 1 mile south of the property (CNDDB, 2018). No tarplant was observed during intensive field surveys of the site.

Parry's spineflower: Parry's spineflower was documented in 2010 approximately 1.5 miles southwest of the property. Parry's spineflower is found primarily in chaparral and cismontane woodlands but may also occur in coastal sage scrub and grassland habitat. No spineflower was observed during intensive field surveys of the site.

4.5.3.5 MSHCP

The Project site is located within the Sun City/Menifee Area Plan of the MSHCP. The site is *not* within a criteria cell, nor is it within an area of public/quasi-public (PQP) conserved lands, within any preexisting conservation agreements (as depicted in Figure 3-1 of the MSHCP) or located within any American Indian Lands. As such, the site has not been identified as important for conservation. However, the proposed Project is required to comply with MSHCP Reserve Assembly Requirements (Section 6.1.1); Protection of Species Associated with Riparian/ Riverine Areas and Vernal Pools (Section 6.1.2); Protection of Narrow Endemic Plant Species (Section 6.1.3); Guidelines Pertaining to the Urban/Wildlands Interface (Section 6.1.4), and Additional Survey Needs and Procedures (Section 6.3.2). Consistency with these sections is provided below in the analysis of impacts.

4.5.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

BIO-1 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.

BIO-2 Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12).

BIO-3 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Wildlife Service.

BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

BIO-5 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

BIO-6 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

BIO-7 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

4.5.5 METHODOLOGY

This subchapter evaluates the level of adverse impact to biological resources that is forecast to occur if the project is implemented as proposed. The methodologies relied on in the following analyses includes a review of pertinent literature, a review of the California Natural Diversity Data Base (CNDDB), field investigations, and analysis of potential impacts to biological resources. A focused/protocol survey for burrowing owl was also performed at the project site.

4.5.6 ENVIRONMENTAL IMPACTS

BIO-1 Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.

The Project site is located within the boundaries for Western Riverside County's Multiple Species Habitat Conservation Plan. The site is not mapped within a MSHCP criteria cell and is not identified for conservation. It also does not have any relationship to the assembly of conservation areas. A ~9-acre PQP conservation area owned by Riverside County Parks is connected to the Project site via the intermittent stream. The Project is required to comply with the Urban/Wildlife interface BMPs as recommended for drainage, toxics, lighting, noise, invasive plant species, and barriers. Thus, the proposed Project is consistent with the MSHCP.

Consistency with MSHCP Policies Re: Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools

None of the riparian/riverine species listed in Section 6.1.2 of the MSHCP were found within the project site (or within the right-of-way adjacent to the project site, where the project's offsite components will be located) nor are any of the species expected to inhabit the site given the lack of suitable habitat.

There are no features on the site that meet the MSHCP definition of vernal pools. In order to be considered a vernal pool under the MSHCP, a feature must be a wetland (based on the presence of hydrophytic vegetation, hydric soil, and wetland hydrology) of natural origin. The soils of the Project site are composed of Yokohl loam (52.4%), Honcut sandy loam (20.8%), Las Posas loam eroded (10.0%), Las Posas loam (6.2%), Cajalco fine sandy loam (5.9%), and Wyman loam (4.7%). Each of the sandy loam series are well drained and have moderately rapid permeability. The soil series onsite are not included in the MSHCP sensitive soil types (MSHCP 2004, Figure 2-4) and are not considered hydric per the U.S. Department of Agriculture (USDA) National List of Hydric Soils (USDA, 2018). There are several artificial depressions (e.g., road ruts) on the site that pond water; however, the sandy loam soil drains quickly such that none meets wetland criteria and all are artificial in nature. Thus, the site is also unable to support any sensitive vegetable that is associated with wetland features. No vernal pools were observed during the field investigations on the Project site. Other non-vernal pool features were examined for suitable fairy shrimp habitat. The general biological survey concluded that site lacks suitable habitat for Riverside fairy shrimp.

The proposed project would impact a Riparian/Riverine habitat that traverses the southern portion of the property (Figures 4.5-1 and 4.5-2). The DBESP analysis evaluates the impacts to the riverine and riparian habitats as required under the MSHCP and demonstrates that the **Mitigation Measure 4.5-1**, below, will provide a biologically equivalent or superior preservation of habitat functions and values of Riparian/Riverine resources through a combined avoidance alternative and habitat creation onsite. The Project proponent will provide on-site mitigation in coordination with the RCA and CDFW to replace the functions and values that will be lost as a result of the proposed development (0.28 acre of habitat). Prior to ground disturbance at the Project site, CDFW shall approve the location of the mitigation acreage. The mitigation area would be maintained in order to meet the Urban/Wildlife interface guides as recommended for drainage, toxics, lighting, noise, invasive plant species, and barriers.

Mitigation Measure 4.5-1:
In order to reduce potential indirect effects from introduction of invasive species to the future Project site (both developed and riparian mitigation property), the Project shall avoid the use of invasive plant species identified in Table 6-2 of the MSHCP document and in the Specific Plan. CC&Rs to control use of invasive plants shall be enforced through the Home Owners Association or similar mechanism. Maintenance of public landscaping within the Project area shall include the removal of invasives that may establish through natural dispersal mechanisms.

Mitigation Measure 4.5-2:
Prior to issuance of grading permits for the Project site, the site developer shall provide the City with regulatory permits for impacts to approximately 1.27 acre of disturbed riverine habitat, including the drainage ditch located on the south side of Garbani

Road. To compensate for the impacts to these waters of the U.S. and State, the developer shall either implement onsite enhancement in the area set aside to protect stream channel habitat or acquire offsite compensatory mitigation habitat or create such habitat at a 2:1 mitigation-to-impact ratio for areas containing riparian habitat and 1:1 for upland habitat areas or culvert replacement as outlined in the text above. This habitat shall be located within the watershed. The regulatory permits (Corps 404, Regional Board 401 and CDFW 1600) may increase this compensatory ratio but the City finds that this is the minimum habitat required to offset the impacts to water resources on the project site.

Consistency with MSHCP Policies Re: Protection of Narrow Endemic Plant Species

The project site is not located within the MSHCP Narrow Endemic Plant Species Survey Area; therefore, focused plant surveys were not conducted for species identified in Section 6.1.3 of the MSHCP. The site has been disturbed by years of agricultural activities and the existing conditions were found to be unlikely to support any rare plants. No further plant surveys are required. The project is consistent with the Narrow Endemic Plant Species requirements of the MSHCP.

Consistency with MSHCP Policies Re: Urban/Wildland Interface

The MSHCP Urban/Wildland Interface Guidelines are intended to address indirect effects associated with locating development in proximity to the MSHCP Conservation Area. The Project site does not occur within an MSHCP Criteria Area and is not located adjacent to any Criteria Cell describing areas of conservation. The on-site intermittent stream eventually flows north to a small PQP (~9 acre) Conservation Area owned by Riverside County Parks. The proposed Project is not expected to result in significant indirect impacts to special-status biological resources because implementation of the Best Management Practices (BMPs) in Appendix C of the MSHCP outlined below would ensure that the Project is in compliance with the MSHCP:

Drainage: The Project shall not create additional flow offsite. Measures outlined in the Hydrology/Water Quality subchapter will be taken to assure that the Project storm water discharges are no greater in volume and velocity than current undeveloped conditions and that the water leaving the site complies with all applicable water quality standards.

Toxics: In concert with drainage requirements, the Project is subject to Riverside County Water Quality Management Plan (WQMP) for Urban Runoff, Santa Ana Region, adopted September 17, 2004 and the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharge Associated with Construction Activity (General Permit). Implementation of both the WQMP and the general permit would reduce potential impacts of toxics to the MSHCP conservation area to a level of less than significant.

Lighting: Night lighting shall be directed away from the MSHCP Conservation Areas to protect species within the MSHCP Conservation Areas from direct night lighting. Shielding shall be incorporated into Project designs to ensure ambient lighting in the

MSHCP Conservation Area is not increased. No MSHCP Conservation Areas would be located within or adjacent to the Project site.

Noise: The Project is already subject to fairly high ambient noise level due to street traffic. The completed Project would not subject a MSHCP Conservation Area to noise above the existing ambient noise level. The construction site is not located adjacent to any MSHCP conserved land and is far enough away from MSHCP Conservation Areas that temporary construction-related noise impacts would not negatively impact resources within the Conservation Area.

Invasives: No invasive species from MSHCP Table 6.2 shall be included in any landscaping for the Project.

Barriers: As needed, the Project should include the incorporation of rocks/boulders, fencing, walls, signage, and or other appropriate measures to minimize unauthorized public access, domestic animal predation, and illegal trespass and dumping into a MSHCP Conservation Area. Any barriers shall be outside of the MSHCP Conservation Area. No MSHCP Conservation Areas would be located within or adjacent to the Project site.

Grading: Project related grading would be outside of MSHCP Conservation Areas.

To ensure that the MSHCP Urban/Wildlands Interface Guidelines will be implemented, **Mitigation Measure 4.5-3** has been identified.

Mitigation Measure 4.5-3:
The MSHCP Urban/Wildlands Interface Guidelines will be implemented to ensure all indirect impacts to off-site drainage channels and associated riparian/riverine habitats downstream will be minimized to the greatest extent possible.

Consistency with MSHCP Policies Re: Wildlife Habitat Linkage

According to the MSHCP (Figure 3-2: Schematic Cores and Linkages Map), there are no documented terrestrial migration corridors in the vicinity of the Project site. The Project site is within a moderately developed portion of the City of Menifee, and it is not anticipated that the site is used for migration, movement or dispersal of wildlife.

Consistency with MSHCP Policies Re: Additional Survey Needs and Procedures

The project site is located within the MSHCP Additional Survey Areas for Burrowing Owl (BUOW). Focused surveys were conducted by a qualified biologist in accordance with the "Burrowing Owl Survey Protocol and Mitigation Guidelines" prepared by the California Burrowing Owl Consortium on April 1993 and the March 7, 2012 "California Department of Fish and Game staff report on Burrowing Owl Mitigation" and were structured to detect BUOW. Several burrows of appropriate size, aspect, and shape were located and BUOW pellets, feathers, and white wash were also found. Two BUOW individuals were observed at a burrow on the property. Based on the survey results, BUOW are considered present within the subject parcel. To ensure that the required surveys for burrowing owl will be completed, the following mitigation measures have been identified:

Mitigation Measure 4.5-4:
An impact minimization plan shall be developed by a qualified biologist to protect the active burrowing owl (BUOW) burrows in place or provide for closure and relocation to an alternate burrow within the vicinity but outside of the Project footprint in accordance with current CDFW and MSHCP burrowing owl guidelines. Active nests must be avoided until all nestlings have fledged. No disturbance may occur within 50 m (approx. 160 ft.) of occupied burrowing owl (BUOW) burrows during the nonbreeding season of September 1 through January 31 or within 75 m (approx. 250 ft.) during the breeding season of February 1 through August 31. Avoidance requires that a minimum of 6.5 acres of foraging habitat be preserved contiguous with occupied burrow sites for each pair of breeding burrowing owls (with or without dependent young) or single unpaired resident bird. Disturbance may be allowed if the Department of Fish and Wildlife verifies that the BUOW have not begun egg-laying and incubation or that the juveniles from those burrows are foraging independently and capable of independent survival at an earlier date. If destruction of occupied burrows is unavoidable, burrows should be enhanced (enlarged or cleared of debris) or created (by installing artificial burrows) at a ratio of 1:1 in adjacent suitable habitat that is contiguous with the foraging habitat of the affected owls. If owls must be moved away from the disturbance area, passive relocation is preferable to trapping. A period of at least one week is recommended to allow the owls to move and acclimate to alternate burrows.

Mitigation Measure 4.5-5:
Within 30 days prior to commencement of construction activity, a clearance survey shall be conducted by a qualified biologist to determine if any burrowing owl or their burrows are located within the potential area of impact. If occupied burrows may be impacted, an impact minimization plan shall be developed by the biologist that shall protect the burrow in place or provide for closure and relocation to an alternate burrow within the vicinity but outside of the Project footprint in accordance with current CDFW and MSHCP burrowing owl guidelines. Active nests must be avoided until all nestlings have fledged.

Mitigation Measure 4.5-6:
A biological monitor shall be present during all ground disturbing construction activities to ensure that burrowing owls are not impacted by the Project and to administer passive relocation of owls, if required. If burrowing owls are observed, the biological monitor shall have the authority to halt construction activities to avoid damaging sensitive resources or violating applicable laws.

Mitigation Measure 4.5-7:
The removal of potential nesting vegetation of native bird species shall be conducted outside of the nesting season (March 1 to September 1). If vegetation must be removed during nesting season, a qualified biologist shall conduct a nesting bird survey of potentially suitable nesting vegetation prior to removal. Surveys shall be conducted no more than three days prior to scheduled ground disturbing activity. If active nests are identified, the biologist shall establish buffers around the vegetation containing the active nest (500 feet for raptors and 200 feet for non-raptors). The site containing the active nest shall not be removed, and no grading shall occur within the established buffer until a qualified biologist has determined that the nest is no longer active. If clearing is not conducted within three days of a negative survey, the nesting survey must be repeated to confirm the absence of nesting birds.

No surveys are required for Amphibians, Criteria Area Species, Mammals, or Special Linkage Areas. The Project is consistent with the Additional Survey Needs and Procedures of the MSHCP.

Based on the findings presented above, the proposed project is consistent with the MSHCP policies found in Section 6. Further discussion of impacts to burrowing owl specifically is provided below. To ensure consistency with the Riparian/Riverine section of the MSHCP, mitigation will be implemented to compensate for the loss of approximately 0.28 acre of area on the property identified in the DBESP as Riparian/Riverine habitat. The DBESP recommends on-site mitigation at a 2:1 ratio to ensure that any loss of Riparian/Riverine habitat does not rise to a level of an unavoidable significant adverse impact.

Riverside County Ordinances No. 810.2 and No. 663.10 mandate the payment of the MSHCP Mitigation Fee and Stephens' Kangaroo Rat Fee, respectively. Since these are mandatory fees, no specific mitigation is required to be imposed to ensure that the fees are paid by the Project developer. However, these fees must be paid prior to initiation of development on the Project site.

With the incorporation of **Mitigation Measures 4.5-1** through **4.5-7**, impacts associated with conflicts and consistencies with the MSHCP will be **less than significant with mitigation**.

BIO-2 Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12).

The site is completely disturbed by historic agricultural practices. There was no habitat identified on the project site that was found suitable to support any listed species, and no listed species were identified on the project site. Thus, no adverse impact to any endangered or threatened species, directly or through habitat modifications, will result from Project implementation. **No impact** is expected, and no mitigation is required.

BIO-3 Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Wildlife Service.

Only one special status species was observed on the project site, the burrowing owl (BUOW). Two individual owls and two active burrow with owl sign (feathers, pellets, and whitewash) were observed during the focused BUOW surveys of the Project site. **Mitigation Measures 4.5-4** through **4.5-7**, identified above, are provided to implement the requirements of the CDFW outlined in the "Staff Report on Burrowing Owl Mitigation" March 7, 2012. This includes a preconstruction survey; closure of potentially occupiable nests during the non-nesting/non-occupancy period in the winter; and observance of adequate setbacks if BUOW re-occupy the site during the nesting season. Therefore, impacts are considered **less than significant with mitigation**.

The Migratory Bird Treaty Act (MBTA) also calls for avoidance of all native bird nests during the nesting season. This site has very little habitat that can support nesting birds, but mitigation is imposed to require avoidance of nesting bird season (typically from March 1 through September 1), or alternatively a site survey by a qualified biologist during the nesting season following CDFW protocols to verify no birds nest on the site or that sufficient distance can be maintained so as not to interfere with nesting birds.

Implementation of the proposed Project would remove some potential raptor foraging habitat. There are no trees or other features on the property that support raptor perches or nesting, other than BUOW. All of the land onsite has been dry farmed, but the area may provide foraging habitat for several common raptors. These could include the red-tailed hawk, American kestrel, prairie falcon and others. With the proposed Project's limited support for raptor foraging habitat and the remaining open space around the Project site, the impact to raptor foraging is considered to be **less than significant**.

BIO-4 Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.

According to the MSHCP (see MSHCP, Figure 3-2: Schematic Cores and Linkages Map) and the biological analyses, there are no documented terrestrial migration corridors and no native wildlife nursery sites in the vicinity of the Project site. The Project site is within a moderately developed portion of the City of Menifee, and it is not anticipated that the site is used for migration, movement or dispersal of wildlife. Based on these findings, the proposed Project will not interfere with wildlife movement corridors or the use of any native wildlife nursery sites. **No impact** is expected, and no mitigation is required.

BIO-5 Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.

The proposed Project would impact approximately 0.28 acre of Riparian/Riverine habitat that traverses the property. However, the City is a participant in the MSHCP; therefore impacts to riparian/riverine habitat associated with this project would be fully mitigated through the

implementation of **Mitigation Measures 4.5-1** through **4.5-7**, identified above, as well as **Mitigation Measure 4.5-8**.

> ***Mitigation Measure 4.5-8:***
> *All Best Management Practices (BMP), as well as measures required by the NPDES requirements, will be implemented to ensure that the quantity and quality of runoff from the site is not altered in a significant way when compared to existing conditions. Stormwater systems for the project will be designed to prevent toxins, chemicals, petroleum products, and other toxic substances from entering any adjacent drainage channels which could potentially impact downstream riparian/riverine habitats.*

Post-project conditions, with the incorporation of the above identified mitigation measures, would consist of an isolated southern cottonwood-willow riparian forest. The existing onsite conservation area proposed for mitigation is not currently protected to ensure preservation. In addition, the project's new detention basin would be created to treat all nuisance flows from the proposed development resulting in a net gain in water quality through removal of excess sediment. Based on this analysis, the proposed mitigation, the preservation of the southern cottonwood-willow riparian forest, and the creation of a 0.76-acre detention basin would result in the superior preservation and an increase in habitat value as opposed to a pre-project condition.

As required by the mitigation measures, the Project proponent will provide on-site mitigation in coordination with CDFW and RCA to replace the functions and values that will be lost as a result of the proposed development. Prior to initiating ground disturbance at the project site, CDFW shall approve the location of the mitigation acreage. The mitigation area would be maintained in order to meet the Urban/Wildlife interface guides as recommended for drainage, toxics, lighting, noise, invasive plant species, and barriers.

Therefore, the project's impact to waters of the U.S. and State of California is considered **less than significant with mitigation**.

BIO-6 Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

See impact analyses BIO-1 through BIO-5, above. As described, the proposed project will not adversely impact any wetland habitat because no such habitat occurs on the project site. Without any wetland habitat on the property, there is no potential for direct removal or indirect damage to such resources. Thus, no significant direct or indirect impact to onsite or offsite wetland resources is forecast to occur. **No impact** is expected, and no mitigation is required.

BIO-7 Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.

As discussed above, the project has been determined to be consistent with the MSHCP with mitigation to offset impacts to BUOW and implementation of mitigation for impacts to waters of the United States and State of California (refer to the DBESP in Appendix 2). The site in general lacks significant biological resources and can be implemented fully consistent with the

City's General Plan goals and policies under OSC 8. No other biological resources have been identified on the property that would be protected by any local policy or ordinance. Impacts would be less than significant.

4.5.7 CUMULATIVE IMPACTS

Development of the proposed Project will contribute to the change of the general area with an intensification of development substantially greater than that which presently exists on the site. The proposed Project would contribute to the reduction in burrowing owl habitat and raptor foraging habitat, but relative to the extent of such habitat in the region this loss is not considered cumulatively considerable. The proposed Project will not cause adverse cumulative effects related to the reduction of sensitive vegetation communities present in western Riverside County because there are no such communities located within the Project area and the Project can be implemented consistent with the criteria identified in the MSHCP, with mitigation as outlined in the preceding section. Based on compliance with the required mitigation and the overall lack of any habitat to support sensitive species or a substantial wildlife population, the proposed Project will not result in adverse cumulative biology resource impacts that rise to a cumulatively considerable level.

4.5.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to biological resources will occur as a result of the proposed project.

FIGURE 4.5-1
Channel Location Map

Credit: Google Imagery 2017

50 0 50 100 150 m

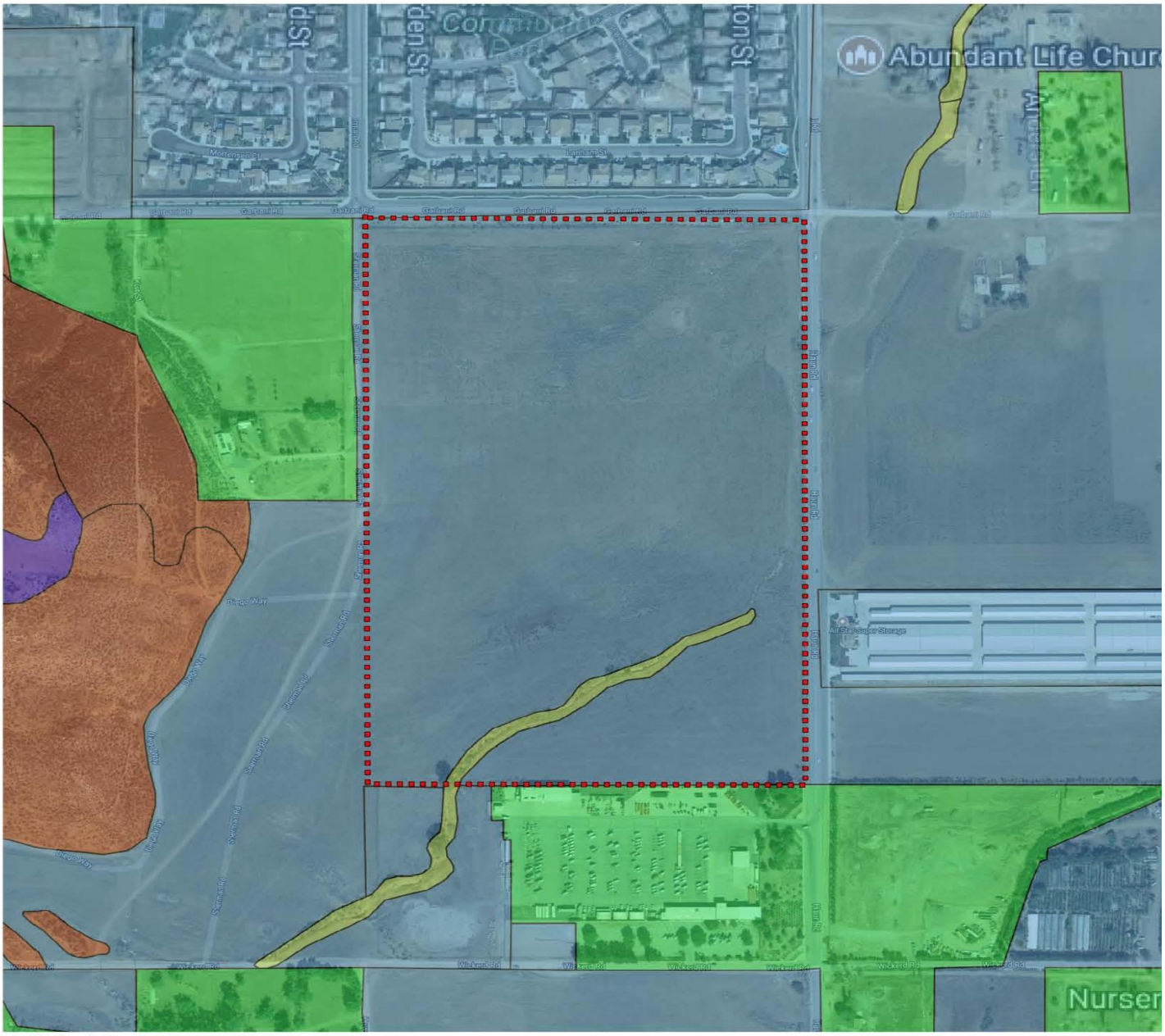
Legend
Project Border
Channel
Mill Creek
Garbani Drainage

N

RCA ASSOCIATES, INC

Source: DBESP for Mill Creek Promenade prepared by RCA Associates dated August 2018

FIGURE 4.5-2
Vegetation Community Map



Credit: Google Imagery 2017, MSHCP

100 0 100 200 300 400 m

N

Legend

Project Border

Vegetation

Agricultural Land

Coastal Sage Scrub

Developed/Disturbed Land

Grassland

Riparian Scrub, Woodland, Forest

Source: DBESP for Mill Creek Promenade prepared by RCA Associates dated February 2018

FIGURE 4.5-3
Burrowing Owl and Burrow Locations

Credit: Google Imagery 2017

75 0 75 150 225 300 m

Project Border

Burrows

Active Burrow

Potential Burrow

N

RCA ASSOCIATES, INC

Source: BUOW for Mill Creek Promenade prepared by RCA Associates dated April 2018

4.6 CULTURAL RESOURCES

4.6.1 INTRODUCTION

This subchapter evaluates the environmental impacts to cultural resources from implementation of the proposed project. Please refer to the Tribal Cultural Resources discussion in Subchapter 4.18 for additional information regarding these Native American and archaeological resources issues. The Cultural Resources issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

Four technical documents addressing historical, archaeological and paleontological resources have been prepared by CRM TECH for the proposed project. These documents are provided in Appendix 3, of Volume 2 of this DEIR and include:

- *Historical/Archaeological Resources Survey Report, Rancho Bonito Project*, CRM TECH, February 19, 2016 revised September 1, 2016
- *Historical/Archaeological Resources Survey Report, Millcreek Promenade Project*, CRM TECH, May 13, 2016
- *Paleontological Resources Assessment Report, Rancho Bonito Projec*t, CRM TECH, February 19, 2016 revised September 1, 2016
- *Paleontological Resources Assessment Report, Millcreek Promenade Project*, CRM TECH, May 13, 2016

The following comments were received in response to the Notice of Preparation:

Comment Letter #4 from Native American Heritage Commission (November 17, 2017):

- The lead agency must assess project impacts on historical resources within the area of project effect (APE) and mitigate where required.
- Conduct AB 52 consultation and detailed consultation procedures outlined.
- Conduct SB 18 consultation, which is required for this project due to the GPA.
- Contact and consult with all Native American tribes affiliated with the project area.
- Outline of adequate cultural resources assessment provided.
- Conduct an archaeological inventory survey if required, and submit report per requirements.
- Contact Native American Heritage Commission for a sacred lands file check and points of contact for Native American Tribal Consultation.

Comment Letter #6 from the Soboba Band of Luiseño Indians (November 22, 2017):

- The project site is outside the Soboba reservation, but it does fall within the bounds of our Tribal Traditional Use Areas and is considered to be culturally sensitive by the people of Soboba.
- The Band requests government-to-government consultation under SB18; continued consultation as a tribal entity; Native American monitors requested due to potential for

encountering cultural resources; and identifies proper procedures to be implemented and tribal requests to be honored as defined in attachment to the letter.

Comment Letter #8 from Rincon Band of Luiseño Indians (November 27, 2017):

- The letter identifies the project as being within the Territory of the Luiseno people and within Rincon's specific area of Historic interest. It requests that a cultural report be addressed in the DEIR and that measures be included to address inadvertent discoveries.

Comment Letter #13 from Pechanga Cultural Resources (December 14, 2017):

- The Tribe requests to be placed on the distribution list for the DEIR and to be notified of future public hearings and meetings regarding the proposed project
- The Tribe identifies the project site is within a culturally sensitive area affiliated with the tribe.
- Due to potential for inadvertent discoveries of cultural resources on the site, the Tribe requests an agreement specifying treatment of such discoveries be executed between the project applicant and Tribe.
- Native American monitors are requested during ground disturbing activities of the project.
- Tribe requests that if human remains are discovered mitigation must be provided to comply with Public Resources Code para. 5097.98 and indicates it will assert right to any remains or items exposed by the project

No comments related to cultural resources were received at the scoping meeting held for the Project.

4.6.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

National Historic Preservation Act

The National Historic Preservation Act of 1966 ("NHPA") coordinates public and private efforts to identify, evaluate, and protect the nation's historic and archaeological resources. The act authorized the National Register of Historic Places, which lists districts, sites, buildings, structures, and objects that are significant in American history, architecture, archaeology, engineering, and culture. The law establishes a national preservation program and a system of procedural protections that encourage the identification and protection of cultural and historic resources of national, state, tribal, and local significance. Primary components of the NHPA include:

- Articulation of a national policy governing the protection of historic and cultural resources.
- Establishment of a comprehensive program for identifying historic and cultural resources for listing in the National Register of Historic Places.
- Creation of a federal-state/tribal-local partnership for implementing programs established by the act.

- Requirement that under Section 106 (Protection of Historic Properties) of the NHPA, federal agencies take into consideration actions that could adversely affect historic properties listed or eligible for listing on the National Register of Historic Places, known as the Section 106 Review Process. Section 106 Review ensures that historic properties are considered during federal project planning and implementation. The Advisory Council on Historic Preservation, an independent federal agency, administers the review process with assistance from state historic preservation offices.
- Establishment of the Advisory Council on Historic Preservation, which oversees federal agency responsibilities governing the Section 106 Review Process.
- Placement of specific stewardship responsibilities on federal agencies for historic properties owned or within their control (Section 110 of the NHPA).

National Register of Historic Places

The National Register of Historic Places ("NRHP") is the nation's official list of buildings, structures, objects, sites, and districts worthy of preservation because of their significance in American history, architecture, archeology, engineering, and culture. The NRHP recognizes resources of local, state, and national significance that have been documented and evaluated according to uniform standards and criteria. Authorized under the NHPA, the NRHP is part of a national program to coordinate and support public and private efforts to identify, evaluate, and protect historic and archeological resources. The NRHP is administered by the National Park Service, which is part of the US Department of the Interior.

To be eligible for listing in the NRHP, a resource must meet at least one of the following criteria:
Is associated with events that have made a significant contribution to the broad patterns of our history.

- Is associated with the lives of persons significant in our past.
- Embodies the distinctive characteristics of a type, period or method of construction, or represents the work of a master, or possesses high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction.
- Has yielded, or may be likely to yield, information important in history or prehistory.

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites on federal and Indian lands.

Native American Graves Protection and Repatriation Act

NAGPRA is a federal law passed in 1990 that mandates museums and federal agencies to return certain Native American cultural items—such as human remains, funerary objects, sacred objects, or objects of cultural patrimony—to lineal descendants or culturally affiliated Indian tribes.

State

California Register of Historical Resources

In 1992, Governor Wilson signed Assembly Bill 2881 into law establishing the California Register of Historical Resources ("CRHR"). The CRHR is an authoritative guide used by state

and local agencies, private groups, and citizens to identify historical resources and to indicate what properties are to be protected, to the extent prudent and feasible, from substantial adverse impacts.

The CRHR consists of properties that are listed automatically as well as those that must be nominated through an application and public hearing process. The CRHR automatically includes the following:

- California properties listed in the NRHP and those formally Determined Eligible for the NRHP.
- California Registered Historical Landmarks from No. 0770 onward.
- California Points of Historical Interest that have been evaluated by the Office of Historic Preservation (OHP) and have been recommended to the State Historical Resources Commission for inclusion on the CRHR.

The criteria for eligibility of listing in the CRHR are based on the NRHP criteria. To be eligible for listing in the CRHR, a property must be at least 50 years of age and possess significance at the local, state, or national level under one or more of four criteria:

- It is associated with events that have made a significant contribution to the broad patterns of local or regional history, or the cultural heritage of California or the United States.
- It is associated with the lives of persons important to local, California, or national history.
- It embodies the distinctive characteristics of a type, period, or method of construction or represents the work of a master, or possesses high artistic values.
- It has yielded, or has the potential to yield, information important in the prehistory or history of the local area, California, or the nation.

Historical resources eligible for listing in the CRHR may include buildings, sites, structures, objects, and historic districts. Resources less than 50 years of age may be eligible if it can be demonstrated that sufficient time has passed to understand their historical importance. Although the enabling legislation for the CRHR is less rigorous with regard to the issue of integrity, properties are expected to reflect their appearance during their period of significance, as stipulated in Public Resources Code Section 4852.

The CRHR may also include properties identified during historical resource surveys. However, in accordance with Public Resources Code Section 5024.1, the survey must meet all of the following criteria:

- The survey has been or will be included in the State Historical Resources Inventory.
- The survey and the survey documentation were prepared in accordance with OHP procedures and requirements.
- The resource is evaluated and determined by OHP to have a significance rating of Category 1 to 5 on a Department of Parks and Recreation (DPR) Form 523.

If the survey is five or more years old at the time of the resource's nomination for the CRHR, the survey is updated to identify historical resources that have become eligible or ineligible due to changed circumstances or further documentation and those that have been demolished or altered in a manner that substantially diminishes the significance of the resource.

California Public Resources Code

Archaeological, paleontological, and historical sites are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code. In addition, cultural and paleontological resources are recognized as nonrenewable resources and therefore receive protection under the California Public Resources Code and CEQA.

- California Public Resources Code 5020–5029.5 continued the former Historical Landmarks Advisory Committee as the State Historical Resources Commission. The commission oversees the administration of the California Register of Historical Resources and is responsible for the designation of State Historical Landmarks and Historical Points of Interest.
- California Public Resources Code 5079–5079.65 defines the functions and duties of the OHP. The OHP is responsible for the administration of federal and state-mandated historic preservation programs in California and the California Heritage Fund.
- California Public Resources Code 5097.5 prohibits a person from moving, destroying, injuring, or defacing, any historic or prehistoric ruins, burial grounds, archaeological or vertebrate paleontological site, including fossilized footprints, inscriptions made by human agency, rock art, or any other archaeological, paleontological or historical feature, situated on public lands, except with the express permission of the public agency having jurisdiction over the lands.
- California Public Resources Code 5097.9–5097.991 provides protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the Native American Heritage Commission. It also requires notification of discoveries of Native American human remains to descendants and provides for treatment and disposition of human remains and associated grave goods.

California Code of Regulations Title 14 (CEQA Guidelines)

CEQA Guidelines Section 15064.5 defines historical resources and significant impacts on such resources. Resources eligible for listing on the CRHR (detailed, above) are considered historical resources.

Local

City of Menifee General Plan

The following General Plan goals and policies addressing cultural resources are applicable to the project:

General Land Use Policies

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

Economic Development Corridors Policies

- LU-2.1: Promote infill development that complements existing neighborhoods and surrounding areas. Infill development and future growth in Menifee is strongly encouraged to locate within EDC areas to preserve the rural character of rural, estate, and small estate residential uses.

Community Design Policies

- CD-1.2: Community Image. Support the development and preservation of unique communities and rural and suburban neighborhoods in which each community exhibits a special sense of place and quality of design.

Open Space and Conservation Goals:

- OSC-5: Paleontological and Cultural Resources: Archaeological, historical, and cultural resources that are protected and integrated into the city's built environment.
- OSC-2: Recreational Trails. A comprehensive network of hiking, biking, and equestrian recreation trails that do not negatively impact the natural environment or cultural resources.
- OSC-5: Paleontological and Cultural Resources. Archaeological, historical, and cultural resources are protected and integrated into the city's built environment.

Open Space and Conservation Policies

- OCS-1.4: Parks and Recreation. Enhance the natural environment and viewsheds through park design and site selection while preserving sensitive biological, cultural, and historical resources.
- OSC-2.2: Recreational Trails. Locate and regulate recreational trails so that they do not negatively impact the city's sensitive habitat, wildlife, natural landforms, and cultural resources.
- OSC-2.8: Recreational Trails. Develop appropriate consultation protocols with local Native America Tribes who have ancestral territories within the city to ensure recreation trails are located to avoid impacts to cultural resources.
- OSC-2.2: Recreational Trails. Locate and regulate recreational trails so that they do not negatively impact the city's sensitive habitat, wildlife, natural landforms, and cultural resources.
- OSC-2.8: Recreational Trails. Develop appropriate consultation protocols with local Native America Tribes who have ancestral territories within the city to ensure recreation trails are located to avoid impacts to cultural resources.
- OCS-3.2: Natural Landforms. Promote thoughtful hillside development that respects the natural landscape by designing houses that fit into the natural contours of the slope and sensitive development that preserves and protects important cultural and biological resources.
- OCS-3.5: Natural Landforms. Develop suitable long-term preservation plans with appropriate Native American tribes who have ancestral lands within the city to ensure the perpetual preservation of cultural resources, boulders, and rock outcroppings protected under this policy.
- OCS-4.5: Energy Mineral. Limit the impacts of mining operations on the city's natural open space, biological and scenic resources, cultural resources and landscapes, and any adjacent land uses.
- OCS-5.1: Paleontological and Cultural Resources. 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.
- OCS-5.2: Paleontological and Cultural Resources. Work with local schools, organizations, appropriate Native American tribes with ancestral territories located within the city and other agencies to educate the public about the rich archaeological, historic, and cultural resources found in the city.

- OCS-5.3: Paleontological and Cultural Resources. Preserve sacred sites identified in consultation with the appropriate Native American tribes whose ancestral territories are within the city, such as Native American burial locations, by avoiding activities that would negatively impact the sites, while maintaining the confidentiality of the location and nature of the sacred site.
- OCS-5.4: Paleontological and Cultural Resources. 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.
- OCS-5.5: Paleontological and Cultural Resources. Develop clear policies regarding the preservation and avoidance of cultural resources located within the city, in consultation with the appropriate Native American tribes who have ancestral lands within the city
- OCS-5.6: Paleontological and Cultural Resources. Develop strong government-to-government relationships and consultation protocols with the appropriate Native American tribes with ancestral territories within the city in order to ensure better identification, protection and preservation of cultural resources, while also developing appropriate educational programs, with tribal participation, for Menifee residents

City General Plan Exhibit OSC-4: Paleologic Resource Sensitivity identifies the city's paleontological resources.

4.6.3 EXISTING CONDITIONS

4.6.3.1 Records Search Results

The records search results for the site indicate that, according to Eastern Information Center (EIC records), the project area had not been surveyed for cultural resources prior to this study, and no cultural resources had been recorded on or adjacent to the property. Outside the project boundaries but within a one-mile radius, EIC records show more than 80 previous studies covering various tracts of land and linear features. In all, roughly half of the land within the scope of the records search has been surveyed, which resulted in the identification of 34 historical/archaeological sites within the one-mile radius.

Of the known sites, 22 were of prehistoric—i.e., Native American—origin, mainly consisting of bedrock milling features such as grinding slicks and mortars, the most common type of prehistoric cultural features in the Menifee area. These sites were concentrated among granitic boulder outcrops located in the rolling hills or along intermittent creeks in the surrounding area, which is consistent to the established settlement pattern for the aboriginal hunter-gatherer population in inland southern California. Site 33-000636 (CARIV-636), a single grinding slick located roughly a quarter-mile east of the project area, was the nearest one among them. A few of the prehistoric sites, located on or near an isolated hill about a half-mile to the north, have been characterized as habitation sites. The other 12 sites dated to the historic period and included single-family residences, structural foundations, and refuse scatters. None of the 34 sites was found in the immediate vicinity of the project area, and thus none of them require further consideration during this study.

Historic maps consulted for the site study indicate that in the 1850s, when the U.S. government conducted the first systematic land survey in the vicinity, no man-made features were found within or adjacent to the project area. The nearest man-made feature at that time was a road

running some 200 feet south of the project location, which converged with the "Road to San Bernardino" about a mile to the southeast. In the 1890s, the project area apparently remained unoccupied and undeveloped, while a rural settlement pattern had emerged in the surrounding area, with a few widely scattered buildings linked by a crisscrossing web of roads, including the forerunners of today's Garbani Road and Sherman Road.

Although the surrounding area demonstrated evidence of gradual growth during the course of the 20th century, the project area has remained in use solely as agricultural fields to the present time, and was often fallow in recent years. Among the notable features in close proximity to the project area today, Garbani Road was present by the early 1950s, Haun Road was built between 1967 and 1978, Sherman Road in its current configuration and the commercial property on the adjacent property to the south date to sometime between 1978 and 1996, and the residential neighborhood north of the project area was developed over the past ten years.

4.6.3.2 Native American Consultation

In response to CRM TECH's inquiry regarding APN 360-350-006, the NAHC reported in a letter dated December 9, 2015, that the sacred lands record search identified no Native American cultural resources within the project area, but recommended that local Native American groups be contacted for further information. For that purpose, the NAHC provided a list of potential contacts in the region. Upon receiving the NAHC's response, on December 11, 2015, CRM TECH sent written requests for comments to all 26 individuals on the referral list and the organizations they represent. In addition, as referred by these tribal representatives or the appropriate tribal government staff, the following eight individuals were also contacted:

- David L. Saldivar, Tribal Government Affairs Manager, Augustine Band of Cahuilla Indians
- Judy Stapp, Director of Cultural Affairs, Cabazon Band of Mission Indians
- Andreas Heredia, Cultural Director, Cahuilla Band of Indians
- Rob Roy, Environmental Director, La Jolla Band of Luiseño Indians
- Raymond Huaute, Cultural Resources Specialist, Morongo Band of Mission Indians
- John Gomez, Jr., Cultural Resource Coordinator, Ramona Band of the Cahuilla Indians
- Gabriella Rubalcava, Environmental Director, Santa Rosa Band of Cahuilla Indians
- Michael Mirelez, Cultural Resource Coordinator, Torres Martinez Desert Cahuilla Indians

As of the time of the technical report preparation, six of the tribal representatives contacted have responded in writing. Among them, Judy Stapp of the Cabazon Band stated that the tribe had no specific information on any Native American cultural resources in the project area. Vincent Whipple, Manager of the Rincon Cultural Resources Department, Katie Croft, Archaeologist with the Agua Caliente Tribal Historic Preservation Office, and Shasta C. Gaughen, Tribal Historic Preservation Officer for the Pala Band of Mission Indians, indicated that they would defer to other tribes located in closer proximity to the project area, such as the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño Indians. Chris Devers, Vice Chairman of the Pauma Band of Luiseño Indians, requested a copy of this report for tribal review. In addition to an opportunity to review this report when completed, Raymond Huaute of the Morongo Band further requested that the tribe's Standard Development Conditions be implemented to address any inadvertent discovery of Native American cultural resources, especially human remains.

CRM TECH initiated a second inquiry for APNs 360-350-011 and -017, and the NAHC reported in a letter dated February 17, 2016, that the sacred lands record search identified no Native

American cultural resources within the project area but recommended that local Native American groups be contacted for further information. For that purpose, the NAHC provided a list of potential contacts in the region. Upon receiving the NAHC's response, on March 7, 2016, CRM TECH sent written requests for comments to all 17 individuals on the referral list and the organizations they represent. In addition, as referred previously by the appropriate tribal government staff, the following 12 designated spokespersons were also contacted:

- David L. Saldivar, Tribal Government Affairs Manager, Augustine Band of Cahuilla Indians
- Judy Stapp, Director of Cultural Affairs, Cabazon Band of Mission Indians
- Andreas Heredia, Cultural Director, Cahuilla Band of Indians
- Rob Roy, Environmental Director, La Jolla Band of Luiseño Indians
- Raymond Huaute, Cultural Resource Specialist, Morongo Band of Mission Indians
- Anna Hoover, Cultural Analyst, Pechanga Band of Luiseño Indians
- Paul Macarro, Cultural Resources Manager, Pechanga Band of Luiseño Indians
- Chris Devers, Vice-Chairman, Pauma Band of Luiseño Indians
- John Gomez, Jr., Cultural Resource Coordinator, Ramona Band of Cahuilla Indians
- Vincent Whipple, Manager of Culture Resources Department, Rincon Band of Luiseño Indians
- Gabriella Rubalcava, Environmental Director, Santa Rosa Band of Cahuilla Indians
- Joseph Ontiveros, Director of Cultural Resource Department, Soboba Band of Luiseño Indians

In all, 29 local Native American representatives were contacted at a total of 16 tribal organizations, and six tribal representatives had responded in writing at the time the Cultural Report was prepared. Among them, Chris Devers of the Pauma Band requested a copy of this report for tribal review. Shasta Gaughen, Tribal Historic Preservation Officer for the Pala Band of Mission Indians, and Katie Croft, Archaeologist with the Tribal Historic Preservation Office of the Agua Caliente Band of Cahuilla Indians, found the project location to be outside of their respective tribes' traditional use areas, and thus deferred to other tribes located in closer proximity. Judy Stapp of the Cabazon Band and Vincent Whipple of the Rincon Band identified the project location to be a part of their tribes' traditional use areas, but stated that the tribes had no information on any Native American cultural resources in the project vicinity. Mr. Whipple deferred further consultation on this project to the Pechanga Band and the Soboba Band. Andreas Heredia of the Cahuilla Band requested copies of the records search results, which were subsequently sent to him by e-mail on March 18, 2016. Additionally, Mr. Heredia requested further consultation with the City of Menifee and Native American monitoring during all ground-disturbing activities.

Raymond Huaute of the Morongo Band also claimed the project location as a part of his tribe's traditional use area. Mr. Huaute had no additional information or immediate concerns pertaining to this project, but requested that the tribe's Standard Development Conditions be implemented to address inadvertent discoveries of buried cultural remains, and that the Morongo Band be notified in the event of such discoveries. Finally, Mr. Huaute requested a copy of the completed report for tribal review.

Please note that the contact through the NAHC was initiated to receive input from Native Americans regarding traditional pre-historic archaeological resource issues. These communications did not address "tribal cultural resource" issues, which is handled separately through direct government-to-government communication between the City of Menifee and the tribes. Refer to

the discussion under Subchapter 4.18 for further discussion of the tribal cultural resource issues.

4.6.3.3 Field Survey Results

The intensive field surveys of the project area conducted on December 3, 2015 and March 14, 2016, yielded negative results for potential historical resources, and no buildings, structures, objects, features, or artifacts of prehistoric or historical origin were encountered. Several piles of large rocks and small boulders were noted on the property, but none of them exhibited any evidence of prehistoric or historical human alteration, such as bedrock milling features. A small amount of modern refuse was found in the creek across the property, but none of the items is of any historical/archaeological interest.

4.6.3.4 Paleontological Resources

CRM TECH performed a paleontological resource assessment on APN 360-350-006 between December 2015 and February 2016 and on APNs 360-350-011 and -017 between February and May 2016. Field surveys were conducted on December 3, 2015 and March 14, 2016.

In order to identify any paleontological resource localities that may exist in or near the project area and to assess the possibility for such resources to be encountered in future excavation and construction activities, CRM TECH reviewed the results of a recent records search on an adjacent property, conducted a literature search, and carried out a systematic field survey of the project area, in accordance with the guidelines of the Society of Vertebrate Paleontology.

There is a direct relationship between fossils and the geologic formations within which they are enclosed, and with sufficient knowledge of the geology and stratigraphy of a particular area, it is possible for paleontologists to reasonably determine the potential for significant nonrenewable vertebrate, invertebrate, marine, or plant fossil remains. The paleontological sensitivity for a geologic formation is determined by the potential for that formation to produce significant nonrenewable fossils, based on what fossil resources the formation has produced in the past at other nearby locations. Determinations must consider not only the potential for yielding vertebrate fossils but also the potential for a few significant fossils that may provide new and significant taxonomic, phylogenetic, and/or stratigraphic data.

While no vertebrate fossil locality has been reported in the immediate vicinity of the project location, the fine-grained Pleistocene deposits that may be present at depth in this area have yielded vertebrate fossil remains elsewhere in southwestern Riverside County. One known fossil locality from similar sediments, LACM 5168, near the Railroad Canyon reservoir, produced a specimen of prehistoric horse (*Equus*), while another similar locality, LACM 6059, near Lake Elsinore, produced a specimen of prehistoric camel (*Camelops hesternus*; McLeod 2016:1).

The field survey encountered no surficial indications of any fossil remains within or adjacent to the project area, nor were any paleontologically sensitive sediments evident on the surface. It was observed during the survey that the surface soil in the project area has been extensively disturbed in the past, and contains a significant amount of small to large rocks, with the highest concentrations in the northeast corner of the property. The area was used extensively for dry-farming and animal grazing in the past. In addition, the area exhibits evidence of brush fires in the past, which have oxidized minerals in the surface soil and altered its color. As a result, the

current condition of the surface soil is not expected to be a reliable reflection on that of the subsurface sediments.

4.6.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

CULT-1 Alter or destroy an historic site.

CULT-2 Cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, section 15064.5.

CULT-3 Alter or destroy an archaeological site.

CULT-4 Cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, section 15064.5.

CULT-5 Disturb any human remains, including those interred outside of formal cemeteries.

CULT-6 Restrict existing religious or sacred uses within the potential impact area.

CULT-7 Directly or indirectly destroy a unique paleontological resource, or site, or unique geological feature.

4.6.5 METHODOLOGY

The analysis herein is based upon a historical/archaeological resources records search, historical background research, contact with Native American representatives, and a systematic field survey of the entire project area, including the offsite infrastructure improvement locations.

Regarding the proper criteria of historical significance, CEQA guidelines mandate that "a resource shall be considered by the lead agency to be 'historically significant' if the resource meets the criteria for listing on the California Register of Historical Resources" (Title 14 CCR §15064.5(a)(3)). A resource may be listed in the California Register if it meets any of the following criteria:

1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage.
2) Is associated with the lives of persons important in our past.
3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values.
4) Has yielded, or may be likely to yield, information important in prehistory or history. (PRC §5024.1(c))

According to guidelines proposed by Eric Scott and Kathleen Springer (2003:6) of the San Bernardino County Museum, paleontological resources can be considered to be of significant scientific interest if they meet one or more of the following criteria:

1) The fossils provide information on the evolutionary relationships and developmental trends exhibited among organisms, living or extinct;

2) The fossils provide data useful in determining the age(s) of the rock unit or sedimentary stratum, including data important in determining the depositional history of the region and the timing of geologic events therein;
3) The fossils provide data regarding the development of biological communities or the interactions between paleobotanical and paleozoological biotas;
4) The fossils demonstrate unusual or spectacular circumstances in the history of life; and/or
5) The fossils are in short supply and/or in danger of being depleted or destroyed by the elements, vandalism, or commercial exploitation, and are not found in other geographic locations.

4.6.6 ENVIRONMENTAL IMPACTS

CULT-1 Would the project alter or destroy an historic site?

According to the findings in the cultural resources studies (see Volume 2 of this DEIR), no historic period resources were identified at the project site based on the records check and intensive field survey. Historic maps show no notable cultural features within the project area throughout the historic period. Based on these findings, and in light of the criteria listed above, the cultural resource reports concluded that no historical resources exist within or adjacent to the project area. Therefore, the project would not alter or destroy any historic sites. **No impact** will result from implementing the proposed project. No mitigation is required.

CULT-2 Would the project cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, section 15064.5?

According to the findings in the cultural resources studies (see Volume 2 of this DEIR), no historic period resources were identified at the project site based on the records check and intensive field survey. Historic maps show no notable cultural features within the project area throughout the historic period. Based on these findings, and in light of the criteria listed above, the cultural resource reports concluded that no historical resources exist within or adjacent to the project area. Therefore, the project would not cause a substantial adverse change in the significance of any historical resource. **No impact** will result from implementing the proposed project. No mitigation is required.

CULT-3 Would the project alter or destroy an archaeological site?

According to the findings in the cultural resources studies (see Volume 2 of this DEIR), no potential archaeological resources were previously recorded within or adjacent to the project area, and none were identified at the project site based on the records check and intensive field survey. According to the consultation with the NAHC, the project site is not identified as containing any archeological sacred sites. Therefore, no alteration or destruction of any archaeological site is anticipated. **No impact** would occur. No mitigation measures are required.

Based on this input from the NAHC, implementation of the proposed project has no potential to restrict existing religious or sacred uses. Native American input did not identify any sites of traditional cultural value in the vicinity. Based on these findings, and in light of the criteria listed above, the cultural resource studies concluded that no archeological resources are likely to exist

within or adjacent to the project area. However, given that unanticipated and unknown archaeological resources may nonetheless be unearthed during construction, impacts are potentially significant, and the City has established the following Conditions of Approval (COA) to address accidental exposure and other cultural issues.

General Conditions

1. **Human Remains.** If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resource Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission shall be contacted within the period specified by law (24 hours). Subsequently, the Native American Heritage Commission shall identify the "most likely descendant." The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.

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

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

    i. All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s) and the Community Development Director to discuss the significance of the find.
    ii. At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources.
    iii. Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed.

iv. Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.

v. Pursuant to Calif. Pub. Res. Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, recommendations of the project archeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."

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

a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department:

i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources.

ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request.

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

concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.

Prior to Grading Permit Issuance

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

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

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

   In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB52 consultation process, and has completed AB 52 consultation with the City as provided for in Cal Pub Res Code Section 21080.3.2(b)(1) of AB52. Details in the Plan shall include:

   a. Project grading and development scheduling;

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

c. The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.

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

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

<u>Prior to Final Occupancy</u>

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

COAs 1 through 8 will reduce potential impacts (which, as described above, are not anticipated) by ensuring that the construction earth work will halt in the unlikely event of unearthed archaeological discoveries, and by ensuring that any such resources will be protected in place where possible, or sensitively recovered if preservation in place is not feasible. Therefore, impacts will be **less than significant with implementation of the preceding COAs**.

CULT-4 Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to California Code of Regulations, section 15064.5?

According to the findings in the cultural resources studies (see Volume 2 of this DEIR), no potential archaeological resources were previously recorded within or adjacent to the project area, and none were identified at the project site based on the records check and intensive field survey. According to the consultation with the NAHC, the project site is not identified as containing any archeological sacred sites. Therefore, the project is not anticipated to result in any substantial adverse change in the significance of an archaeological resource. However, as described above under Threshold CULT-3, there is always a potential for construction to unearth previously unknown and unanticipated archaeological resources. Therefore, **COAs 1-8** have been identified. These measures will reduce potential impacts (which, as described above, are not anticipated) by ensuring that the construction earth work will halt in the unlikely event of unearthed archaeological discoveries, and by ensuring that any such resources will be protected in place where possible, or sensitively recovered if preservation in place is not feasible. Therefore, impacts will be **less than significant with implementation of the preceding COAs**.

CULT-5 Would the project disturb any human remains, including those interred outside of formal cemeteries?

Based on historic disturbance of the project site, the potential for encountering human remains is very low. If human remains are accidentally exposed during site grading, Section 7050.5 of the California Health and Safety Code requires a contractor to immediately stop work in the vicinity of the discovery and notify the County Coroner. The Coroner must then determine whether the remains are human and if such remains are human, the Coroner must determine whether the remains are or appear to be of a Native American. If deemed potential Native American remains, the Coroner contacts the Native American Heritage Commission to identify the most likely affected tribe and to initiate property recovery of such remains. Therefore, **impacts would be less than significant**. Since this process is mandatory and addressed by City COAs, no additional mitigation is required to ensure that the impacts to human remains will be less than significant.

CULT-6 Would the project restrict existing religious or sacred uses within the potential impact area?

According to the findings in the cultural resources studies (see Volume 2 of this DEIR), no potential archaeological resources were previously recorded within or adjacent to the project area, and none were identified at the project site based on the records check and intensive field survey. According to the consultation with the NAHC, the project site is not identified as containing any sacred sites. Based on this input from the NAHC, implementation of the proposed project has no potential to restrict existing religious or sacred uses. Further, Native American input did not identify any sites of traditional cultural value in the vicinity. With the incorporation of COAs 1-8, impacts to religious or sacred uses would be **less than significant**.

CULT-7 Would the project directly or indirectly destroy a unique paleontological resource, or site, or unique geological feature?

The field survey performed for the project site encountered no surficial indications of any fossil remains within or adjacent to the project area, nor were any paleontologically sensitive sediments evident on the surface. It was observed during the survey that the surface soil in the project area has been extensively disturbed in the past, and contains a significant amount of small to large rocks, with the highest concentrations in the northeast corner of the property. The area was used extensively for dry-farming and animal grazing in the past. In addition, the area exhibits evidence of brush fires in the past, which have oxidized minerals in the surface soil and altered its color. As a result, the current condition of the surface soil is not expected to be a reliable reflection on that of the subsurface sediments.

Based on these findings, the proposed project's potential to impact significant paleontological resources is determined to be low in the coarse-grained surface sediments but high in the finer-grained, older Pleistocene sediments potentially present at depth, especially for significant vertebrate fossils. Therefore, impacts are potentially significant, and the following mitigation measure has been identified:

Mitigation Measure 4.6-1:
During construction, all earth-moving operations at or below the depth of two feet, or at shallower depths if paleontologically sensitive soils are encountered, shall be monitored for any evidence of significant, nonrenewable paleontological resources. In addition:

- *Earth-moving operations reaching the undisturbed older alluvium at depth, except in the southwestern corner, must be monitored by a qualified paleontological monitor. The monitor must be prepared to quickly salvage paleontological remains as they are unearthed and have the power to temporarily halt or divert construction equipment to allow for the removal of abundant or large specimens.*
- *Samples of sediments must be collected and processed to recover small fossil remains.*
- *Recovered specimens must be identified and curated at a repository with permanent retrievable storage that would allow for further research in the future.*
- *A report of findings, including an itemized inventory of recovered specimens and a discussion of their significance when appropriate, must be prepared upon completion of the research procedures outlined above, for submission and approve by the City of Menifee.*

Mitigation Measure 4.6-1 reduces the potential for impacts to paleontological resources by requiring monitoring, and placing specific performance measures on certain earth-moving operations with the potential to reach undisturbed, older alluvium. Further, the measure identifies methods for which identification and recovery of unexpected specimens will occur. Therefore, **impacts will be less than significant with mitigation**.

4.6.7 CUMULATIVE IMPACTS

Cultural resources impacts are generally considered to be site-specific. As described above, implementation of the proposed project can proceed without causing any unavoidable significant adverse impacts to cultural resources, with the incorporation of mitigation measures that ensure proper identification, treatment, and preservation of resources unexpectedly found on the project site. Because the implementation of the proposed project is not forecast to cause any direct, significant adverse impact to any significant cultural resources with implementation of identified COAs and mitigation measure 4.6-1, the proposed project has no potential to make a cumulatively considerable contribution to cultural resource impacts in the project area or Riverside County in general. This is because neither the proposed project, nor other cumulative development in the City, are expected to result in significant impacts, providing site-specific surveys and test and evaluation activities are conducted. While no paleontological resources were identified in the surface materials of the site, the potential for significant subsurface resources was found to merit paleontological monitoring of earth moving activities under the circumstances outlined in the mitigation measures. With implementation of mitigation, no cumulatively adverse contribution to paleontological resource impacts would occur.

4.6.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to cultural resources will occur as a result of the proposed project.

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4.7 GEOLOGY AND SOILS

4.7.1 INTRODUCTION

This subchapter evaluates the environmental impacts to geology and soils from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

In addition to the City General Plan and General Plan EIR, two technical documents addressing geotechnical issues have been prepared by Earth Strata Geotechnical Services for the proposed project. These documents are provided in Appendix 4, of Volume 2 of this DEIR and include:

- Earth Strata Geotechnical Services, *Phase I Environmental Site Assessment of an Undeveloped Property Assessor Parcel Numbers 360-350-006, Menifee, California 92584*, December 16, 2015
- Earth Strata Geotechnical Services, *Preliminary Geotechnical Interpretive Report, Proposed Millcreek Promenade, Assessor's Parcel Numbers 360-350-011 and 360-350-017, Parcels 2 and 3 of Map Number 13523, Located Southwest of Garbani Road and on the West Side of Haun Road, City of Menifee, Riverside County, California*, May 4, 2016.

No comments related to geology and soils were received in response to the Notice of Preparation, or at the scoping meeting held for the project.

4.7.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act was enacted in 1997 to "reduce the risks to life and property from future earthquakes in the United States through the establishment and maintenance of an effective earthquake hazards and reduction program." To accomplish this, the act established the National Earthquake Hazard Reduction Program ("NEHRP"), which refined the description of agency responsibilities, program goals, and objectives. NEHRP's mission includes improved understanding, characterization, and prediction of hazards and vulnerabilities; improvement of building codes and land use practices; risk reduction through post-earthquake investigations and education; development and improvement of design and construction techniques; improvement of mitigation capacity; and accelerated application of

research results. NEHRP designates the Federal Emergency Management Agency as the lead agency of the program and assigns it several planning, coordinating, and reporting responsibilities. Programs under NEHRP help inform and guide planning and building code requirements such as emergency evacuation responsibilities and seismic code standards.

State

California Alquist-Priolo Earthquake Fault Zoning Act

The California Alquist-Priolo Earthquake Fault Zoning Act was signed into state law in 1972, and amended, with its primary purpose being to mitigate the hazard of fault rupture by prohibiting the location of structures for human occupancy across the trace of an active fault. This act (or state law) was a direct result of the 1971 San Fernando Earthquake, which was associated with extensive surface fault ruptures that damaged numerous homes, commercial buildings, and other structures. The act requires the State Geologist (California Geologic Survey, CGS) to delineate regulatory zones known as “earthquake fault zones” along faults that are “sufficiently active” and “well defined” and to issue and distribute appropriate maps to all affected cities, counties, and state agencies for their use in planning and controlling new or renewed construction. Pursuant to this act and as stipulated in Section 3603(a) of the California Code of Regulations, structures for human occupancy are not permitted to be placed across the trace of an active fault. The act also prohibits structures for human occupancy within 50 feet of the trace of an active fault, unless proven by an appropriate geotechnical investigation and report that the development site is not underlain by active branches of the active fault, as stipulated in Section 3603(a) of the California Code or Regulations. Furthermore, the act requires that cities and counties withhold development permits for sites within an earthquake fault zone until geologic investigations demonstrate that the sites are not threatened by surface displacement from future faulting, as stipulated in Section 3603(d) of the California Code of Regulations.

Seismic Hazard Mapping Act

The Seismic Hazard Mapping Act was adopted by the state in 1990 for the purpose of protecting the public from the effects of nonsurface fault rupture earthquake hazards, including strong ground shaking, liquefaction, seismically induced landslides, or other ground failure caused by earthquakes. The goal of the act is to minimize loss of life and property by identifying and mitigating seismic hazards. The CGS prepares and provides local governments with seismic hazard zones maps that identify areas susceptible to amplified shaking, liquefaction, earthquake-induced landslides, and other ground failures.

California Building Code

Current law states that every local agency enforcing building regulations, such as cities and counties, must adopt the provisions of the California Building Code (“CBC”) within 180 days of its publication. The publication date of the CBC is established by the California Building Standards Commission, and the code is also known as Title 24, Part 2, of the California Code of Regulations. These codes provide minimum standards to protect property and public safety by regulating the design and construction of excavations, foundations, building frames, retaining walls, and other building elements to mitigate the effects of seismic shaking and adverse soil conditions. The CBC contains provisions for earthquake safety based on factors including occupancy type, the types of soil and rock onsite, and the strength of ground shaking with a specified probability at a site. The 2016 CBC took effect on January 1, 2017.

Soils Investigation Requirements

Requirements for soils investigations for subdivisions requiring tentative and final maps, and for other specified types of structures, are in California Health and Safety Code Sections 17953 to 17955 and in Section 1802 of the CBC. Testing of samples from subsurface investigations is required, such as from borings or test pits. Studies must be done as needed to evaluate slope stability, soil strength, position and adequacy of load-bearing soils, the effect of moisture variation on load-bearing capacity, compressibility, liquefaction, differential settlement, and expansiveness.

Storm Water Pollution Prevention Plans

Pursuant to the Clean Water Act, in 2012, the State Water Resources Control Board issued a statewide general NPDES Permit for stormwater discharges from construction sites (National Pollutant Discharge Elimination System No. CAS000002). Under this Statewide General Construction Activity permit, discharges of stormwater from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for stormwater discharges or be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the State Water Resources Control Board and developing and implementing a Storm Water Pollution Prevention Plan ("SWPPP"). Each applicant under the General Construction Activity Permit must ensure that a SWPPP is prepared prior to grading and is implemented during construction. The SWPPP must list best management practices (BMPs) implemented on the construction site to protect stormwater runoff and must contain a visual monitoring program; a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs; and a monitoring plan if the site discharges directly to a water body listed on the state's 303(d) list of impaired waters.

Local

City of Menifee General Plan

The following General Plan goals and policies addressing geology and soils are applicable to the project:

Safety Goals

- S-1: Seismic and Geological Issues. A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.
- S-2: Seismic and Geological Issues. 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.

Safety Policies

- S-1.1: Seismic & Geologic Issues. 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.
- S-1.2: Seismic & Geologic Issues. Encourage owners of old or potentially hazardous buildings- including pre-1952 wood-frame structures, concrete tilt-ups, pre-1971 reinforced masonry, soft-story, and multifamily residential buildings- to assess the

seismic vulnerability of their structures and conduct seismic retrofitting as necessary to improve the building's resistance to seismic shaking.

- S-1.3: Seismic & Geologic Issues. Encourage the city's utility service providers to identify sections of their distribution networks that are old and/or in areas susceptible to earthquake-induced ground deformation, and to repair, replace, or strengthen the sections as necessary.
- S-2.1: Seismic & Geologic Issues. Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.
- S-2.2: Seismic & Geologic Issues. 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.
- S-2.3: Seismic & Geologic Issues. Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.
- S-2.4: Seismic & Geologic Issues. Manage the groundwater resources in the area to prevent overdrafting of the aquifers, which in turn could result in regional subsidence.

General Plan Exhibit S-1: Fault Map identifies and depicts fault lines within the city. General Plan Exhibit S-3: Liquefaction and Landslides illustrates areas where local geological and groundwater conditions suggest a potential for liquefaction as well as areas where local topographic and geological conditions suggest the potential for earthquake-induced landslides. General Plan Exhibit S-4: Geologic Map depicts the various geologic units and fault lines within the City of Menifee.

4.7.3 EXISTING CONDITIONS

4.7.3.1 Regional Geologic Setting

Regionally, the project site is located in the Peninsular Ranges Geomorphic Province of California. The Peninsular Ranges are characterized by northwest trending steep mountain ranges separated by sediment filled elongated valleys. The dominant structural geologic features reflect the northwest trend of the province. Associated with and subparallel to the San Andreas Fault are the San Jacinto Fault, Newport-Inglewood, and the Whittier-Elsinore Fault. The Santa Ana Mountains abut the west side of the Elsinore Fault while the Perris Block forms the other side of the fault zone to the east. The Perris Block is bounded to the east by the San Jacinto Fault. The northern perimeter of the Los Angeles basin forms part of a northerly dipping blind thrust fault at the boundary between the Peninsular Ranges Province and the Transverse Range Province.

The mountainous regions within the Peninsular Ranges Province are comprised of Pre-Cretaceous, metasedimentary, and metavolcanic rocks along with Cretaceous plutonic rocks of the Southern California Batholith. The low-lying areas are primarily comprised of Tertiary and Quaternary non-marine alluvial sediments consisting of alluvial deposits, sandstones, claystones, siltstones, conglomerates, and occasional volcanic units.

4.7.3.2 Local Geologic Setting

The earth materials on the site are primarily comprised of topsoil, Quaternary very old alluvium, and bedrock. A general description of the dominant earth materials observed on the site is provided below:

- Topsoil (no map symbol): Residual topsoil, encountered in the upper 1 to 3 feet, blankets the site and underlying bedrock. These materials were noted to be generally reddish brown to dark brown clayey sand which were very porous, moist and in a dense state.
- Quaternary Very Old Alluvium (map symbol Qvoa): Quaternary old fan deposits were encountered to a maximum depth of 15 feet. These alluvial deposits consist predominately of interlayered reddish brown to dark brown, fine to coarse grained clayey and silty sand. These deposits were generally noted to be in a dry to moist, dense to very dense state.
- Cretaceous Gabbro (map symbol Kgb): Cretaceous age plutonic rock consisting of gabbro was mapped within the southern portion of the site. The gabbro was observed to be gray brown, fine to very coarse grained, and in a very hard state.
- Cretaceous Heterogeneous Granitic Rocks (map symbol Khg): Cretaceous age granitic rocks composed of a wide variety of compositions make up this unit. Rock types typically include monzogranite, granodiorite, tonalite and gabbro, with the most common being tonalite. This rock unit was mapped within the entire site. These granitic rocks were observed to be light tan to yellowish brown, fine to coarse-grained, and in a moderately hard to very hard state. Typically, the upper 1 to 3 feet of this unit is more weathered, not as hard, and breaks down to silty sand.

4.7.3.3 Faults

The project is located in a seismically active region and as a result, significant ground shaking will likely impact the site within the design life of the proposed Project. The geologic structure of the entire southern California area is dominated by northwest-trending faults associated with the San Andreas Fault system, which accommodates for most of the right lateral movement associated with the relative motion between the Pacific and North American tectonic plates. Known active faults within this system include the Newport-Inglewood, Whittier-Elsinore, San Jacinto and San Andreas Faults. No active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, established by the State of California to restrict the construction of new habitable structures across identifiable traces of known active faults. An active fault is defined by the State of California as having surface displacement within the past 11,000 years or during the Holocene geologic time period. Based on mapping of the subject site, review of current and historical aerial imagery, lack of lineaments indicative of active faulting, and the data compiled during the preparation of the geotechnical report, the potential for surface rupture to adversely impact the proposed structures is very low to remote.

Based on a review of regional geologic maps and applicable computer programs (USGS 2008 Interactive Deaggregation, Caltrans ARS online, and USGS Earthquake Hazard Programs), the Elsinore (Glen Ivy) Fault with an approximate source to site distance of 9.34 kilometers is the closest known active fault anticipated to produce the highest ground accelerations, with an anticipated maximum modal magnitude of 7.7.

4.7.3.4 Landslides

Landslide debris was not observed during the subsurface exploration and no ancient landslides are known to exist on the site. No landslides are known to exist, or have been mapped, in the vicinity of the site. Geologic mapping of the site conducted during the geotechnical investigation, and review of aerial imagery of the site, reveal no geomorphic expressions indicative of landsliding.

4.7.3.5 Groundwater

Groundwater was not observed during the subsurface exploration. It should be noted that localized groundwater could be encountered during grading due to the limited number of exploratory locations or other factors.

4.7.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

GEO-1 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault.
ii. Strong seismic ground shaking.
iii. Seismic-related ground failure, including liquefaction.
iv. Landslides.

GEO-2 Result in substantial soil erosion or the loss of topsoil.

GEO-3 Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.

GEO-4 Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property.

GEO-5 Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water.

4.7.5 METHODOLOGY

The following analysis of impacts I based upon a review of the USGS 2008 Interactive Deaggregation, Caltrans ARS online, and USGS Earthquake Hazard Programs, as well as an onsite geotechnical investigation. For the onsite geotechnical investigation, subsurface exploration within the subject site was performed on March 16 and March 23, 2016 for the exploratory excavations. A truck mounted hollow-stem-auger drill rig was utilized to drill twelve borings throughout the site to a maximum depth of 15 feet.

4.7.6 ENVIRONMENTAL IMPACTS

GEO-1 Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?

The proposed project is located within an area of California known to contain a number of active and potentially active faults. Review of the available references—including the USGS 2008 Interactive Deaggregation, Caltrans ARS online, and USGS Earthquake Hazard Programs—and the onsite geotechnical investigation, found that no active faults are known to project through the site and the site is not located within an Alquist-Priolo Earthquake Fault Zone, which are zones that have been established by the State of California to restrict the construction of new habitable structures across identifiable traces of known active faults. Therefore, the Geotechnical Evaluation concluded that the likelihood of surface fault rupture on the site is low. Therefore, **no impacts** are anticipated relating to fault rupture, and no mitigation is required.

ii. Strong seismic ground shaking?

According to the Preliminary Geotechnical Interpretive Report, the project site is located within an area of California known to contain a number of active and potentially active faults. Due to the proximity of the site to nearby active faults, strong ground shaking is expected to occur at the site and at off-site components during the life of the project. The possibility of ground shaking at the site may be considered similar to the southern California region as a whole. As stated previously, neither the Project site nor off-site components are located within an active fault zone or within an Alquist-Priolo Earthquake Fault Zone. Furthermore, the Preliminary Geotechnical Interpretive Report concluded that based on subsurface exploration and laboratory testing, the secondary seismic effects of seismic activity, including strong seismic ground shaking, are considered unlikely at the project site. Further, the project will be required to conform to the latest CBC regulations adopted at the time of Project approval, which includes seismic design criteria and standards.

However, conformance to the criteria for seismic design does not constitute any kind of guarantee or assurance that significant structural damage will not occur in the event of a significant earthquake that may affect the site. Potential damage to any structure(s) would likely be greatest from the vibrations and impelling force caused by the inertia of a structure's mass. This potential would be no greater than that for other existing structures and improvements in the immediate vicinity. The potential for significant impacts to occur due to strong seismic shaking can be reduced to a less than significant level with implementation of standard seismic design requirements appropriate for the expected level of seismic shaking. Although such design measures are mandatory and standard conditions of approval, applicable to all projects, these measures are not considered unique mitigation under CEQA. However, they are nonetheless memorialized in the below mitigation measure:

Because the above geotechnical design measures (pages 12-13 of the 2016 Geotechnical Report) are mandatory and standard conditions of approval, these measures are not considered

unique mitigation under CEQA, however, implementation of Mitigation Measure 4.7-1 ensures that the Geotechnical recommendations are enforced as requirements for the proposed Project.

Mitigation Measure 4.7-1:

All of the recommended design and construction measures identified within the Geotechnical Investigation prepared for the project shall be implemented by the Applicant. Implementation of these specific measures will address all of the identified geotechnical constraints identified at project site, including soil stability on future project-related structures. These recommended design and construction measures include, but are not limited the following summarized categories/requirements:

- *Seismic Design Parameters (CBC 2016); the Project shall be constructed in accordance with the design criteria developed by the Structural Engineers Association of California*
- *Corrosivity*
  - *Use of Type I or Type II concrete to prevent sulfate corrosion*
  - *Encasing steel or metallic materials in concrete*
  - *Use of post tensioning institute guide specifications*
  - *Require additional corrosivity testing to be performed upon completion of grading*
- *Earthwork Recommendations (Soil Stability)*
  - *Geotechnical Interpretive Report's General Earthwork and Grading Specifications*
  - *Clearing and grubbing during ground preparation*
  - *Removal of wet alluvial material to rid soils of moist material*
  - *Oversize rock disposal specifications*
  - *Compacted fill placement specifications*
  - *Evaluation of stabilization fill during grading*
  - *Evaluation of cut material*
  - *Specifications for fill over cut slopes*
  - *Temporary backcuts to remove unsuitable materials*
  - *Cut/Fill transitions that ensure the entirety of each structure is placed on a uniform soil base*
  - *Cut area overexcavation specifications*
  - *Verification of compliance with recommendations in the Geotechnical Report by a geotechnical consultant*
- *Foundation Design Requirements*
  - *Settlement maximums*
  - *Lateral resistance beating for footings*
  - *Structural setbacks and buildings clearance minimums for structures near slopes*
- *Retaining Wall Specifications and Guidelines*
- *Landscape maintenance and planting*

- *Site Drainage*
- *Expansive soils*
  - *Foundation excavation shall be observed by the geologist, engineer, or his representative and shall be accomplished only per the approved plans*
  - *Very Low Expansion Potential*
    - *Footings specifications*
    - *Building slab specifications*
  - *Low Expansion Potential*
    - *Footings specifications*
    - *Building slab specifications*
  - *Pre-watering earth materials for optimum moisture content guidelines*
  - *Post tensioned slab foundation design specifications*

As described above, the above measures included within **Mitigation Measure 4.7-1** are already required by either existing law or through standard conditions of approval. These measures reduce the potential for impacts relating to seismic ground shaking by ensuring that all technical recommendations of the project-specific geotechnical investigation are implemented. Therefore, impacts under this threshold are considered **less than significant with mitigation**.

iii. Seismic-related ground failure, including liquefaction?

Liquefaction occurs as a result of a substantial loss of shear strength or shearing resistance in loose, saturated, cohesionless earth materials subjected to earthquake induced ground shaking. Potential impacts from liquefaction include loss of bearing capacity, liquefaction related settlement, lateral movements, and surface manifestation such as sand boils. Seismically induced settlement occurs when loose sandy soils become denser when subjected to shaking during an earthquake. The three factors determining whether a site is likely to be subject to liquefaction include seismic shaking, type and consistency of earth materials, and groundwater level. The proposed structures will be supported by compacted fill and competent alluvium or bedrock. As such, the potential for liquefaction and lateral spreading beneath the proposed structures is considered very low to remote due to the recommended compacted fill, depth to groundwater level, and the dense nature of the deeper onsite earth materials. Therefore, impacts are **less than significant**. No mitigation is required.

iv. Landslides?

According to the 2016 Geotechnical Interpretive Report prepared for the project, the topsoil, encountered in the upper 1-3 feet, blankets the site and underlying bedrock. The topsoil material is generally clayey sand that is very porous, moist, and in a dense state. Quaternary old fan deposits were encountered to a maximum depth of 15 feet. These alluvial deposits consist predominately of fine to coarse grained clayey and silty sand. These deposits were generally noted to be in a dry to moist, dense to very dense state. Cretaceous age plutonic rock consisting of gabbro was found at the site. Cretaceous age granitic rocks composed of a wide variety of compositions make up the Cretaceous Heterogenous Granitic Rocks found throughout the site. These granitic rocks were observed to be fine to coarse-grained, and in a moderately hard to very hard state. Typically, the upper 1 to 3 feet of this unit is more weathered, not as

hard, and breaks down to silty sand. Detailed descriptions of the encountered soils are provided on the boring and test pit logs included as Appendix A of the 2016 Geotechnical Interpretive Report prepared for the project.

Landslide debris was not observed during the subsurface exploration and no ancient landslides are known to exist on the site. The project site is generally flat, varying in elevation around 10-15 feet at any point on the site, with the exception of the creek that travels through southeast portion of the site. No landslides are known to exist, or have been mapped, in the vicinity of the site. Geologic mapping of the site conducted during the geotechnical investigation, and review of aerial imagery of the site, reveal no geomorphic expressions indicative of landsliding.

Thus, the project site will not be located on a geologic unit or soil that is unstable, or that would become unstable as a result of project implementation, and potentially result in on- or off-site landslide. The project will be required to comply with the seismic recommendations contained within the 2016 Geotechnical Interpretive Report, incorporated above into **Mitigation Measure 4.7-1**, which ensures that the Geotechnical recommendations are enforced as requirements for the proposed Project. With implementation of these standard requirements, impacts related to the unstable soil are **less than significant with mitigation**.

GEO-2 Result in substantial soil erosion or the loss of topsoil?

During construction, site disturbance will expose soil to both wind and water erosion. A potential for significant adverse erosion impact both during construction and after development will result from project implementation. Implementation of the project may also result in potential impacts that could result in substantial soil erosion or the loss of topsoil; change deposition, siltation, or erosion that may modify the channel or stream or bed of a lake; result in any increase in water erosion either on or off site; or be impacted by or result in an increase in wind erosion and blows, either on or off site. Impacts to these resources are discussed in great detail in Subchapter 4.10 (Hydrology and Water Quality) of this DEIR. That section identifies **Mitigation Measures 4.10-1** and **4.10-2**. Together, with **Mitigation Measure 4.7-1**, above, reduce potential impacts relating to soil erosion by ensuring that all CBC provisions are adhered to, all geotechnical report recommendations are incorporated (see **Mitigation Measure 4.7-1**), no new downstream erosion is initialed from the project site (see **Mitigation Measure 4.10-1**), requires implementation of a Storm Water Pollution Prevention Plan ("SWPPP") (see **Mitigation Measure 4.10-2**). Therefore, impacts will be **less than significant with mitigation**.

GEO-3 Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Please refer to the discussion under GEO-1(iii) and GEO-1(iv) above for discussion of landslide, lateral spreading, and liquefaction impacts.

Unstable soils can also occur from subsidence (volumatic changes in earth material quantities) or corrosivity. The geotechnical report prepared for the project site identified prevention measures to address issues relating to unstable soils, and these measures have been incorporated into **Mitigation Measure 4.7-1**, described above.

Through **Mitigation Measure 4.7-1**, and standard conditions of approval, the project will be required to comply with the recommendations contained within the 2016 Geotechnical

Evaluation to address soil instability. The recommendations identified in the geotechnical evaluation address earthwork and grading, clearing and grubbing, ground preparation, excavation, cut/fill slopes and transitions, bearing values, settlement, lateral resistance, setbacks and building clearance, and foundation observations, among other things. Further, additional design guidelines are provided for any retaining walls, pavement, landscape maintenance and planting, and site drainage.

Because **Mitigation Measure 4.7-1** requires implementation of these recommendations, any impacts relating to unstable soils will be **less than significant with mitigation**.

GEO-4 Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code, creating substantial risks to life or property?

Expansive soils contain minerals that are capable of absorbing water, and when such soils absorb water, they increase in volume[1]. The volume change in soils underlying a foundation, for instance, can exert enough force to cause structural damage. According to the 2016 Geotechnical Interpretative Report, preliminary laboratory test results indicate onsite earth materials exhibit an expansion potential of “very low” and “low” as classified in accordance with 2016 CBC Section 1803.5.3 and ASTM D4829-03. Additionally, testing for expansive soil conditions would be conducted upon completion of rough grading. The preliminary design and construction recommendations are considered a requirement through the implementation of **Mitigation Measure 4.7-1**, which ensures that the geotechnical recommendations are enforced as requirements for the proposed Project.

In accordance with the 2016 CBC and prior to the placement of forms, concrete, or steel, all foundation excavations should be observed by the geologist, engineer, or his representative to verify that they have been excavated into competent bearing materials. The excavations shall be per the approved plans, moistened, cleaned of all loose materials, trimmed neat, level, and square. Any moisture softened earth materials shall be removed prior to steel or concrete placement. Earth materials from foundation excavations shall not be placed in slab on grade areas unless the materials are tested for expansion potential and compacted to a minimum of 90 percent of the maximum dry density.

Further, as recommended by the geotechnical report, design requirements commensurate with the “very low” and “low” expansion potential classifications shall be implemented.

The geotechnical report also requires that future owners shall be informed and educated of the importance in maintaining a consistent level of moisture within the earth materials around the structures. Future owners shall also be informed of the potential negative consequences of either excessive watering, or allowing expansive earth materials to become too dry. Earth materials will shrink as they dry, followed by swelling during the rainy winter season, or when irrigation is resumed. As with all recommendations of the geotechnical report, these requirements are enforced through **Mitigation Measure 4.7-1**, described above.

Based on the implementation of the above design requirements, it is not anticipated that the Project will be located on an expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial risks to life or property. The 2016 Geotechnical Interpretative Report recommendations are required and will be incorporated into the site

[1]https://geology.com/articles/expansive-soil.shtml

design. The entirety of the site design requirements are listed in the 2016 Geotechnical Interpretive Report, which is provided in Volume 2 of this DEIR. The Project will be required to comply with the recommendations contained within the 2016 Geotechnical Evaluation as it relates to cut and/or fill slopes. This is a standard requirement, and not considered unique mitigation under CEQA and will be enforced through the implementation of **Mitigation Measure 4.7-1**. Therefore, **impacts are considered less than significant with mitigation**.

GEO-5 Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

The proposed project will be served by existing Eastern Municipal Water District ("EMWD") municipal wastewater service through an existing pipeline to which the project will connect at two locations within Haun Road. **Figure 10b**, located within the Project Description of this DEIR, depicts the offsite infrastructure connections and the proposed onsite sewer lines that the project will develop. Thus, because the project will be served by a municipal wastewater provider, no septic tanks or alternative wastewater disposal systems will be required to serve the project. **No impact** will occur. No mitigation is required.

4.7.7 CUMULATIVE IMPACTS

Development of the project will be affected by geotechnical constraints on the property. None of the future on-site or off-site project-related activities are forecast to cause changes in geology or soils or the constraints affecting the project area that cannot be fully mitigated. Geology and soil resources are inherently site specific and the only cumulative exposure would be to a significant geological or soil constraint (onsite fault, significant ground shaking that could not be mitigated or steep slopes creating a landslide exposure). Therefore, the project has no potential to make a cumulatively considerable contribution to any significant geology or soils impact. Project soil and geology impacts are less than significant.

4.7.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to geology and soils will occur as a result of the proposed project.

4.8 GREENHOUSE GASES

4.8.1 INTRODUCTION

This subchapter evaluates the environmental impacts to greenhouse gas emissions ("GHGs") from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

This subchapter's analysis is based upon the following technical report, prepared for the proposed project, contained in Appendix 1, of Volume 2 of this DEIR:

- Kunzman Associates, *Mill Creek Promenade Air Quality and Global Climate Change Impact Analysis*, February 28, 2018

The following comments concerning air quality were received in response to the Notice of Preparation for the proposed project:

Comment Letter #12 from the South Coast Air Quality Management District (SCQAMD) (December 5, 2017):

- Send DEIR and Air Quality/GHG technical appendices directly to SCAQMD at address provided, submit for review
- Use SCAQMD CEQA Handbook and CalEEMod for forecast
- Identify potential adverse AQ/GHG impacts from project construction and operations
- Use SCAQMD regional and localized significance thresholds
- If necessary, perform mobile source health risk assessment, including toxic air contaminant impacts
- Assess compatibility of land uses with respect to air quality (such as placing sensitive receptors near air pollution sources, or vice versa)
- Identify mitigation measures, and identify any impacts that would result from mitigation measures

Response: The greenhouse gas methodologies conform to the expectations of SCAQMD. All of the information and analysis required by SCAQMD is included in this subchapter of the DEIR.

No comments were received relating to greenhouse gases at the scoping meeting held for the proposed project.

4.8.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Clean Air Act

The U.S. Environmental Protection Agency ("EPA") issued an Endangerment Finding under Section 202(a) of the Clean Air Act on December 7, 2009, based on the finding that GHGs threaten public health and welfare and are subject to regulation under the Clean Air Act. Previously the EPA had not regulated GHGs under the Clean Air Act because it asserted that the Act did not authorize it to issue mandatory regulations to address global climate change and that such regulation would be unwise without an unequivocally established causal link between GHGs and the increase in global surface air temperatures. In *Massachusetts v. Environmental Protection Agency et al.,* 127 U.S. 1438 (2007), however, the U.S. Supreme Court held that GHGs are pollutants under the Clean Air Act and directed the EPA to decide whether the gases endangered public health or welfare. To date, the EPA has not promulgated regulations on GHG emissions.

State

California Air Resources Board

The State currently has no regulations that establish ambient air quality standards for GHGs. However, the State has passed laws directing CARB to develop actions to reduce GHG emissions, which are listed, in part, below; for further regulations please refer to pages 19-28 of the GCCIA provided as Appendix 1 of Volume 2, Technical Appendices.

Senate Bill 97

Senate Bill 97 ("SB 97") was adopted August 2007 and acknowledges that climate change is a prominent environmental issue that requires analysis under CEQA. On December 30, 2009 the Natural Resources Agency adopted amendments to the state CEQA guidelines that address GHG emissions. The State CEQA Guidelines amendments changed 14 sections of the CEQA Guidelines and incorporated GHG language throughout the Guidelines. However, no GHG emissions thresholds of significance were provided and no specific mitigation measures were identified. The GHG emission reduction amendments went into effect on March 18, 2010 and are summarized below:

- Climate action plans and other greenhouse gas reduction plans can be used to determine whether a project has significant impacts, based upon its compliance with the plan.
- Local governments are encouraged to quantify the greenhouse gas emissions of proposed projects, noting that they have the freedom to select the models and methodologies that best meet their needs and circumstances. The section also recommends consideration of several qualitative factors that may be used in the determination of significance, such as the extent to which the given project complies with state, regional, or local GHG reduction plans and policies. OPR does not set or dictate specific thresholds of significance. Consistent with existing CEQA Guidelines, OPR encourages local governments to develop and publish their own thresholds of significance for GHG impacts assessment.
- When creating their own thresholds of significance, local governments may consider the thresholds of significance adopted or recommended by other public agencies, or recommended by experts.

- New amendments include guidelines for determining methods to mitigate the effects of greenhouse gas emissions in Appendix F of the CEQA Guidelines.
- OPR is clear to state that "to qualify as mitigation, specific measures from an existing plan must be identified and incorporated into the project; general compliance with a plan, by itself, is not mitigation."
- OPR's emphasizes the advantages of analyzing GHG impacts on an institutional, programmatic level. OPR therefore approves tiering of environmental analyses and highlights some benefits of such an approach.
- Environmental impact reports (EIRs) must specifically consider a project's energy use and energy efficiency potential.

Assembly Bill 32

In 2006, the California State Legislature adopted Assembly Bill 32 ("AB 32"), the California Global Warming Solutions Act of 2006. AB 32 requires CARB, to adopt rules and regulations that would achieve GHG emissions equivalent to statewide levels in 1990 by 2020 through an enforceable statewide emission cap which will be phased in starting in 2012. Emission reductions shall include carbon sequestration projects that would remove carbon from the atmosphere and best management practices that are technologically feasible and cost effective.

On December 6, 2007 CARB released the calculated Year 1990 GHG emissions of 427 million metric tons of CO_2e (MMTCO_2e). The 2020 target of 427 MMTCO_2e requires the reduction of 169 MMTCO_2e, or approximately 30 percent from the State's projected 2020 business as usual emissions of 596 MMTCO_2e and the reduction of 42 MMTCO2e, or almost 10 percent from the 2002-2004 average GHG emissions. Under AB 32, CARB was required to adopt regulations by January 1, 2011 to achieve reductions in GHGs to meet the 1990 cap by 2020. Early measures CARB took to lower GHG emissions included requiring operators of the largest industrial facilities that emit 25,000 metric tons of CO_2 in a calendar year to submit verification of GHG emissions by December 1, 2010. The CARB Board also approved nine discrete early action measures that include regulations affecting landfills, motor vehicle fuels, refrigerants in cars, port operations and other sources that became enforceable on or before January 1, 2010.

On December 11, 2008 the CARB Board approved a Scoping Plan, with final adoption May 11, 2009 that proposed a variety of measures including direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, a market-based cap-and-trade system, and a fee regulation to fund the program. In response to litigation, CARB prepared the Supplement to the AB 32 Scoping Plan Functional Equivalent Document, June 13, 2011. On August 24, 2011 CARB recertified the complete AB 32 Scoping Plan Functional Equivalent Environmental Document revised by the Final Supplement. In December, 2011 the Final Supplement was accepted as sufficient by the court.

While local government operations were not accounted for in achieving the 2020 emissions reduction, local land use changes are estimated to result in a reduction of 5 metric tons of CO_2e, which is approximately 3 percent of the 2020 GHG emissions reduction goal. In recognition of the critical role local governments will play in successful implementation of AB 32, CARB is recommending GHG reduction goals of 15 percent of 2010 levels by 2020 to ensure that municipal and community-wide emissions match the state's reduction target. According to the Measure Documentation Supplement to the Scoping Plan, local government actions and targets are anticipated to reduce vehicle miles by approximately 2 percent through land use planning,

resulting in a potential GHG reduction of 2 metric tons of CO_2e (or approximately 1.2 percent of the GHG reduction target).

In May 2014, CARB released its First Update to the Climate Change Scoping Plan (CARB 2014). This Update identifies the next steps for California's leadership on climate change. This report lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

On January 20, 2017, CARB announced its release of a proposed plan to reduce greenhouse gas emissions by 40 percent below 1990 levels by 2030 – the most ambitious target in North America. The plan builds on the state's successful efforts to reduce emissions and outlines the most effective ways to reach the 2030 goal, including continuing California's Cap-and-Trade Program. The 2017 Scoping Plan was adopted in December 2017.

Senate Bill 375 – Sustainable Communities and Climate Protection Act

In 2008, the legislature passed SB 375, which built upon AB 32 by connecting the reduction of greenhouse gas emissions from cars and light trucks to regional, and local land use and transportation planning. SB 375 requires the California Air Resources Board (ARB) to establish greenhouse gas emission reduction targets for each region, and each metropolitan planning organization ("MPO") to create a Sustainable Communities Strategy (SCS) as part of the Regional Transportation Plan ("RTP") to meet regional emissions reduction targets.

Executive Order B-30-15

Executive Order B-30-15, establishing a new interim statewide greenhouse gas emission reduction target to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030, was signed by Governor Brown in April 2015.

Executive Order B-29-15

Executive Order B-29-15, mandates a statewide 25% reduction in potable water usage. EO B-29-15 signed into law on April 1, 2015.

Executive Order B-37-16

Executive Order B-29-15, continuing the State's adopted water reductions, was signed into law on May 9, 2016. The water reductions build off the mandatory 25% percent reduction called for in EO B-29-15.

Senate Bill 32

The California Global Warming Solutions Act of 2006 designates the State Air Resources Board as the state agency charged with monitoring and regulating sources of emissions of greenhouse gases. Senate Bill 32 was signed on September 8, 2016 by Governor Jerry Brown. SB 32 requires the state to reduce statewide greenhouse gas emissions to 40 percent below 1990 levels by 2030, a reduction target that was first introduced in Executive Order B-30-15. The new legislation builds upon the AB 32 goal of 1990 levels by 2020 and provides an intermediate goal to achieving S-3-05, which sets a statewide greenhouse gas reduction target of 80 percent

below 1990 levels by 2050. AB 197 creates a legislative committee to oversee regulators to ensure that ARB is not only respond to the Governor, but also the Legislature.

California Code of Regulations (CCR) Title 24, Part 11

All buildings for which an application for a building permit is submitted on or after January 1, 2017 must follow the 2016 standards. The 2016 residential standards are estimated to be approximately 28 percent more efficient than the 2013 standards. Energy efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases greenhouse gas emissions.

California Green Building Standards

On January 12, 2010, the State Building Standards Commission unanimously adopted updates to the California Green Building Standards Code, which went into effect on January 1, 2011. CCR Title 24, Part 11 now require that new buildings reduce water consumption, employ building commissioning to increase building system efficiencies, divert construction waste from landfills, and install low pollutant-emitting finish materials. One focus of CCR Title 24, Part 11 is water conservation measures, which reduce GHG emissions by reducing electrical consumption associated with pumping and treating water. CCR Title 24, Part 11 has approximately 52 nonresidential mandatory measures and an additional 130 provisions for optional use. Some key mandatory measures for commercial occupancies include specified parking for clean air vehicles, a 20 percent reduction of potable water use within buildings, a 50 percent construction waste diversion from landfills, use of building finish materials that emit low levels of volatile organic compounds, and commissioning for new, nonresidential buildings over 10,000 square feet.

The 2016 version of the standards became effective as of January 1, 2017. The 2016 version addressed additional items such as clean air vehicles, increased requirements for electric vehicles charging infrastructure, organic waste, and water efficiency and conservation.

Regional

South Coast Air Quality Management District ("SCAQMD")

The project is within the South Coast Air Basin, which is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD).

SCAQMD Regulation XXVII, Climate Change

SCAQMD Regulation XXVII currently includes three rules:

- The purpose of Rule 2700 is to define terms and post global warming potentials.
- The purpose of Rule 2701, SoCal Climate Solutions Exchange, is to establish a voluntary program to encourage, quantify, and certify voluntary, high quality certified greenhouse gas emission reductions in the SCAQMD.
- Rule 2702, Greenhouse Gas Reduction Program, was adopted on February 6, 2009. The purpose of this rule is to create a Greenhouse Gas Reduction Program for greenhouse gas emission reductions in the SCAQMD. The SCAQMD will fund projects through contracts in response to requests for proposals or purchase reductions from other parties.

A variety of agencies have developed greenhouse gas emission thresholds and/or have made recommendations for how to identify a threshold. However, the thresholds for projects in the jurisdiction of the SCAQMD remain in flux. The SCAQMD is in the process of developing thresholds, as discussed below.

SCAQMD Threshold Development

The SCAQMD is in the process of preparing recommended significance thresholds for greenhouse gases for local lead agency consideration ("SCAQMD draft local agency threshold"); however, the SCAQMD Board has not approved the thresholds as of the date of the Notice of Preparation. The current draft thresholds consist of the following tiered approach:

- Tier 1 consists of evaluating whether or not the project qualifies for any applicable exemption under CEQA.
- Tier 2 consists of determining whether the project is consistent with a greenhouse gas reduction plan. If a project is consistent with a qualifying local greenhouse gas reduction plan, it does not have significant greenhouse gas emissions.
- Tier 3 consists of screening values, which the lead agency can choose, but must be consistent with all projects within its jurisdiction. A project's construction emissions are averaged over 30 years and are added to a project's operational emissions. If a project's emissions are under one of the following screening thresholds, then the project is less than significant:
  - All land use types: 3,000 $MTCO_2e$ per year
  - Based on land use type: residential: 3,500 $MTCO_2e$ per year; commercial: 1,400 $MTCO_2e$ per year; or mixed use: 3,000 $MTCO_2e$ per year.
  - Based on land type: Industrial (where SCAQMD is the lead agency), 10,000 $MTCO_2e$ per year.
- Tier 4 has the following options:
  - Option 1: Reduce emissions from business as usual (BAU) by a certain percentage; this percentage is currently undefined
  - Option 2: Early implementation of applicable AB 32 Scoping Plan measures.
  - Option 3, 2020 target for service populations (SP), which includes residents and employees: 4.8 $MTCO_2e$ /SP/year for projects and 6.6 $MTCO_2e$ /SP/year for plans;
  - Option 3, 2035 target: 3.0 $MTCO_2e$/SP/year for projects and 4.1 $MTCO_2e$ /SP/year for plans.
- Tier 5 involves mitigation offsets to achieve target significance threshold.

Local

City of Menifee General Plan

The City of Menifee does not currently have a Climate Action Plan. However, some of the goals and policies contained in the Open Space and Conservation Element of the City's General Plan would also result in the reduction of greenhouse gas emissions. The goals and polices in the Open Space and Conservation Element that would also apply to greenhouse gases are provided below:

Open Space and Conservation Goal

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

- Goal OSC-10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.
- Open Space and Conservation Policies
- OSC-4.1 Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.
- OSC-4.2 Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell.
- OSC-7.2 Encourage water conservation as a means of preserving water resources.
- OSC-7.4 Encourage the use of reclaimed water for the irrigation of parks, golf courses, public landscaped areas, and other feasible applications as service becomes available from the Eastern Municipal Water District.
- OSC-10.1 Align the City's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.
- OSC-10.2 Align the City's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.
- OSC-10.3 Participate in regional greenhouse gas emission reduction initiatives.
- OSC-10.4 Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

Also see Goals and Policies listed in subchapter 4, Air Quality, of this DEIR.

4.8.3 EXISTING CONDITIONS

Constituent gases of the Earth's atmosphere, called atmospheric greenhouse gases ("GHGs"), play a critical role in the Earth's radiation amount by trapping infrared radiation emitted from the Earth's surface, which otherwise would have escaped to space. Prominent greenhouse gases contributing to this process include carbon dioxide (CO_2), methane (CH_4), ozone, water vapor, nitrous oxide (N_2O), and chlorofluorocarbons (CFCs). This phenomenon, known as the Greenhouse Effect, is responsible for maintaining a habitable climate. Anthropogenic (caused or produced by humans) emissions of these greenhouse gases in excess of natural ambient concentrations are responsible for the enhancement of the Greenhouse Effect and have led to a trend of unnatural warming of the Earth's natural climate, known as global warming or climate change. Emissions of gases that induce global warming are attributable to human activities associated with industrial/manufacturing, agriculture, utilities, transportation, and residential land uses. Transportation is responsible for 41 percent of the State's greenhouse gas emissions, followed by electricity generation. Emissions of CO_2 and nitrous oxide (NOx) are byproducts of fossil fuel combustion. Methane, a potent greenhouse gas, results from off-gassing associated with agricultural practices and landfills. Sinks of CO_2, where CO_2 is stored outside of the atmosphere, include uptake by vegetation and dissolution into the ocean. The following provides a description of each of the greenhouse gases and their global warming potential.

4.8.3.1 Water Vapor

Water vapor is the most abundant, important, and variable GHG in the atmosphere. Water vapor is not considered a pollutant; in the atmosphere it maintains a climate necessary for life. Changes in its concentration are primarily considered a result of climate feedbacks related to the warming of the atmosphere rather than a direct result of industrialization. The feedback loop in which water is involved is critically important to projecting future climate change. As the temperature of the atmosphere rises, more water is evaporated from ground storage (rivers, oceans, reservoirs, soil). Because the air is warmer, the relative humidity can be higher (in

essence, the air is able to "hold" more water when it is warmer), leading to more water vapor in the atmosphere. As a GHG, the higher concentration of water vapor is then able to absorb more thermal indirect energy radiated from the Earth, thus further warming the atmosphere. The warmer atmosphere can then hold more water vapor and so on and so on. This is referred to as a "positive feedback loop." The extent to which this positive feedback loop will continue is unknown as there is also dynamics that put the positive feedback loop in check. As an example, when water vapor increases in the atmosphere, more of it will eventually also condense into clouds, which are more able to reflect incoming solar radiation (thus allowing less energy to reach the Earth's surface and heat it up).

4.8.3.2 Carbon Dioxide

The natural production and absorption of CO_2 is achieved through the terrestrial biosphere and the ocean. However, humankind has altered the natural carbon cycle by burning coal, oil, natural gas, and wood. Since the industrial revolution began in the mid-1700s. Each of these activities has increased in scale and distribution. CO_2 was the first GHG demonstrated to be increasing in atmospheric concentration with the first conclusive measurements being made in the last half of the 20th century. Prior to the industrial revolution, concentrations were fairly stable at 280 parts per million (ppm). The International Panel on Climate Change (IPCC Fifth Assessment Report, 2014) Emissions of CO_2 from fossil fuel combustion and industrial processes contributed about 78% of the total GHG emissions increase from 1970 to 2010, with a similar percentage contribution for the increase during the period 2000 to 2010. Globally, economic and population growth continued to be the most important drivers of increases in CO_2 emissions from fossil fuel combustion. The contribution of population growth between 2000 and 2010 remained roughly identical to the previous three decades, while the contribution of economic growth has risen sharply.

4.8.3.3 Methane

CH_4 is an extremely effective absorber of radiation, although its atmospheric concentration is less than that of CO_2. Its lifetime in the atmosphere is brief (10 to 12 years), compared to some other GHGs (such as CO_2, N_2O, and Chlorofluorocarbons (CFCs). CH_4 has both natural and anthropogenic sources. It is released as part of the biological processes in low oxygen environments, such as in swamplands or in rice production (at the roots of the plants). Over the last 50 years, human activities such as growing rice, raising cattle, using natural gas, and mining coal have added to the atmospheric concentration of methane. Other anthropocentric sources include fossil fuel combustion and biomass burning.

4.8.3.4 Nitrous Oxide

Concentrations of N_2O also began to rise at the beginning of the industrial revolution. In 1998, the global concentration of this GHG was documented at 314 parts per billion (ppb). N_2O is produced by microbial processes in soil and water, including those reactions which occur in fertilizer containing nitrogen. In addition to agricultural sources, some industrial processes (fossil fuel-fired power plants, nylon production, nitric acid production, and vehicle emissions) also contribute to its atmospheric load. It is also commonly used as an aerosol spray propellant, (i.e., in whipped cream bottles, in potato chip bags to keep chips fresh, and in rocket engines and in race cars).

4.8.3.5 Chlorofluorocarbons

CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane (C_2H_6 with chlorine and/or fluorine atoms. CFCs are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the Earth's surface). CFCs have no natural source, but were first synthesized in 1928. It was used for refrigerants, aerosol propellants, and cleaning solvents. Due to the discovery that they are able to destroy stratospheric ozone, a global effort to halt their production was undertaken and in 1989 the European Community agreed to ban CFCs by 2000 and subsequent treaties banned CFCs worldwide by 2010. This effort was extremely successful, and the levels of the major CFCs are now remaining level or declining. However, their long atmospheric lifetimes mean that some of the CFCs will remain in the atmosphere for over 100 years.

4.8.3.6 Hydrofluorocarbons

HFCs are synthetic man-made chemicals that are used as a substitute for CFCs. Out of all the GHGs, they are one of three groups with the highest global warming potential. The HFCs with the largest measured atmospheric abundances are (in order), HFC-23 (CHF3), HFC-134a (CF_3CH_2F), and HFC-152a ($CF_3CH_2F_2$). Prior to 1990, the only significant emissions were HFC-23. HFC-134a use is increasing due to its use as a refrigerant. Concentrations of HFC-23 and HFC-134a in the atmosphere are now about 10 parts per trillion (ppt) each. Concentrations of HFC-152a are about 1 ppt. HFCs are manmade for applications such as automobile air conditioners and refrigerants.

4.8.3.7 Perfluorocarbons

PFCs have stable molecular structures and do not break down through the chemical processes in the lower atmosphere. High-energy ultraviolet rays about 60 kilometers above Earth's surface are able to destroy the compounds. Because of this, PFCs have very long lifetimes, between 10,000 and 50,000 years. Two common PFCs are tetrafluoromethane (CF_4) and hexafluoroethane (C_2F_6). Concentrations of CF_4 in the atmosphere are over 70 ppt. The two main sources of PFCs are primary aluminum production and semiconductor manufacturing.

4.8.3.8 Sulfur Hexafluoride

SF_6 is an inorganic, odorless, colorless, nontoxic, nonflammable gas. SF_6 has the highest global warming potential of any gas evaluated; 23,900 times that of CO_2. Concentrations in the 1990s were about 4 ppt. Sulfur hexafluoride is used for insulation in electric power transmission and distribution equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas for leak detection.

4.8.3.9 Aerosols

Aerosols are particles emitted into the air through burning biomass (plant material) and fossil fuels. Aerosols can warm the atmosphere by absorbing and emitting heat and can cool the atmosphere by reflecting light. Cloud formation can also be affected by aerosols. Sulfate aerosols are emitted when fuel containing sulfur is burned. Black carbon (or soot) is emitted during biomass burning due to the incomplete combustion of fossil fuels. Particulate matter regulation has been lowering aerosol concentrations in the United States; however, global concentrations are likely increasing.

4.8.3.10 Global Warming Potential

The Global Warming Potential (GWP) was developed to allow comparisons of the global warming impacts of different gases. Specifically, it is a measure of how much energy the emissions of 1 ton of a gas will absorb over a given period of time, relative to the emissions of 1 ton of carbon dioxide (CO_2). The larger the GWP, the more that a given gas warms the Earth compared to CO_2 over that time period. The time period usually used for GWPs is 100 years. GWPs provide a common unit of measure, which allows analysts to add up emissions estimates of different gases (e.g., to compile a national GHG inventory), and allows policymakers to compare emissions reduction opportunities across sectors and gases. A summary of the atmospheric lifetime and the global warming potential of selected gases are summarized in Table 4.8-1 As shown in Table 4.8-1, the global warming potential of GHGs ranges from 1 to 22,800.

Table 4.8-1
GLOBAL WARMING POTENTIALS AND ATMOSPHERIC LIFETIMES[1]

GAS	ATMOSPHERIC LIFETIME	GLOBAL WARMING POTENTIAL (100 YEAR HORIZON)
Carbon Dioxide (CO_2)	—[3]	1
Methane(CH_4)	12	28-36
Nitrogen Oxide (NO)	114	298
Hydrofluorocarbons (HFCs)	1-270	12-14,800
Perfluorocarbons (PFCs)	2,600-50,000	7,390-12,200
Nitrogen trifluoride (NF_3)	740	17,200
Sulfur Hexafluoride (SF_6)	3,200	22,800

[1]Source: http://www3.epa.gov/climatechange/ghgemissions/gases.html
[2]Compared to the same quantity of CO_2 emissions.
[3]Carbon dioxide's lifetime is poorly defined because the gas is not destroyed over time, but instead moves among different parts of the ocean–atmosphere–land system. Some of the excess carbon dioxide will be absorbed quickly (for example, by the ocean surface), but some will remain in the atmosphere for thousands of years, due in part to the very slow process by which carbon is transferred to ocean sediments.

4.8.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

GHG-1 Generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment.

GHG-2 Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.

4.8.5 METHODOLOGY

To determine whether the project's GHG emissions are significant, this analysis initially uses the SCAQMD draft local agency Tier 3 threshold of 3,000 $MTCO_2e$ per year for all land use types, then, if the tier 3 threshold is exceeded, uses the SCAQMD Tier 4 2020 Target Service Population Threshold of 4.8 $MTCO_2e$/SP/year and an interpolated SCAQMD Tier 4 2022 Target

Service Population Threshold of 4.56 $MTCO_2e$/SP/year[1]. The 4.56 $MTCO_2e$/SP/year has been interpolated due to the threshold for 2035, in which the 2035 target service population is 3.0 MTCO2e/SP/year. The determination of whether the project's emissions in 2022 would be on-track to meet the 2035 thresholds can be ascertained through the use of an interpolated SP threshold. The project will be subject to the requirements of the California Green Building Code and 2016 Title 24 Building Energy Efficiency Standards which would reduce project related greenhouse gas emissions.

Assumptions utilized in the project's GHG analysis are as follows:

Project Phasing

Project construction is anticipated to start no earlier than June 2019 with the entire project being completed by September 2022. Phase 1 includes the industrial park, commercial retail, and high-turnover (sit-down) restaurant portions of the proposed project. Construction of Phase 1 is expected to begin June 2019 and be completed by approximately mid-December 2020. Phase 1 is expected to be operational in 2020.

Phase 2 would include the residential portion of the proposed project, both multi-family residential and single-family residential, and is expected to begin approximately mid-December 2020 and be completed by the beginning of September 2022. Phase 2 is expected to be operational in 2022.

Service Population

The service population for Phase 1 was estimated to be 299 future employees (based on Riverside County estimates[2] of one employee for every 500 square feet of commercial use and one employee for every 1,030 square feet of light industrial use). The service population for Phase 2 was estimated to be 1,184 future residents (estimated population from CalEEMod). Each source of GHG emissions is described in greater detail below.

Area Sources

Area sources include emissions from hearths, consumer products, landscape equipment and architectural coatings. In order to account for SCAQMD Rule 445, no wood burning stoves or fireplaces will be included. No other changes were made to the default area source parameters.

Energy Usage

Energy usage includes emissions from the generation of electricity and natural gas used on-site. ENERGY STAR-compliant appliances are to be installed on-site. No other changes were made to CalEEMod default parameters.

[1] SCAQMD Tier 4 2022 Target Service Population Threshold of 4.56 $MTCO^2e$/SP/year was interpolated through the use of the SCAQMD Tier 4 2020 and 2035 Target Service Population Thresholds.

[2] Source: Riverside County General Plan Appendix E, Socioeconomic Build-Out Projections, Assumptions and Methodology.

Mobile Sources

Mobile sources include emissions from the additional vehicle miles generated from the proposed project. The vehicle trips associated with the proposed project have been analyzed based on the project trip generation calculated in the traffic impact analysis. For Phase 1, a 15 percent pass-by reduction was taken for both the commercial retail and the high-turnover (sit-down) restaurant resulting in trip generation rates of 47.85 trips per thousand square feet and 92.25 trips per thousand square feet, respectively. Phase 1 also includes a trip generation rate of 3.37 trips per thousand square feet for the industrial park. For Phase 2, a 10 percent internal capture reduction was taken for both the multi-family and single-family residential uses resulting in trip generation rates of 6.59 trips per dwelling unit and 8.5 trips per dwelling unit, respectively. Though multi-family is not a proposed land use designation within the proposed project, the CalEEMod code that best matches the project's proposed high density residential attached townhome use within the scope of the proposed project is the code for multi-family. The program then applies the emission factors for each trip which is provided by the EMFAC2014 model to determine the vehicular traffic pollutant emissions. The CalEEMod default trip lengths were used in this analysis.

Waste

Waste includes the GHG emissions generated from the processing of waste from the proposed project as well as the GHG emissions from the waste once it is interred into a landfill. AB 341 requires that 75 percent of waste be diverted from landfills. No other changes were made to the CalEEMod default values for waste generated.

Water

Water includes the water used for the interior of the building as well as for landscaping and is based on the GHG emissions associated with the energy used to transport and filter the water. Water-efficient irrigations systems and low-flow fixtures are to be utilized. No other changes were made to the CalEEMod default parameters.

Construction

The construction-related GHG emissions were also included in the analysis and were based on a 30-year amortization rate as recommended in the SCAQMD GHG Working Group meeting on November 19, 2009. The construction-related GHG emissions were calculated by CalEEMod.

Sequestration

The project design includes planting a total of 634 new trees, which were split between Phase 1 and Phase 2. CAPCOA states that trees sequester carbon dioxide over 20 years of their life, after that, sequestration is nominal and outweighed by tree maintenance-related emissions. The total sequestration value given in the Annual CalEEMod output was divided by 20 years to yield an annual value, which was then subtracted from the project's opening year emissions.

4.8.6 ENVIRONMENTAL IMPACTS

GHG-1 Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?

The GHG emissions for the proposed project have been calculated based on the parameters described above for Phases 1 and 2. A summary of the results are shown in Table 4.8-2.

Table 4.8-2
UNMITIGATED PROJECT-RELATED GREENHOUSE GAS EMISSIONS[1]

Phase 1						
Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Area Sources[2]	0.00	0.03	0.03	0.00	0.00	0.03
Energy Usage[3]	0.00	907.06	907.06	0.03	0.01	910.63
Mobile Sources[4]	0.00	7,298.29	7,298.29	0.47	0.00	7,310.07
Solid Waste[5]	55.15	0.00	55.15	3.26	0.00	136.63
Water[6]	6.47	104.90	111.38	0.67	0.02	133.05
Construction[7]	0.00	30.38	30.38	0.00	0.00	30.47
Sequestration[8]						-7.47
Total Emissions	61.62	8,340.66	8,402.28	4.44	0.03	8,513.40
SCAQMD Tier 3 Draft Screening Threshold						**3,000.00**
Exceeds Threshold?						**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)						**28.5**
Exceeds Threshold?						**Yes**

Phase 2						
Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Area Sources	0.00	96.46	96.46	0.01	0.00	97.16
Energy Usage	0.00	1,430.42	4,430.42	0.05	0.02	1,436.75
Mobile Sources	0.00	4,851.82	4,851.82	0.24	0.00	4,857.80
Solid Waste	72.47	0.00	72.47	4.28	0.00	179.54
Water	8.63	173.51	182.13	0.89	0.02	211.14
Construction	0.00	60.20	60.20	0.01	0.00	60.34
Sequestration						-14.97
Total Emissions	81.10	6,612.41	6,693.51	5.48	0.04	6,842.73
SCAQMD Tier 3 Draft Screening Threshold						**3,000.00**
Exceeds Threshold?						**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)						**5.8**
Exceeds Threshold?						**Yes**

Total for Phases 1 & 2	
Total Emissions	**15,356.12**
SCAQMD Tier 3 Draft Screening Threshold	**3,000.00**
Exceeds Threshold?	**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)	**10.4**
Exceeds Threshold?	**Yes**

1. Source: CalEEMod Ver. 2016.3.2
2. Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment
3. Energy usage consists of GHG emissions from electricity and natural gas usage.
4. Mobile sources consist of GHG emissions from vehicles.
5. Solid waste includes the CO2 and GH4 emissions created from the solid waste placed in landfills.
6. Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
7. Construction GHG emissions based on 30 year amortization rate.
8. Sequestration of trees divided by 20 years to produce an annual value.

Table 4.8-2 shows that the proposed project's total unmitigated GHG emissions would be 15,356.12 $MTCO_2e$ per year.. As these levels exceed SCAQMD's thresholds, impacts of the proposed project are potentially significant.

As a result, **Mitigation Measures 4.4-1** through **4.4-10** and 4.4-22 and -23 (found in subchapter 4.4 of this DEIR) have been identified to reduce the air pollutant and GHG emissions of the proposed project.

In addition, the project is also subject to the requirements of the California Green Building Standards Code. On January 12, 2010, the State Building Standards Commission unanimously adopted updates to the California Green Building Standards Code, which went into effect on January 1, 2011. The current version of the Green Building Standards Code became effective January 1, 2017. The Code is a comprehensive and uniform regulatory code for all residential, commercial and school buildings.

The California Green Building Standards Code does not prevent a local jurisdiction from adopting a more stringent code as state law provides methods for local enhancements. The Code recognizes that many jurisdictions have developed existing construction and demolition ordinances, and defers to them as the ruling guidance provided they provide a minimum 50-percent diversion requirement. The code also provides exemptions for areas not served by construction and demolition recycling infrastructure. State building code provides the minimum standard that buildings need to meet in order to be certified for occupancy. Enforcement is generally through the local building official.

The California Green Building Standards Code (code section in parentheses) requires at a minimum:

- Water Efficiency and Conservation [Indoor Water Use (4.303.1)]. Fixtures and fixture fittings reducing the overall use of potable water within the building by at least 20 percent shall be provided. The 20 percent reduction shall be demonstrated by one of the following methods:
  - Prescriptive Method: Showerheads (≤ 2.0 gpm @ 80 psi); Residential Lavatory Faucets (≤ 1.5 gpm @ 60 psi); Nonresidential Lavatory Faucets (≤ .4 gpm @ 60 psi); Kitchen Faucets (≤ 1.8 gpm @ 60 psi); Toilets (≤ 1.28 gal/flush); and urinals (≤ 0.5 gal/flush).
  - Performance Method: Provide a calculation demonstrating a 20% reduction of indoor potable water using the baseline values set forth in Table 4.303.1. The calculation will be limited to the total water usage of showerheads, lavatory faucets, water closets and urinals within the dwelling.
- Water Efficiency and Conservation [Outdoor Water Use (4.304.1)]. Irrigation Controllers. Automatic irrigation system controllers for landscaping provided by the builder and installed at the time of final inspection shall comply with the following:
  - Controllers shall be weather or soil moisture-based controllers that automatically adjust irrigation in response to changes in plants' watering needs as weather or soil conditions change.
  - Weather-based controllers without integral rain sensors or communication systems that account for rainfall shall have a separate wired or wireless rain sensor which connects or communicates with the controller(s).
- Construction Waste Reduction of at least 50 percent (4.408.1). Recycle and/or salvage for reuse a minimum of 50 percent of the nonhazardous construction and demolition

waste in accordance with either Section 4.408.2, 4.408.3 or 4.408.4; OR meet a more stringent local construction and demolition waste management ordinance. Documentation is required per Section 4.408.5. Exceptions:
  - Excavated soil and land- clearing debris.
  - Alternate waste reduction methods developed by working with local enforcing agencies if diversion or recycle facilities capable of compliance with this item do not exist or are not located reasonably close to the jobsite.
  - The enforcing agency may make exceptions to the requirements of this section when jobsites are located in areas beyond the haul boundaries of the diversion facility.
- Materials pollution control (4.504.1 – 4.504.6). Low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring and particleboard.
- Installer and Special Inspector Qualifications (702.1-702.2). Mandatory special installer inspector qualifications for installation and inspection of energy systems (e.g., heat furnace, air conditioner, mechanical equipment).

The project will be subject to the requirements of the California Green Building Code and 2016 Title 24 Building Energy Efficiency Standards which would reduce project related greenhouse gas emissions.

At the City's direction, the proposed project's consistency with Table 5.7.9 of the City's General Plan EIR was evaluated. The results of this analysis are provided in Appendix 1 of Volume 2. The difficulty in evaluating most of the policies is that they apply more to the directly to the City than a specific project. However, because many of the policies have been incorporated or required of the proposed project (see mitigation measures 4.4-1 through 4.4-10), the project demonstrates consistency for the most of the applicable policies. This includes measures to enhance non-vehicle mobility, reductions in building energy consumption, reductions in water delivery and use energy consumption, and solid waste volume and energy-related reductions. Based on this evaluation, a finding is made that the proposed project will be developed in a manner consistent with the policies listed in Table 5.7.9.

Table 4.8-2 identifies the GHG emissions resulting after the incorporation of mitigation measures and the above regulatory requirements.

The data provided in Table 4.8-3 shows that the proposed project's mitigated emissions for Phase 1 would be reduced to 6,387.44 $MTCO_2e$ per year resulting in 21.4 $MTCO_2e$/SP/year and Phase 2 would be reduced to 4,998.19 $MTCO_2e$ per year resulting in 4.2 $MTCO_2e$/SP/year. The total emissions for all phases (the entire project) would be reduced to 11,385.63 $MTCO_2e$ per year, resulting in a total of 7.7 $MTCO_2e$/SP/year. Mitigation would reduce GHG emissions by approximately 26% $MTCO_2e$ per year and 27% $MTCO_2e$/SP/year.

As shown in Table 4.8-3, with incorporation of Air Quality **Mitigation Measures 4.4-1** through **4.4-10**, which reduce operational emissions from implementation of the proposed project, the project's emissions for Phase 1 still exceed both SCAQMD thresholds, while Phase 2 meets the interpolated SCAQMD 2022 Target Service Population Threshold of 4.56 $MTCO_2e$/SP/year. Further, the entire project (both phases added together) would still exceed both the SCAQMD screening threshold of 3,000 $MTCO_2e$ and the interpolated SCAQMD 2022 Target Service Population threshold of 4.56 $MTCO_2e$/SP/year for projects. Therefore, operation of the proposed project would create a significant cumulative contribution to global climate change. The project's GHG emissions are considered to be **significant and unavoidable**.

Table 4.8-3
MITIGATED PROJECT-RELATED GREENHOUSE GAS EMISSIONS[1]

Phase 1						
Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Area Sources[2]	0.00	0.03	0.03	0.00	0.00	0.03
Energy Usage[3]	0.00	764.22	794.22	0.03	0.01	797.39
Mobile Sources[4]	0.00	5,413.18	5,413.18	0.42	0.00	5,423.60
Solid Waste[5]	13.79	0.00	13.79	0.81	0.00	34.16
Water[6]	5.18	86.74	97.92	0.54	0.01	109.26
Construction[7]	0.00	30.38	30.38	0.00	0.00	30.47
Sequestration[8]						-7.47
Total Emissions	18.97	6,324.55	6,343.52	1.80	0.02	6,387.44
SCAQMD Tier 3 Draft Screening Threshold						**3,000.00**
Exceeds Threshold?						**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)						**21.4**
Exceeds Threshold?						**Yes**

Phase 2						
Category	Greenhouse Gas Emissions (Metric Tons/Year)					
	Bio-CO2	NonBio-CO2	CO2	CH4	N2O	CO2e
Area Sources	0.00	96.46	96.46	0.01	0.00	97.16
Energy Usage	0.00	1,352.60	1,352.60	0.05	0.02	1,358.65
Mobile Sources	0.00	3,269.84	3,269.84	0.20	0.00	3,274.75
Solid Waste	18.12	0.00	18.12	1.07	0.00	44.89
Water	6.90	147.24	154.14	0.72	0.02	177.38
Construction	0.00	60.20	60.20	0.01	0.00	60.34
Sequestration						-14.97
Total Emissions						4.998.19
SCAQMD Tier 3 Draft Screening Threshold						**3,000.00**
Exceeds Threshold?						**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)						**4.2**
Exceeds Threshold?						**No**

Total for Phases 1 & 2	
Total Emissions	**11,385.63**
SCAQMD Tier 3 Draft Screening Threshold	**3,000.00**
Exceeds Threshold?	**Yes**
SCAQMD 2020 Target Service Population (Threshold 4.8 MTCO2e/SP/year)	**7.7**
Exceeds Threshold?	**Yes**

1. Source: CalEEMod Ver. 2016.3.2
2. Area sources consist of GHG emissions from consumer products, architectural coatings, and landscape equipment
3. Energy usage consists of GHG emissions from electricity and natural gas usage.
4. Mobile sources consist of GHG emissions from vehicles.
5. Solid waste includes the CO2 and GH4 emissions created from the solid waste placed in landfills.
6. Water includes GHG emissions from electricity used for transport of water and processing of wastewater.
7. Construction GHG emissions based on 30 year amortization rate.
8. Sequestration of trees divided by 20 years to produce an annual value.

GHG-2 Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs?

The proposed project could have the potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse

gases. As stated previously, the City of Menifee does not currently have a Climate Action Plan; therefore, the project has been compared to the goals of the CARB Scoping Plan.

Scoping Plan

Emission reductions in California alone would not be able to stabilize the concentration of greenhouse gases in the earth's atmosphere. However, California's actions set an example and drive progress towards a reduction in greenhouse gases elsewhere. If other states and countries were to follow California's emission reduction targets, this could avoid medium or higher ranges of global temperature increases. Thus, severe consequences of climate change could also be avoided.

The ARB Board approved a Climate Change Scoping Plan in December 2008. The Scoping Plan outlines the State's strategy to achieve the 2020 greenhouse gas emissions limit. The Scoping Plan "proposes a comprehensive set of actions designed to reduce overall greenhouse gas emissions in California, improve our environment, reduce our dependence on oil, diversify our energy sources, save energy, create new jobs, and enhance public health" (California Air Resources Board 2008). The measures in the Scoping Plan have been in place since 2012.

This Scoping Plan calls for an "ambitious but achievable" reduction in California's greenhouse gas emissions, cutting approximately 30 percent from business-as-usual emission levels projected for 2020, or about 10 percent from today's levels. On a per-capita basis, that means reducing annual emissions of 14 tons of carbon dioxide for every man, woman and child in California down to about 10 tons per person by 2020.

In May 2014, CARB released its First Update to the Climate Change Scoping Plan (CARB 2014). This Update identifies the next steps for California's leadership on climate change. While California continues on its path to meet the near-term 2020 greenhouse gas limit, it must also set a clear path toward long-term, deep GHG emission reductions. This report highlights California's success to date in reducing its GHG emissions and lays the foundation for establishing a broad framework for continued emission reductions beyond 2020, on the path to 80 percent below 1990 levels by 2050.

In November 2017, CARB released the 2017 Scoping Plan. This Scoping Plan incorporates, coordinates, and leverages many existing and ongoing efforts and identifies new policies and actions to accomplish the State's climate goals, and includes a description of a suite of specific actions to meet the State's 2030 GHG limit. In addition, Chapter 4 provides a broader description of the many actions and proposals being explored across the sectors, including the natural resources sector, to achieve the State's mid- and long-term climate goals.

Guided by legislative direction, the actions identified in the 2017 Scoping Plan reduce overall GHG emissions in California and deliver policy signals that will continue to drive investment and certainty in a low carbon economy. The 2017 Scoping Plan builds upon the successful framework established by the Initial Scoping Plan and First Update, while identifying new, technologically feasible, and cost-effective strategies to ensure that California meets its GHG reduction targets in a way that promotes and rewards innovation, continues to foster economic growth, and delivers improvements to the environment and public health, including in disadvantaged communities. The Plan includes policies to require direct GHG reductions at some of the State's largest stationary sources and mobile sources. These policies include the

use of lower GHG fuels, efficiency regulations, and the Cap-and-Trade Program, which constrains and reduces emissions at covered sources.

As the latest 2017 Scoping Plan builds upon previous versions, Project consistency with applicable strategies of both the 2008 and 2017 Plan are assessed in Table 4.8-4. As shown in Table 4.8-4, the project is consistent with the applicable strategies and would result in a **less than significant impact**.

Table 4.8-4
PROJECT CONSISTENCY WITH CARB SCOPING PLAN POLICIES AND MEASURES

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
California Light-Duty Vehicle Greenhouse Gas Standards – Implement adopted standards and planned second phase of the program. Align zero-emission vehicle, alternative and renewable fuel and vehicle technology programs with long-term climate change goals.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Energy Efficiency – Maximize energy efficiency building and appliance standards; pursue additional efficiency including new technologies, policy, and implementation mechanisms. Pursue comparable investment in energy efficiency from all retail providers of electricity in California.	Consistent. The project will be compliant with the current Title 24 standards. The project is to include Energy-Star appliances used on site and high-efficiency lighting.
Low Carbon Fuel Standard – Develop and adopt the Low Carbon Fuel Standard.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Vehicle Efficiency Measures – Implement light-duty vehicle efficiency measures.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Medium/Heavy-Duty Vehicles – Adopt medium and heavy-duty vehicle efficiency measures.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Green Building Strategy – Expand the use of green building practices to reduce the carbon footprint of California's new and existing inventory of buildings.	Consistent. The California Green Building Standards Code (proposed Part 11, Title 24) was adopted as part of the California Building Standards Code in the CCR. Part 11 establishes voluntary standards, that are mandatory in the 2016 edition of the Code, on planning and design for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The project will be subject to these mandatory standards.
High Global Warming Potential Gases – Adopt measures to reduce high global warming potential gases.	Consistent. CARB identified five measures that reduce HFC emissions from vehicular and commercial refrigeration systems; vehicles that access the project that are required to comply with the measures will comply with the strategy.
Recycling and Waste – Reduce methane emissions at landfills. Increase waste diversion, composting, and commercial recycling. Move toward zero-waste.	Consistent. The state is currently developing a regulation to reduce methane emissions from municipal solid waste landfills. The project will be required to comply with City programs, such as City's recycling and waste reduction program, which comply, with the 50 percent reduction required in AB 939 (75% by 2020 per AB 341).

2008 Scoping Plan Measures to Reduce Greenhouse Gas Emissions	Project Compliance with Measure
Water – Continue efficiency programs and use cleaner energy sources to move and treat water.	Consistent. Project is to include the use of low-flow fixtures and water-efficient irrigation systems. The project will comply with all applicable City ordinances and CAL Green requirements.
Implement Mobile Source Strategy: Further increase GHG stringency on all light-duty vehicles beyond existing Advanced Clean Car regulations.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Implement Mobile Source Strategy: At least 1.5 million zero emission and plug-in hybrid light-duty electric vehicles by 2025 and at least 4.2 million zero emission and plug-in hybrid light-duty electric vehicles by 2030	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Implement Mobile Source Strategy: Innovative Clean Transit: Transition to a suite of to be-determined innovative clean transit options. Assumed 20 percent of new urban buses purchased beginning in 2018 will be zero emission buses with the penetration of zero-emission technology ramped up to 100 percent of new sales in 2030. Also, new natural gas buses, starting in 2018, and diesel buses, starting in 2020, meet the optional heavy-duty low-NOX standard	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Implement Mobile Source Strategy: Last Mile Delivery: New regulation that would result in the use of low NOX or cleaner engines and the deployment of increasing numbers of zero-emission trucks primarily for class 3-7 last mile delivery trucks in California. This measure assumes ZEVs comprise 2.5 percent of new Class 3–7 truck sales in local fleets starting in 2020, increasing to 10 percent in 2025 and remaining flat through 2030.	Consistent. These are CARB enforced standards; vehicles that access the project that are required to comply with the standards will comply with the strategy.
Implement SB 350 by 2030: Establish annual targets for statewide energy efficiency savings and demand reduction that will achieve a cumulative doubling of statewide energy efficiency savings in electricity and natural gas end uses by 2030.	Consistent. The project will be compliant with the current Title 24 standards. Further, the project is to include mitigation measures requiring the use of energy efficient appliances and high-efficiency lighting on-site.
By 2019, develop regulations and programs to support organic waste landfill reduction goals in the SLCP and SB 1383.	Consistent. The project will be required to comply with City programs, such as City's recycling and waste reduction program, which comply, with the 75 percent reduction required by 2020 per AB 341.

SB 32

SB 32 requires the state board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030. SCAQMD's thresholds used Executive Order S-3-05 goal as the basis for deriving the screening level. The California Governor issued Executive Order S-3-05, GHG Emission, in June 2005, which established the following reduction targets:

- 2010: Reduce greenhouse gas emissions to 2000 levels
- 2020: Reduce greenhouse gas emissions to 1990 levels
- 2050: Reduce greenhouse gas emissions to 80 percent below 1990 levels.

As the SCAQMD uses EO S-3-05 as the basis for their screening level, and EO S-3-05 includes the long-term goal to reduce greenhouse gas emissions to 80 percent below 1990 levels by 2050, the project would also be consistent with the goal of SB 32 (to reduce greenhouse gas emissions to 40 percent below 1990 levels by 2030). Therefore, projects that meet the current

interim emissions targets/thresholds established by SCAQMD (as described in Section V, Air Quality Standards) would also be on track to meet the reduction targets for 2030. Furthermore, all of the post 2020 reductions in GHG emissions are addressed via regulatory requirements at the State level and the project will be required to comply with these regulations as they come into effect. However, as discussed above under Threshold GHG-1, the project exceeds SCAQMD's thresholds, even with the implementation of all feasible mitigation measures. Therefore, **impacts are significant and unavoidable**.

4.8.7 CUMULATIVE IMPACTS

In 2014, U.S. greenhouse gas emissions totaled 6,870 million metric tons CO_2e. The proposed project will generate approximately 11,385.63 metric tons CO_2e per year, or about 0.000166% of this amount. However, the proposed project may contribute to global climate change through an incremental contribution of greenhouse gases. Even with implementation of the recommended Air Quality mitigation measures identified in subchapter 4.4, Air Quality, of this DEIR, the entire project (both phases added together) exceeds both the SCAQMD screening threshold of 3,000 $MTCO_2e$ and the interpolated SCAQMD 2022 Target Service Population threshold of 4.56 $MTCO_2e$/SP/year for projects. Project GHG impacts are mitigated to the greatest extent feasible, but the project will still contribute to global climate change through a cumulatively considerable contribution of greenhouse gases. As such, the proposed project would result in a cumulatively considerable/significant adverse air quality impact.

4.8.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

The project-specific evaluation of emissions presented in the preceding analysis demonstrates that even after implementation of all feasible mitigation measures, the project exceeds both the SCAQMD screening threshold of 3,000 $MTCO_2e$ and the interpolated SCAQMD 2022 Target Service Population threshold of 4.56 $MTCO_2e$/SP/year for projects. Therefore, the project's GHG emissions are considered to be an **unavoidable adverse significant impact**. No further feasible mitigation measures have been identified that would reduce these emissions to levels that are less than significant. Thus, exceedances of applicable SCAQMD regional thresholds are considered significant and unavoidable, and the operation of the proposed project would create a significant cumulative impact to global climate change.

4.9 HAZARDS AND HAZARDOUS MATERIALS

4.9.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to hazards and hazardous materials from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan, the Menifee Unified School District ("MUSD") website (http://www.menifeeusd.org/district/21795-Find-Your-School.html), Perris Union High School District "PUHSD" website (http://www.puhsd.org), and the following technical studies (contained in Volume 2 of this DEIR), were used in the evaluation presented in this subchapter:

- *Phase I Environmental Site Assessment for Undeveloped Properties, Assessor's Parcel Numbers APN's 360-350-11 and 360-350-17, Menifee, California 92584*, Earth Strata Geotechnical Services, April 8, 2016
- *Phase I Environmental Site Assessment of a Undeveloped Property Assessor Parcel Numbers 360-350-006 Menifee, California 92584,* Earth Strata Geotechnical Services, December 16, 2015
- *Riverside County Airport Land Use Compatibility Plan Policy Document*, Riverside County Airport Land Use Commission, January 2012
- *Technical Background Report to The Safety Element City Of Menifee, California*, Earth Consultants International, 2010.
- *Report of Organics, Proposed Millcreek Promenade and Rancho Bonito Town Home Community*, Earth Strata Geotechnical Services, Inc.

One comment received from the California Department of Toxic Substances Control ("DTSC") during the NOP period related to hazards and hazardous materials. DTSC suggests that a Phase I Assessment may be appropriate to identify any environmental conditions of concern, which if present would require subsequent analysis and reporting prior to new development or construction. DTSC advises that a NPDES permit from the Regional Water Quality Control Board (RWQCB) may be required if the project would discharge wastewater to a storm drain. DTSC advises that demolition of structures should be conducted in accordance with applicable and relevant laws and regulations. DTSC recommends investigation to ascertain the presence of residual pesticides in the site soils, and mitigation if necessary to minimize the potential impact to human health and the environment if present. DTSC recommends evaluation, investigation and mitigation, if necessary, of current or historic PCB-containing transformers. If soil import or export occurs as part of the project, any suspected soil contamination must be sampled and evaluated prior to import/export. If contamination is found, it must be disposed of in accordance with applicable and relevant laws and regulations. If soil or groundwater contamination is suspected during construction, construction should cease and appropriate procedures implemented. If soil or water contamination is identified, the EIR should state what

investigation and/or remediation is required and the appropriate government agency to provide regulatory oversight.

During the NOP process the City referenced a map indicating that biosolids (the solids generated from wastewater treatment plants) had been applied to the project site. To determine whether the proposed project site had received application of wastewater treatment plant biosolids in the past, the County Environmental Health Department, the agency in charge of keeping such records, was contacted. After extensive review of its files, the County could not verify such past application. In addition, a geotechnical and environmental consultant was hired to conduct a Phase II environmental evaluation to determine if any residual biosolids contamination is present on the property. Two studies were prepared for the proposed project by Earth Strata Geotechnical Services: the Phase II Environmental Site Assessment of an Agricultural Property and the Report of Organics, Proposed Millcreek Promenade. Refer to Appendix 5, Volume 2. These two studies tested for organics and heavy metals on the property, which would be indicative of past biosolids disposal at the site. Neither component was found above natural background condition for the project area. Therefore, either the site was never used for disposal of biosolids, or any disposal in the past did not leave any negative impact to the site soils.

4.9.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency ("EPA") is the primary federal agency responsible for the implementation and enforcement of hazardous materials regulations. In most cases, enforcement of environmental laws and regulations established at the federal level is delegated to state and local environmental regulatory agencies. Federal regulations such as the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), and the Superfund Amendments and Reauthorization Act (SARA), regulate the cleanup of known hazardous waste sites and compile lists of the sites investigated, or currently being investigated, for a release or potential release of a regulated hazardous substance under the CERCLA regulations. The National Priorities List (NPL) of Superfund Sites is the EPA's database of hazardous waste sites currently identified and targeted for priority cleanup action under the Superfund program including Proposed NPL sites, Delisted NPL sites, and NPL Recovery sites. The NPL Liens database contains a list of filed notices of Federal Superfund Liens. Under the authority granted the USEPA by CERCLA of 1980, the USEPA has the authority to file liens against real property in order to recover remedial action expenditures or when the property owner received notification of potential liability.

The Resource Conservation and Recovery Act (RCRA), as amended by the Hazardous and Solid Waste Amendments of 1984 requires hazardous waste handlers (generators, transporters, treaters, storers, and disposers of hazardous waste) to provide information about their activities to state environmental agencies. These agencies pass the information to regional and national EPA offices.

Federal Emergency Management Agency

The Federal Emergency Management Agency ("FEMA") is responsible for ensuring the establishment and development of policies and programs for emergency management at the federal, state, and local levels. This includes the development of a national capability to mitigate against, prepare for, respond to and recover from a full range of emergencies.

Department of Defense

Unites States Geological Survey (USGS) maintains the U.S. Department of Defense ("DOD") database, which consists of federally owned or administered lands, administered by the DOD, that have an area equal to or greater than 640 acres of the United States, Puerto Rico and the US Virgin Islands.

Formerly Used Defense Sites

The U.S. Army Corps of Engineers maintains a database of locations of Formerly Used Defense Sites ("FUDS") where the U.S. Army Corps of Engineers is actively working or will take necessary cleanup actions.

Occupational Safety and Health Administration

The Occupational Safety and Health Act of 1970 (OSH Act) requires employers to provide a safe and healthful workplace. The Occupational Safety and Health Administration ("OSHA") sets and enforces standards for safe and healthful working conditions.

Department of Transportation

The U.S. Department of Transportation ("DOT") includes the Pipeline and Hazardous Materials Safety Administration ("PHMSA") which is responsible for regulating and ensuring the safe and secure movement of hazardous materials to industry and consumers by all modes of transportation, including pipelines. CFR Tile 49 governs the manufacture of packaging and transport containers; packing and repacking, labeling, and the marking of hazardous material transport.

Department of Housing and Urban Development

Federal and state regulations govern the renovation and demolition of structures where materials containing lead and asbestos are present. The U.S. Department of Housing and Urban Development ("HUD") provides guidelines regulating lead exposure. The Code of Federal Regulations Part 61, Subpart M regulates asbestos exposure.

State

California Department of Toxic Substances Control

The DTSC regulates hazardous waste in California primarily under the authority of the Federal Resource Conservation and Recovery Act (RCRA), and the California Health and Safety Code. Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reductions, cleanup, and emergency planning. Under RCRA, DTSC has

the authority to implement permitting, inspection, compliance, and corrective action programs to ensure that people who manage hazardous waste follow state and federal requirements. As such, the management of hazardous waste of the nature and quantities which, are regulated that is disposed of, treated, stored, or handled on the Project site would be under regulation by the DTSC to ensure compliance with state and federal requirements pertaining to hazardous waste. California law provides the general framework for regulations of hazardous wastes by the Hazardous Waste Control Law (HWCL) passed in 1972. DTSC is the state's lead agency in implementing the HWCL. The HWCL provides for state regulation of existing hazardous waste facilities, which include "any structure, other appurtenances, and improvements on the land, used for treatment, transfer, storage, resource recovery, disposal, or recycling of hazardous waste," and requires permits for, and inspections of facilities involved in generation and/or treatment, storage and disposal of hazardous wastes.

California Environmental Protection Agency

The California EPA ("Cal/EPA") has broad jurisdiction over hazardous materials management in the state. Within Cal/EPA, the DTSC has primary regulatory responsibility for hazardous waste management and cleanup. Enforcement of regulations has been delegated to local jurisdictions that enter into agreements with DTSC for the generation, transport, and disposal of hazardous materials under the authority of the Hazardous Waste Control Law.

Hazardous Materials Management Plans

In January 1996, Cal/EPA adopted regulations implementing a "Unified Hazardous Waste and Hazardous Materials Management Regulatory Program" (Unified Program). The six program elements of the Unified Program are hazardous waste generators and hazardous waste on-site treatment, underground storage tanks, above-ground storage tanks, hazardous materials release response plans and inventories, risk management and prevention program, and Uniform Fire Code hazardous materials management plans and inventories. The program is implemented at the local level by a local agency-the Certified Unified Program Agency ("CUPA"). The CUPA is responsible for consolidating the administration of the six program elements within its jurisdiction. For the County of Riverside, CUPA jurisdiction is under the Department of Environmental Health Services. The law requires businesses that use hazardous materials to provide inventories of those materials to designated emergency response agencies, to illustrate on a diagram where the materials are stored on site, to prepare an emergency response plan, and to train employees to use the materials safely. Thus, if any uses proposed as part of the Project would handle, store or use sufficient quantities of hazardous substances on-site that require regulations, they are required to comply with this law.

California Accidental Release Prevention Program

The California Accidental Release Prevention Program ("CalARP") (CCR Title 19, Division 2, Chapter 4.5) covers certain businesses that store or handle more than 500 pounds, 55 gallons, or 200 cubic feet of gas of specific regulated substances at their facilities. The CalARP program regulations became effective on January 1, 1997, and include the provisions of the Federal Accidental Release Prevention program (Title 40, CRF Part 68) with certain additions specific to the state pursuant to Article 2, Chapter 6.95, of the Health and Safety Code.

The list of regulated substances is found in Article 8, Section 2770.5 of the CalARP program regulations and include common cleaning products. However, as the minimum quantity that is

regulated is 500 pounds or 55 gallons, it is unlikely that the onsite residences will use such quantities. The light industrial site is the most likely to fall under this regulatory oversight

Worker and Workplace Hazardous Materials Safety

Occupational safety standards exist in federal and state laws to minimize worker safety risks from both physical and chemical hazards in the workplace. The California Division of Occupational Safety and Health (Cal/OSHA) is responsible for developing and enforcing workplace safety standards and assuring worker safety in the handling and use of hazardous materials. Among other requirements, Cal/OSHA obligates many businesses to prepare Injury and Illness Prevention Plans and Chemical Hygiene Plans. The Hazard Communication Standard requires that workers be informed of the hazards associated with the materials they handle. For example, manufacturers are to appropriately label containers, Material Safety Data Sheets are to be available in the workplace, and companies are to properly train employees.

Hazardous Materials Transportation

The California Highway Patrol ("CHP") and Caltrans are the enforcement agencies for hazardous materials transportation regulations. Transporters of hazardous materials and waste are responsible for complying with all applicable packaging, labeling, and shipping regulations. The Office of Emergency Services (OES) also provides emergency response services involving hazardous materials incidents.

Investigation and Cleanup of Contaminated Sites

The oversight of hazardous materials release site often involves several different agencies that may have overlapping authority and jurisdiction. The DTSC, local CUPA and RWQCB are the three primary agencies responsible for issues pertaining to hazardous materials release sites. Air quality issues related to remediation and construction at contaminated sites are also subject to federal and state laws and regulations that are administered at the local level.

Investigation and remediation activities that would involve potential disturbance or release of hazardous materials must comply with applicable federal, state, and local hazardous materials laws and regulations. DTSC has developed standards for the investigation of sites where hazardous materials contamination has been identified or could exist based on current or past uses.

Local

City Fire Regulations

Fire codes are important to all building construction. The project site is not located within an area identified as a moderate, high or very high fire hazard severity on Exhibit S-6 High Fire Hazard Areas of Menifee General Plan. The hills west of the site are designated very high fire hazard severity. According to the text of the City General Plan, the California Department of Forestry and Fire Protection (Cal Fire) has recommended that the urban, low-lying areas in Menifee be classified as having a Moderate Fire Hazard.

The City of Menifee contracts for fire services with the Riverside County Fire Department / CAL FIRE, for fire protection services. The closest existing fire station to the Project Site is Station

68 located at 26020 Wickerd Road in the City of Menifee. The City of Menifee and the Riverside County Fire Department have adopted the California Building Standards Code, which includes the most current version of the California Fire Code and the California Building Code (CBC). The Uniform Fire Code established by the International Fire Code Institute and the Uniform Building Code (UBC) established by the International Conference of Building Officials, both prescribe performance characteristics and materials to be used to achieve acceptable levels of fire protection. The Riverside County Fire Department Chief is authorized and directed to enforce the provisions of the California Fire Code throughout the city of Menifee. The California Fire Code contains standards for access to a site, building design, water supply, storage of hazardous materials and brush clearance. The California Building Code prescribes performance characteristics and materials to be used to achieve acceptable levels of fire protection based on building use and occupancy. The construction requirements are a function of building size, purpose, type, materials, location, proximity to other structures, and the type of fire suppression systems installed.

For purposes of this DEIR, whatever fire or building code is current and adopted by the City and County Fire at the time of Project development for the particular issue/regulation being referenced in the DEIR shall be applicable code.

The Riverside County Fire Department Office of the County Fire Marshal (OFM) charges project applicant deposit based fees, established in Riverside County Ordinance 671 and accepted by all Partner Cities, for the review and related processing of all Partner City planning case applications conducted by the west and east County OFM offices. In addition, development fees are collected to help offset the cost of providing new fire facilities.

City of Menifee General Plan

The following General Plan policies addressing hazards and hazardous materials are applicable to the project:

Safety Goals

- S-4: A community that has effective fire mitigation and response measure sin place, and as a result is minimally impacted by wildland and structure fires.
- S-5: A community that has reduced the potential for hazardous materials contamination.
- S-6: A city that responds and recovers in an effective and timely manner from natural disasters such as flooding, fire, and earthquakes, and as a result is not impacted by civil unrest that may occur following a natural disaster.

Safety Policies

- 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.
- 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.
- S-4.3: Use technology to identify flood-prone areas and to notify residents and motorists of impending flood hazards and evacuation procedures.
- S-4.4: Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

- 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.
- S-5.2: Ensure that the Fire Department can continue to respond safely and effectively to a hazardous materials incident in the city, whether it is a spill at a permitted facility, or the result of an accident along a section of the freeway or railroads that extend across the city.
- S-5.3: Continue to support the operation of programs and recycling centers that accept hazardous substances, such as paint, paint thinner, used waste oil, etc.
- 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.
- 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.
- S-5.8: Periodically review inter-jurisdictional fire response agreements, and improve fire-fighting resources as recommended in the County Fire Protection Master Plan to keep pace with development, including construction of additional high-rises, mid-rise business parks, increasing numbers of facilities housing immobile populations, and the risk posed by multiple ignitions, to ensure that: Fire reporting and response times do not exceed those listed in the County Fire Protection Master Plan identified for each of the development densities described; Fire flow requirements (water for fire protection) are consistent with Insurance Service Office recommendations; and tThe planned deployment and height of aerial ladders and other specialized equipment and apparatus are sufficient for the intensity of development desired.
- S-6.1: Continuously review, update, and implement emergency preparedness, response, and recovery plans that make the best use of the city- and county-specific emergency management resources available.
- S-6.2: Ensure to the fullest possible extent that, in the event of a major disaster, critical, dependent care and high-occupancy facilities remain functional.
- S-6.3: Work with the Riverside County Airport Land Use Commission to strengthen the city's disaster preparedness, response, and recovery program in accordance with the Airport Land Use Plans for March Air Reserve Base and Perris Valley Airport.
- S-6.4: Locate new essential or critical facilities away from areas susceptible to impacts or damage from a natural disaster.
- S-6.5: Promote strengthening of planned and existing critical facilities and lifelines, the retrofit and rehabilitation of existing weak structures, and the relocation of certain critical facilities as necessary to adequately meet the needs of Menifee's residents and workforce.
- S-7.2: Encourage the utilization of multilingual staff personnel to assist in evacuation and short-term recovery activities, and meeting general community needs. (AI 97)
- S-7.3: Require commercial businesses, utilities, and industrial facilities that handle hazardous materials to: Install automatic fire and hazardous materials detection, reporting and shut-off devices; and install an alternative communication system in the event power is out or telephone service is saturated following an earthquake.
- S-7.4: Use incentives and disincentives to persuade private businesses, consortiums, and neighborhoods to be self-sufficient in an emergency by: Maintaining a fire control plan, including an on-site firefighting capability and volunteer fire response teams to respond to and extinguish small fires; and identifying medical personnel or local residents who are capable and certified in first aid and CPR.

- S-7.6: Improve management and emergency dissemination of information using portable computers with geographic information systems and disaster-resistant Internet access, to obtain: Hazardous Materials Disclosure Program Business Plans regarding the location and type of hazardous materials; real-time information on seismic, geologic, or flood hazards; and the locations of high-occupancy, immobile populations, potentially hazardous building structures, utilities and other lifelines.

4.9.3 EXISTING CONDITIONS

Under present circumstances the site is vacant. The Phase I Environmental Site Assessment historical review concluded that the subject property has never been developed and has been used primarily for agriculture up until the late 1960s. No dry cleaners, gasoline stations, major landfills, military bases, or heavy industrial businesses were identified on the subject property.

The site is situated in an area of mixed vacant land, dry-land farming and single-family residential uses of varying density, with scattered commercial and light industrial facilities. Surrounding land uses include the following: north of the site consists of Garbani Road, and low density residential uses; east of the site land uses consist of vacant land and a storage facility; immediately south of the project site is open space and a Verizon facility; and west of the site is vacant land and one single family residence. Power lines currently run along Haun Road and water mains run along Garbani Road. The project site is within the San Jacinto Groundwater Basin.

4.9.3.1 Federal, State, and Regional Databases

As part of the Phase I ESA, known electronic listings for federal, state, and regional databases were reviewed for possible hazardous waste generating establishments in the vicinity of the project site, as well as adjacent sites with known environmental concerns. This review encompassed the adjacent and nearby locations for off-site infrastructure improvements. Facilities were identified by county, state, or federal agencies that generate, store, or dispose of hazardous materials. The majority of information in this section was obtained from EDR®, an environmental information/database retrieval service. The project site was not listed on any of the databases reviewed as having environmental concerns.

4.9.3.2 Water Wells and Water Resources

The Phase I consultant contacted the California Department of Water Resources in an effort to evaluate whether any state listed water wells or water resources are located on the subject property address. No water wells are located on the property.

4.9.3.3 Results of Site Reconnaissance

Site reconnaissance was performed on December 14, 2015 and on April 4, 2016 to identify any conditions indicating an existing release, past release, or threatened release of any hazardous substances or petroleum products into structures on the project site, or into soil and/or groundwater beneath the project site. Reconnaissance includes but is not limited to searching for any evidence of contamination, distressed vegetation, petroleum-hydrocarbon surface staining, waste drums, USTs, ASTs, illegal dumping, or improper waste storage/handling.

No pesticides, sumps, clarifiers, swales, or surface impoundments potentially containing hazardous materials were observed on the subject property. No water wells were observed; however, a water line was identified on the north edge of the property and runs east to west. Several power poles with mounted transformers that appeared to be in good condition were observed along Haun Road (the eastern edge of property line.) No wastewater was observed at the subject site. Storm water and surface run-off from the subject property and adjacent properties into the natural storm water and flood control conveyance systems. The subject property does not currently utilize potable water service, but water mains run along Garbani Road and are marked on the edge of the property with 8-inch cans for access.

The Phase I consultant research indicates no dry cleaners, gasoline stations, military bases, or major manufacturing operations have occupied the subject property. No hazardous materials were observed at the subject property. No significant staining or spillage was observed in any of the areas inspected. No other significant hazardous materials handling or storage were observed on the subject property during the site visit. During the inspection, no hazardous waste generation, storage, or improper hazardous waste disposal was observed on the subject property. Stained or discolored sinks, drains, catch basins, drip pads, or sumps were not observed at the subject property. During the inspection, no solid waste generation, storage, or improper solid waste disposal was observed on the subject property. Visual or physical indicators of current or former ASTs were not observed at the subject property during the site visit. No visual or physical evidence of current or past USTs were discovered during the site visit in the readily visible areas of the property. In particular, no fill pipes, vent pipes, man-ways, manholes, access covers, and or concrete pads not homogeneous with surrounding surfaces, concrete built-up areas potentially indicating pump islands, abandoned pumping equipment, or fuel pumps were observed.

Several electrical poles run along Haun Road, however no pole-mounted electrical transformer was observed on the project site. During the on-site inspection, no evidence was observed of any equipment likely containing PCB-contaminated fluid (e.g., interior electric transformers, hydraulic elevators, hydraulic hoists/lifts, hydraulic loading dock ramps, other fluid containing equipment, etc.).

According to the USEPA, the general area of the site is in Radon Zone 2 which has a predicted average indoor screening level of less than the EPA guideline action level of 4.0 picoCuries per liter of air. Therefore, based upon the reported subsurface characteristics of the area, the subject property exhibits low potential for high-level radon exposure.

Visual observations of the portions of the adjoining properties visible from the subject property or public roadways did not indicate the exterior storage of hazardous materials or wastes. No indications of spillage or staining were observed in the observable exterior areas of these sites. Additionally, no obvious indications of improper hazardous material storage or unusual or suspicious materials handling or storage practices were observed. No unusual or suspicious waste stream disposal activities were observed on the portions of the adjoining properties visible from the subject property or public roadways. Adjacent properties were not identified as having environmental related issues on any of the databases researched, and are not considered as an environmental concern at this time. No service stations, dry cleaners, or industrial properties were located in the immediate vicinity. During the site visit, no railroad rights-of-way, spurs, or related features were observed immediately adjoining the subject property.

As noted previously, the EDR Radium Map Report with Geocheck found two records for local underground storage tanks reported within a one-half mile radius of the project site, both of which referred to a leaking tank at the GTE Murrieta Plant site south of the Project site on Haun Road near Wickerd Road. The report indicates the tank was removed and impacted soil was excavated and removed. The case status is listed as completed and closed in 1999 for both entries. The historical Cortese List, which is no longer updated by state agencies, also identifies the GTE Murrieta Plant site at 32477 Haun Road. The data provided in the EDR report indicate that an aquifer used for drinking water was contaminated.

4.9.3.4 Asbestos and Lead-based Paint

The project site is currently undeveloped land; therefore, the presence of Asbestos-Containing Materials is not considered an environmental concern. Similarly, the presence of Lead-Based Paint is not considered an environmental concern.

4.9.3.5 Biosolids

To determine whether the proposed project site had received application of wastewater treatment plant biosolids in the past, the County Environmental Health Department, the agency in charge of keeping such records, was contacted. After extensive review of its files, the County could not verify such past application. In addition, a geotechnical and environmental consultant was hired to conduct a Phase II environmental evaluation to determine if any residual biosolid contamination is present on the property. Two studies were prepared for the proposed project by Earth Strata Geotechnical Services: the Phase II Environmental Site Assessment of an Agricultural Property and the Report of Organics, Proposed Millcreek Promenade. These two studies tested for organics and heavy metals on the property. Neither component was found above natural background condition for the project area. Therefore, either the site was never used for disposal of biosolids, or any disposal did not leave any negative impact to the site soils.

4.9.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's Initial Study Checklist, a project would normally have a significant effect on the environment if the project would:

HAZ-1 Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.

HAZ-2 Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

HAZ-3 Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.

HAZ-4 Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment.

HAZ-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area.

HAZ-6 For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area.

HAZ-7 Impair implementation of or physically interfere with an adopted emergency response plan or emergency evaluation plan.

HAZ-8 Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

4.9.5 METHODOLOGY

The Phase I Environmental Site Assessment ("Phase I ESA") prepared for the project site applies the *American Society of Testing and Materials (ASTM) Phase I ESA Standard E1527-2013* protocols, and is the most current method used in attempting to perform due diligence and identify recognized environmental conditions in connection with a given property. Consistent with this methodology, the Phase I ESA involved: a site reconnaissance of the project site, limited observations of adjoining properties, a review of the historical usage of the project site (including the review of historical aerial photographs, building permits, Sanborn Fire Insurance Maps, and other documentation), and a review of relevant documentation provided by various public and private sources to identify conditions indicative of releases or threatened releases of hazardous substances.

4.9.6 ENVIRONMENTAL IMPACTS

HAZ-1 Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Both during construction and once the Project is occupied, the transport of hazardous materials (such as petroleum products (gasoline), pesticides/herbicides, and pool chlorine in residential or landscaping areas or industrial chemicals in the case of the industrial facility) to the project site can result in additional potential for accidental spills, leaks, or other hazards such as fire or explosion.

The primary transportation routes to the project site are expected to be Scott Road and Garbani Road. Roadways adjacent to the project site are public roads that can be used by any common carrier to or from the local area. For such transporters, the existing regulatory mandates ensure that the hazardous materials and any hazardous wastes transported to and from the Project site will be properly managed. These regulations are codified in Titles 8, 22, and 26 of the California Code of Regulations. For example, maintenance trucks for construction equipment or pool maintenance companies must transport their hazardous materials in appropriate containers, such as tanks or other storage devices. In addition, the haulers must comply with all existing applicable federal, state and local laws and regulations regarding transport, use, disposal, handling and storage of hazardous wastes and material, including storage, collection and disposal. Compliance with these laws and regulations related to transportation will minimize

potential exposure of humans or the environment to significant hazards from transport of such materials and wastes.

Given that both existing regulations and laws will control the potential for hazards through the routine transport, use, or disposal of hazardous materials during both the construction and operational phases of the project, **impacts will be less than significant**. No mitigation is required.

In regards to disposal of hazardous materials, compliance with federal, state, county, and local regulations relating to the use, storage, handling, transport, and disposal of hazardous materials would reduce the potential level of risk of hazardous materials exposure related to the non-residential uses proposed as part of the project to a less than significant level. Furthermore, household hazardous materials or wastes, such as paint, chemicals, oil, anti-freeze, pesticides, cleaners, etc., are controlled by local agency programs for collection and disposal of small quantities of household hazardous materials/wastes to ensure that these materials are not disposed of with typical municipal solid waste. Although most residents are familiar with such programs, **Mitigation Measure 4.9-1** shall be implemented to ensure future occupants are informed of household hazardous waste collection programs in the local area with the objective of minimizing future improper disposal of such wastes.

> ***Mitigation Measure 4.9-1:***
> *Prior to issuance of occupancy permits, an information brochure shall be prepared and approved by the City Building & Safety Department and provided to all home purchasers prior to the close of escrow that informs all purchasers of homes within this development of the system for disposal of household hazardous wastes and the prohibition against disposal of such materials in the municipal solid waste collection system that serves the subdivision. This brochure shall also provide residents with an outline of a neighborhood plan to support self-sufficiency in an emergency. This will include how to establish a volunteer fire response team to support the local fire and emergency responders to manage small fires and identification of local residents with emergency response skills (medical personnel or individuals certified to perform first aid or CPR.*

Implementation of **Measure 4.9-1** will provide residents with information that will assist in minimizing illegal disposal. Therefore, **impacts would be less than significant with mitigation.**

HAZ-2 Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

During construction, there are activities that can expose the public to significant hazards from accidental circumstances. The first pathway occurs when petroleum products are accidentally released from construction equipment or storage facilities. For example, vandalism can cause a release from stored fuels, or a hydraulic hose may break on a large piece of construction equipment. This type of impact is readily mitigated by immediately stopping the construction activity; controlling the accidental release; and carrying out remediation of the area

contaminated by the spill. Therefore, **Mitigation Measure 4.9-2** has been identified to reduce any potential impact to a level of less than significant:

> ***Mitigation Measure 4.9-2:***
> *Prior to and during grading and construction, should an accidental release of a hazardous material occur, the following actions will be implemented: construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be notified; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above sampling or remediation activities related to the contamination will be conducted under the oversight of City Public Works and Engineering Departments. All of the above actions shall be documented and made available to the appropriate regulatory agencies prior to closure (a determination of the regulatory agency that the site has been remediated to a threshold that poses no hazard to humans) of the contaminated area.*

The second circumstance under which there is potential to expose persons to the release of hazardous materials occurs when unknown contaminants below the ground surface are exposed during construction. An example would be a barrel of hazardous material buried below the ground surface that could be exposed during grading. As in the previous instance, the exposure of such contamination typically occurs over a very limited area and with proper mitigation the potential hazard to humans and the environment can be managed so it will not significantly impact either humans or the environment. Therefore, **Mitigation Measure 4.9-3** has been identified to reduce any potential impact to a level of less than significant:

> ***Mitigation Measure 4.9-3:***
> *During grading if an unknown contaminated area is exposed based on field observations by the contractor, soils engineer or City/County inspector, the following actions will be implemented: any contamination found during construction will be reported to the City Public Works and Engineering Departments. Further, all of the sampling or remediation related to the contamination will be conducted under the oversight of these City departments. In the event contamination is found, construction activities in the immediate area will be immediately stopped; appropriate regulatory agencies will be identified; a qualified professional (industrial hygienist or chemist) shall test the contamination and determine the type of material and define appropriate remediation strategies; immediate actions will be implemented to limit the volume and area impacted by the contaminant; the contaminated material, primarily soil, shall be collected and removed to a location where it*

> *can be treated or disposed of in accordance with the regulations in place at the time of the event; any transport of hazardous waste from the property shall be carried out by a registered hazardous waste transporter; and testing shall be conducted to verify that any residual concentrations of the accidentally released material are below the regulatory remediation goal at the time of the event. All of the above actions shall be documented and made available to the appropriate regulatory agencies prior to closure of the contaminated area (a determination of the regulatory agency that the site has been remediated to a threshold that poses no hazard to humans).*

The incorporation of **Mitigation Measure 4.9-2** and **Mitigation Measure 4.9-3** will reduce the potential of accidental release and exposure by identifying those actions that must occur in the event of an accidental release or the disturbance of a previously unknown contaminated area. These measures require notification of appropriate regulatory agencies, and specific activities that will limit and control the potential for exposure. As a result, **impacts would be less than significant with mitigation.**

HAZ-3 Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

No schools are located within one-quarter mile of the project site. Paloma Valley High School located approximately .7 miles (or 1.3 miles by road) from the project site. Menifee Valley Middle School is located approximately 1.1 miles (or 2.3 miles by road) from the project site. Therefore, implementation of the Project will not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing school. No information was found on the Menifee Union School District and Perris Union High School Districts websites that suggest any school is proposed that would be located within one-quarter mile of the project site. **No impact** would occur, and no mitigation is required.

HAZ-4 Would the project be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

As described above, the Phase I ESA prepared for the project included site reconnaissance, historical review, and a regulatory records review. Such review did not identify any designated, or unknown, hazardous materials sites within the project site. It also did not identify any evidence of ASTM Recognized Environmental Conditions ("RECs") or other issues in connection with the project site. Therefore **no impact** would occur, and no mitigation is required.

HAZ-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the Project result in a safety hazard for people residing or working in the project area?

The closest airport facilities to the project Site are as follows: French Valley Airport located more than 6 miles to the southeast, Skylark Field Airport located more than 7 miles west, and Perris Valley Airport located more than 9 miles to the north.

According to a review of the Riverside County Airport Land Use Compatibility Plan Policy Document dated January 2012 (as amended) accessed at http://www.rcaluc.org/Plans/New-Compatibility-Plan on February 8, 2018, the project is not located within an airport land use plan for Perris Valley or French Valley airports. While no current airport computability plan for Skylark Field Airport can be found, it is located more than 7 miles away from the project site, and therefore no impact associated with Skylark Field would occur.

As a result of its distance from these airports, the proposed project would not result in a safety hazard for people residing or working in the project area. Therefore, implementation of the project will not result in an inconsistency with any airport master plan, or require review by the Airport Land Use Commission. As a result **no impact** would occur and no mitigation is required.

HAZ-6 For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?

The text of the City General Plan DEIR Noise element includes discussion of Pines Airpark and Heliports. According to the EIR, there are no public use heliports in the City of Menifee; however, "the Southern California Edison San Jacinto Valley Service Center Heliport is an existing private heliport in the southeast corner of the intersection of Pinacate Road and Menifee Road. Helicopter operations in the City are not frequent."

According to a review of Google Maps, the closest private airstrip to the project site is Pines Airpark Airport located about 4 miles to the east. Pines Airpark is a small airpark community consisting of four home sites. The airport is privately owned and operated by the Home Owners Association according to the web site City-Data.com (http://www.city-data.com/airports/Pines-Airpark-Airport-Winchester-California.html).

The following are details of the Pines Airpark Airport:

Runways: 1
Length: 2,500 ft.
Width: 150 ft.
Runway Surface Type Condition: Grass, sod, natural soil
Single-Engine Aircraft: 4

The City General Plan DEIR Noise Section identified The Pines Airpark as, "a privately owned and operated airstrip approximately 1.5 miles east of the eastern City boundary that operates general aviation planes. A review of aerial photography shows that the runway is not paved and there are no services. It is anticipated that because there seems to be minimal activity at that airpark and because of distance, the 60 dBA CNEL noise contour from Pines Airpark is located outside City of Menifee limits."

There are no details of flight paths for this private airpark, but the distance and limited operations (a few flights per day) at this location minimize any potential for significant conflict between this facility and the proposed project once it is developed. The City General Plan DEIR

determined that both Pines Airpark and the Southern California Edison San Jacinto Valley Service Center Heliport to have infrequent use and impacts related to each were determined to be minimal. Impacts would therefore be **less than significant** and no mitigation is required.

HAZ-7 Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evaluation plan?

The project will be located off of existing access roads to the area (Garbani and Haun Roads, as well as Sherman Road). Primary roadways that would be used during an emergency or evacuation order would be Scott Road (east-west) and Haun Road and Interstate 215 (north-south.) A limited potential to interfere with an emergency response or evacuation plan will occur during construction, given that construction would primarily be located on the existing vacant site, and any construction on adjacent roadways to install infrastructure would be temporary in nature. Nonetheless, to ensure that construction activities do not interfere with emergency routes and access, **Mitigation Measure 4.9-4** has been identified:

> ***Mitigation Measure 4.9-4:***
> *To the extent that construction activities must occur within adjacent on-site and off-site roadway rights-of-way, a Traffic Management Plan, prepared for construction activities, shall provide adequate emergency access to all parcels of land at all times, and shall include measures to ensure that during an evacuation, the right-of-way is accessible for this purpose. Adequate emergency access is defined as access by any emergency personnel to any occupied parcel at all times during construction activities. Prior to grading permit issuance, the City of Menifee shall verify and approve the construction Traffic Management Plan incorporates adequate measures to ensure emergency access and availability of adjacent on-site and off-site roadways should an evacuation be needed.*

During such construction on area roadways, control of access will ensure emergency access is maintained to the site and Project area during construction. **Mitigation Measure 4.9-4** will be implemented to require the preparation and approval of a Traffic Management Plan during construction in accordance with County and City of Menifee requirements, with a focus on provision of emergency access to properties in the surrounding vicinity of construction activities. **Mitigation Measure 4.9-4** will ensure that prior to the start of construction, a Traffic Management Plan, based on final design and construction plans, is in place to adequately divert traffic and maintain emergency access. Since the manner and scope of construction activities cannot be defined at this time, it is necessary to utilize a performance standard rather than specify measures that would not be pertinent to actual future construction activities within public roadways. With incorporation of this mitigation measure, any impacts to emergency access will be reduced to a less than significant level.

Following construction, emergency access to the project site and area will be enhanced relative to the existing emergency access over maintained and unmaintained dirt Sherman Road. This is because the paved and maintained roadways provide all-weather and permanent access compared to the existing graded dirt roads surrounding the project site. After construction is completed, adjacent roadways will be improved. Specifically, Garbani Road will be constructed as part of the project from the intersection of Haun Road to the intersection of Sherman Road,

and will widen Garbani Road to its ultimate half width. Similarly, the project will widen Sherman Road to its ultimate half width.

Given the above, **impacts will be less than significant with mitigation**.

HAZ-8 Would the project expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

The project site is not located within an area identified as a moderate, high or very high fire hazard severity on Exhibit S-6 High Fire Hazard Areas of Menifee General Plan. The hills west of the site are designated very high fire hazard severity. According to the General Plan, the California Department of Forestry and Fire Protection (Cal Fire) has recommended that the urban, low-lying areas in Menifee be classified as having a Moderate Fire Hazard. The proposed project is required to conform to applicable minimum standards for fire safety as defined in the City and County Building Code. The proposed project would install new onsite water distribution system that will provide the water supply for fire suppression. The proposed project is required to ensure fire flow requirements will be adequate in the project area and to provide fee and tax support for adequate fire-fighting resources in the project area. Finally, the project is required to be designed in accordance with and supportive of the County's Fire Protection Master Plan. Based on this information, implementation of the project will not expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands. Therefore, **impacts would be less than significant**. No mitigation is required.

4.9.7 CUMULATIVE IMPACTS

The project is not forecast to make a cumulatively considerable contribution to on- of off-site hazards and hazardous material issues. For those potential hazards or hazardous material issues with a potential for direct significant impact at this site, mitigation measures have been provided that can reduce the project's contribution to cumulative impacts to a less than significant level. Because most of the project impacts contribute to cumulative demand for emergency services or protection of the public from hazards, all of the above measures shall be implemented. Because the site is essentially free of hazards and hazardous contamination, it will not contribute to a cumulatively considerable significant impact to these issues.

4.9.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to hazards or hazardous materials will occur as a result of the proposed project.

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4.10 HYDROLOGY AND WATER QUALITY

4.10.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to hydrology and water quality from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The following technical reports were used in preparing this subchapter of the DEIR. Refer to Volume 2 of this document, Appendix 6.

- "Preliminary Drainage Study–Part 1 for the Mill Creek Promenade" prepared by Pacific Coast Land Consultants, Inc. dated January 30, 2018
- "Preliminary Drainage Study–Part 2 for the Mill Creek Promenade" prepared by Pacific Coast Land Consultants, Inc. dated January 30, 2018
- "(Preliminary) Project-Specific Water Quality Management Plan, Mill Creek Promenade" prepared by Pacific Coast Land Consultants, Inc. dated January 30, 2018 (revision)
- “Hydrology and Flood Plain Study for Mill Creek Promenade, Plot Plan 2017-167, City of Menifee, California,” prepared by JLC Engineering & Consulting, Inc., August 13, 2018, Revised January 17, 2019

No comments were received in response to the Notice of Preparation regarding hydrology and water quality.

4.10.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Federal Clean Water Act

Pursuant to Section 404 of the Clean Water Act, the United States Army Corps of Engineers (ACOE) regulates discharges of dredged and/or fill material into waters of the United States. “Waters of the United States” are defined in ACOE regulations at 33 C.F.R. Part 328.3(a). Navigable waters of the United States are those waters of the United States that are navigable in the traditional sense. Waters of the United States is a broader term than navigable waters of the United States and includes adjacent wetlands and tributaries to navigable waters of the United States and other waters where the degradation or destruction of which could affect interstate or foreign commerce.

The Federal Clean Water Act (CWA) requires all states to conduct water quality assessments of their water resources to identify water bodies that do not meet water quality standards. The water bodies that do not meet water quality standards are placed on a list of impaired waters pursuant to the requirements of Section 303(d) of the CWA. Both Canyon Lake and the San Jacinto River have been placed on the 303(d) list of impaired waters. Lake Elsinore and Canyon Lake are the terminal points for the San Jacinto watershed Therefore, the proposed project will discharge stormwater into receiving waters with known water quality impairments.

The Federal Clean Water Act and the State Porter-Cologne Water Quality Act, require basin-wide planning. Additionally, the National Pollution Discharge Elimination System (NPDES), empowers the regional boards to set discharge standards, and encourages the development of new approaches to water quality management. The SA Regional Board's Basin Plan identifies beneficial uses and water quality objectives for all waters of the state, both surface and subsurface (groundwater). A beneficial use is one of the various ways that water can be used for the benefit of people and/or wildlife. Refer to the beneficial use definitions in Table 4.10-2.

In 1972, the Federal Water Pollution Control Act (Clean Water Act) was amended to prohibit the discharge of pollutants to waters of the United States unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The Clean Water Act focused on tracking point sources, primarily from wastewater treatment facilities and industrial waste dischargers, and required implementation of control measures to minimize pollutant discharges. The Clean Water Act was amended again in 1987, adding Section 402(p), to provide a framework for regulating municipal and industrial storm water discharges. In November 1990, the U.S. Environmental Protection Agency (USEPA) published final regulations that establish requirements for specific categories of industries, including construction projects that encompass certain acreage, currently projects of one acre or larger.

National Flood Insurance Program

The National Flood Insurance Program ("NFIP") is a Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal Government that states if a community will adopt and enforce a floodplain management ordinance to reduce future flood risks to new construction in Special Flood Hazard Areas, the Federal Government will make flood insurance available within the community as a financial protection against flood losses.

In support of the NFIP, FEMA identifies flood hazard areas throughout the United States and its territories by producing Flood Hazard Boundary Maps (FHBMs), Flood Insurance Rate Maps (FIRMs), and Flood Boundary & Floodway Maps (FBFMs). Several areas of flood hazards are commonly identified on these maps. One of these areas is the Special Flood Hazard Area (SFHA) or high risk area defined as any land that would be inundated by the 100 year flood — the flood having a 1-percent chance of occurring in any given year (also referred to as the base flood).

The high-risk area standard constitutes a reasonable compromise between the need for building restrictions to minimize potential loss of life and property and the economic benefits to be derived from floodplain development. Development may take place within the SFHAs, provided

that development complies with local floodplain management ordinances, which must meet the minimum Federal requirements.

State

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code sections 13000 et seq.) is the basic water quality control law for California. Under this Act, the State Water Resources Control Board (SWRCB) has ultimate control over state water rights and water quality policy. In California, the EPA has delegated authority to issue NPDES permits to the SWRCB. The state is divided into nine regions related to water quality and quantity characteristics. The SWRCB, through its nine Regional Water Quality Control Boards (RWQCBs) carries out the regulation, protection, and administration of water quality in each region. Each regional board is required to adopt a Water Quality Control Plan or Basin Plan that recognizes and reflects the regional differences in existing water quality, the beneficial uses of the region's ground and surface water, and local water quality conditions and problems.

National Pollutant Discharge Elimination System

The State Water Resources Control Board administers the NPDES permit program regulating stormwater from construction activities for projects greater than one acre in size. This is known as the General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002. The main compliance requirement of the construction NPDES permits is the development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The purpose of a SWPPP is to identify potential on-site pollutants and identify and implement appropriate stormwater pollution prevention measures to reduce or eliminate discharge of pollutants to surface water from stormwater and non-stormwater discharges during construction. Stormwater best management practices (BMPs) to be implemented during construction and grading, as well as post-construction BMPs, will be outlined in the SWPPP prepared for the proposed project when construction is actually initiated in the future. Examples of BMPs include: detention basins for capture and containment of sediments, use of silt fencing, sandbags, or straw bales to control runoff and identification of emergency procedures in case of hazardous materials spills. The project proponent will be required to obtain a construction NPDES permit prior to initiating ground disturbing activities at the project site.

Local

City of Menifee General Plan

The following General Plan policies addressing hydrology and water quality are applicable to the project:

Safety Goals

- S-3: A community that is minimally disrupted by flooding and inundation hazards.

Safety Policies

- S-3.1: Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during

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

- S-3.2: Reduce flood hazards in developed areas known to flood.
- S-3.3: Use technology to identify flood-prone areas and to notify residents and motorists of impending flood hazards and evacuation procedures.
- S-3.4: Develop floodplains as parks, nature trails, equestrian parks, golf courses, or other types of recreational facilities or joint-use facilities that can withstand periodic inundation wherever feasible.
- S-3.5: Encourage neighboring jurisdictions to require development occurring adjacent to the City to consider the impact of flooding and flood control measures on properties within Menifee.

Open Space and Conservation Goals

- OSC-7: A reliable and safe water supply that effectively meets current and future user demands.

Open Space and Conservation Policies

- OSC-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.
- OSC-7.2: Encourage water conservation as a means of preserving water resources.
- OSC-7.3: Coordinate with the Eastern Municipal Water District to educate the public on the benefits of water conservation and promote strategies residents and businesses can employ to reduce their water usage.
- OSC-7.4: Encourage the use of reclaimed water for the irrigation of parks, golf courses, public landscaped areas, and other feasible applications as service becomes available from the Eastern Municipal Water District.
- OSC-7.5: Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.
- OSC-7.6: Work with the Eastern Municipal Water District to maintain adopted levels of service standards for sewer service systems.
- OSC-7.7: Maintain and improve existing level of sewer service by improving infra-structure and repairing existing deficiencies.
- OSC-7.8: Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.
- OSC-7.9: Ensure that high quality potable water resources continue to be available by managing stormwater runoff, wellhead protection, and other sources of pollutants.
- OSC-7.10: Preserve natural floodplains, including Salt Creek, Ethanac Wash, Paloma Wash, and Warm Springs Creek, to facilitate water percolation, replenishment of the natural aquifer, proper drainage, and prevention of flood damage.

4.10.3 EXISTING CONDITIONS

Flows from the project site meander north to the point that it intersects Salt Creek and then flows westerly as part of Salt Creek to Canyon Lake and Lake Elsinore. The distances to Canyon Lake and Lake Elsinore are 8.8 and 12.9 miles downstream, respectively. These receiving waters are illustrated on **Figure 4.10-1**. The project site is located in the Santa Ana River Watershed, just north of the boundary with the Santa Margarita Watershed.

4.10.3.1 Drainage and Flooding

The existing property soil environment is barren alluvial fan material dispersed through erosion and transported sediment from the foothills located south the site; however, most of the site is currently covered by perennial grass. The existing site is divided into nine discrete drainage areas; areas eA, eB, eC, eD, eE, eF, eG, eH, and eJ. **Figure 4.10-2** is a graphic showing the existing drainage map. The runoff calculations for the discrete drainage areas are shown in the tables below the map for the 2-year, 10 year and 100-year runoff scenarios. Areas eA to eE drain to the existing creek on the site. Areas eF to eJ drain to Garbani Road. The existing natural creek channel conveys the off-site flow through the site. The natural stream (assumed to be Mill Creek) daylights near three existing 24-inch culverts in Haun Road near Garbani Road (see off-site flow, Drainage Map). This existing creek and its function will be discussed in the off-site section of this report. The areas eF to eJ discharge to Garbani Road. This flow is captured in a 54-inch reinforced concrete pipe (RCP) in the Garbani Road right-of-way. This line is known as “Line B” of the Menifee Valley and Haun Road Storm Drain System.

The project site is within Zone X of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) Riverside County, panel 2070 of 3805, Map Number 06065C2070H, map revised August 18, 2014. Zone X represents the area has no possibility of flooding during the 100-year event. There will be no property damage and all street flows are contained within the right-of-way within and adjacent to the project site. Please refer to **Figure 4.10-3** for a copy of the FEMA FIRM map.

The project site is traversed by a natural stream through the southerly portion of the project site. The stream continues east of Haun Road and ultimately discharges into the Paloma Valley Channel. The stream through the project site will consist of earthen trapezoidal channel, a bridge, and two portions of reinforced concrete box culverts. Currently, an existing triple 24 inch corrugated metal pipe culvert crosses Haun Road, and will be replaced with a double 4 foot high by 10 foot wide reinforced concrete box culvert.

4.10.3.2 Groundwater Resources

The proposed project is located within the San Jacinto River watershed. The project site is located in the Menifee management zone of the west San Jacinto Groundwater Basin Management Plan Area as designated by Eastern Municipal Water District. There is no indication of the presence of water supply wells located on the project site. The project site has a thin veneer of alluvium that covers bed rock at a depth beginning five or more feet below the ground surface. Therefore, no groundwater is known to occur at the project site.

4.10.3.3 Water Quality

Water quality for the site and vicinity is regulated under the jurisdiction of the Santa Ana Regional Water Quality Control Board. Surface water quality maybe impacted by both point source and non-point source discharges of pollutants. Point source discharges are regulated through the NPDES permitting system. Non-point source pollution is now considered to be the leading cause of water quality impairments in this state, as well as the entire nation. Non-point source pollution is not as readily quantifiable as pollution that is derived from point sources, since it occurs through numerous diffuse source locations. Stormwater runoff, snowmelt or irrigation water can pick up and transport pollutants as the runoff moves across the land or paved services. These pollutants, incorporated into runoff can transport pollutants on the ground

surface and may ultimately be discharged into streams, lakes, the ocean or into groundwater. Urban areas contribute to nonpoint source pollution in surface waters; pollutants associated with these areas include fertilizers, pesticides, fecal matter, and trash.

Based on the results of the Phase II Environmental Site Assessment prepared for the project site, and which found no pesticides present, surface runoff from the project site will not transport pesticides downstream. No other potential existing source of water quality degradation has been identified at the project site, except for a potential for erosion and sedimentation during heavy precipitation.

The water quality of receiving waters downstream of the project site varies due to historic development within the San Jacinto River Basin. Table 4.10-1 provides a list of the designated beneficial uses and any known pollutants (impairments) in these downstream waters. The four downstream surface water locations are: Salt Creek, Canyon Lake, San Jacinto River, and Lake Elsinore. Since Canyon Lake is the first water body with listed impairments to receive flows from the project site, the primary surface water quality pollutants of concern are nutrients and pathogens. Definitions of beneficial uses for water bodies are summarized in Table 4.10-2. The term “RARE” when used regarding beneficial use of surface water refers to waters that support federal or state listed species.

There is no data regarding groundwater quality beneath the project site since there is no known groundwater and no known wells that have been installed on the property historically. Pursuant to the results of the Geotechnical Investigation performed for the project site, no groundwater was detected. Given the existence of bedrock at shallow depths beneath the project site and the lack of historic wells on the property, the site is not considered to have substantial groundwater resources, i.e., an aquifer that could be exploited for water supply production purposes.

Table 4.10-1
IDENTIFICATION OF RECEIVING WATERS

Receiving Waters	EPA Approved 303(d) List Impairments	Designated Beneficial Uses	Proximity to RARE Beneficial Use
Salt Creek	None	REC1, REC2, WARM, WILD	Not assigned
Canyon Lake HUS 802.11, .12	Nutrients Pathogens	MUN, AGR, GWR, REC1, REC2, WARM, WILD	Not assigned, as RARE
San Jacinto River HUS 802.14	None	MUN, AGR, GWR, REC1, REC2, WARM, WILD	Not assigned, as RARE
Lake Elsinore HUS 802.31	Nutrients, Low Dissolved Oxygen, Sediment, Toxicity, PCBS	MUN, REC1, REC2, WARM, WILD	Not assigned, as RARE

Source: "(Preliminary) Project-Specific Water Quality Management Plan, Mill Creek Promenade" prepared by Pacific Coast Land Consultants, Inc. dated January 30, 2018 (revision)

Table 4.10-2
BENEFICIAL USE DEFINITIONS

Definitions	
MUN	Waters used for community, military, municipal or individual water supply systems. Uses may also include drinking water supply. MUN = Municipal
AGR	Waters are used for farming, horticulture or ranching. Uses may include, but are not limited to, irrigation, stock watering, and support of vegetation for range grazing. AGR = Agricultural
GWR	Groundwater recharge waters, used for natural or artificial recharge of groundwater for purposes that may include future extraction, maintaining water quality, or halting saltwater intrusion in freshwater aquifers. GWR = Groundwater Recharge Waters
REC1	Water contact recreation waters, used for recreational activities involving body contact with water where ingestion of water is reasonably possible. Uses may include swimming, wading, water-skiing, skin and scuba diving, surfing, whitewater activities, fishing, and use of natural hot springs. REC1 = water suitable for contact recreation
REC2	Non-contact water recreation waters, used for recreational activities involving proximity to water, but not normally involving body contact with water where ingestion of water would be reasonably possible. These uses may include picnicking, sunbathing, hiking, beachcombing, and camping, boating, sightseeing, and aesthetic enjoyment in conjunction of the above activities. REC2 = Non-contact recreation waters
WARM	Warm freshwater habitat water support warm water ecosystems that may include preservation and enhancement of aquatic habitats, vegetation, fish and wildlife, including invertebrates. WARM = Warm freshwater habitat
WILD	Wildlife habitat waters support wildlife habitats that may include the preservation and enhancement of vegetation and prey species used by waterfowl and other wildlife. WILD = supports wildlife

4.10.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's Initial Study Checklist, a project would normally have a significant effect on the environment if the project would:

HYD-1 Violate any water quality standards or waste discharge requirements.

HYD-2 Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted.

HYD-3 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

HYD-4 Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site.

HYD-5 Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

HYD-6 Otherwise substantially degrade water quality.

HYD-7 Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.

HYD-8 Place within a 100-year flood hazard area structures which would impede or redirect flood flows.

HYD-9 Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.

HYD-10 Result in inundation by seiche or mudflow.

4.10.5 METHODOLOGY

Technical reports were prepared to analyze drainage and water quality impacts of the proposed project on the site and surrounding environment. The analyses were prepared in accordance with the Riverside County Flood Control (RCFC) and Water Conservation District (WCD) Hydrology Manual (April 1978). Hydraulic analyses were performed for the pre-project and post-project channel to determine the pre-project and post-project flooding limits. The RCFC and WCD Hydrology Manual was used to develop the hydrological parameters for the unit hydrograph analyses, and the calculations were performed using the computer program developed by Civil CADD/Civil Design.

4.10.6 ENVIRONMENTAL IMPACTS

HYD-1 Would the project violate any water quality standards or waste discharge requirements?

The only two sources of potential water quality degradation from the project site are stormwater runoff that will transport non-point source pollutants from the future development and the discharge of domestic wastewater from future residences, and commercial and business facilities. The domestic wastewater will be delivered to a wastewater reclamation plant (WRP) that will be operated by Eastern Municipal Water District (EMWD or District). Any discharges from the WRP will be required to meet discharge standards/waste discharge requirements established by the Santa Ana Regional Water Quality Control Board, and no violation of water quality standards or waste discharge requirements is forecast to result from the future discharge of domestic wastewater to an area WRP.

As described above, stormwater runoff is considered non-point source runoff and reducing pollution in this source of water pollution has been the focus of water quality management agencies since 1991. Pollutants of concern that are expected to be incorporated into the stormwater runoff include sediment/turbidity, nutrients (fertilizers); organic compounds (especially herbicides and pesticides), oxygen demanding substances, trash, and bacteria and viruses (often generated from animal fecal matter). The discharges of stormwater runoff from the onsite basins and treatment units will be directed north to the Santa Ana River Watershed. Table 4.10-2 lists the Beneficial Uses for Receiving Waters in waters downstream of the project site. The future stormwater discharges to the watershed has a potential to degrade water quality or to contribute to violations of water quality standards in the downstream surface water bodies and watershed.

In order to meet the current and future MS4 stormwater quality discharge requirements, the future developers will be required to install treatment systems (Best Management Practices) as defined in the preceding evaluation and in Appendix 6 of Volume 2, Technical Appendices. Regardless, **Mitigation Measure 4.10-1** is provided to ensure that during construction the SWPPP will be implemented to control any discharges from the site to minimize potential water quality degradation. **Mitigation Measure 4.10-2** is also identified to ensure that the Project-Specific WQMP will be implemented in a manner comparable to that identified for the watershed. Also, the structural and operational BMPs identified in these Appendices are also mandated in the mitigation measures provided below. The future construction and occupancy activities will require permits (SWPPP and WQMP) to meet water quality requirements (State and County, as outlined above). As each specific phase of development is submitted for approval in the future in accordance with Specific Plan, each phase must implement the components of the Project-Specific WQMP that applies to the phase.

Mitigation Measure 4.10-1:
The future developer shall prepare and implement a Storm Water Pollution Prevention Plan (SWPPP), which specifies Best Management Practices that will be implemented to prevent construction pollutants from contacting stormwater and with the performance standard of keeping all products of erosion from moving offsite. The SWPPP shall be developed with the goal of achieving a reduction in pollutants both during and following construction to control urban runoff to the maximum extent practicable based on available, feasible best management practices. The SWPPP and the monitoring program for the construction projects shall be consistent with the requirements of the latest version of the State's General Construction Activity Storm Water Permit and NPDES No. CAS618033, Order No. R8-2002-0011 for projects within Riverside County or the permits in place at the time of construction.

Mitigation Measure 4.10-2:
The Project-Specific Water Quality Management Plan (WQMP) which defines bioretention basins and treatment units as permanent Best Management Practices shall be implemented to prevent long-term surface runoff from discharging pollutants from site on which construction has been completed. The WQMP shall be implemented with the goal of achieving a reduction in pollutants following construction to control urban runoff pollution to the maximum extent practicable based on available, feasible best management practices at the time of construction. The stormwater discharge from the project site shall be treated to control pollutant concentrations for all pollutants, but especially for those identified pollutants that impair downstream surface water quality (Canyon Lake) at the time construction occurs. Source Control BMPs reduce the potential for urban runoff and pollutants from coming into contact with one another. Source Control BMPs that may be incorporated into the project are described in Table G-1 of the WQMP.

During construction a variety of BMPs are available to control generation of sediment and control of any pollutant discharges (trash and petroleum substances). These prospective BMPs include: silt fencing, sand bags, fiber rolls, spray-on hydroseed cover, mulch, housekeeping measures to control trash and any accidental spills during construction, and small sediment basins that can contain runoff from areas under active construction. **Mitigation Measure 4.10-1** will ensure implementation of adequate BMPs during construction through implementation of a project specific SWPPP, ensuring that stormwater discharges from the project site during construction activities will be controlled to a level that does not violate any water quality standards or substantially degrade water quality at the time in the future when the proposed project is implemented.

Based on implementing the short- and long-term BMPs in a manner that will minimize or eliminate potential cumulative contributions of pollutants to future surface water discharges, the proposed project will be implemented without causing substantial degradation of surface or groundwater quality downstream of the project site. This includes implementation of the long-term BMPs that can control discharges of pollutants that could cumulatively contribute to the identified impairments in downstream receiving waters, including nutrients, pathogens, and pesticides.

During periods when water is being stored in the bioretention basins, it is essential that these surface water bodies be managed in a manner to sustain both water quality objectives. This can be achieved through the preparation of a Bioretention Basin Management Plan that shall establish ongoing management actions required to achieve these applicable water quality standards. Typical management actions can include oxygenation of the water body; control of sediment accumulation; and control of nutrients flowing into the lake to minimize the potential for a basin to support vectors. With implementation of the mitigation identified above, it will be feasible to meet water quality standards at the time the proposed project is implemented in the 2020 time frame and this can be accomplished without causing substantial degradation of onsite or downstream water quality or violation of any water quality or public health standards. Therefore the potential impact is considered **less than significant with mitigation**.

HYD-2 Would the project substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted?

Historically, there has been no groundwater extraction at or in the immediate vicinity of the project site. The project does not propose to drill any wells or extract ground water and the depth of the groundwater table is too great to expose any groundwater during future site development, including grading onsite and installation of offsite infrastructure. Under present conditions the project site has no impervious surfaces within its boundaries. Some unquantifiable amount of the precipitation and sheet flow that currently enters the property will percolate through the onsite soils. The proposed project will retain rainfall onsite by directing flows to the bioretention basins where the first increment of each storm will be captured and percolated, and then the stored runoff will add additional percolation. Thus, a small portion of the runoff that would have left the site historically would be captured and percolated. With implementation of the surface water quality mitigation, specifically **Mitigation Measures 4.10-1** and **4.10-2**, above, as well as **Mitigation Measure 4.10-3** outlined below, the proposed project

will not cause significant adverse impacts to groundwater supplies. This is because there is little or no groundwater beneath the site and the water quality measures will reduce potential water quality pollutants to a less than significant impact level.

> ***Mitigation Measure 4.10-3:***
> At the inlets and outlets from the offsite watersheds and from the project site, the discharge shall be controlled to accomplish the following objectives: the outlet facility shall control the energy of the releases of stormwater to the downstream watershed to ensure that no new downstream erosion is initiated from the point of discharge. This will prevent downstream erosion from discharge locations.

Because of the proposed project's demand for water, Eastern Municipal Water District ("EMWD") compiled a Water Supply Assessment ("WSA") for the proposed development. A portion of EMWD's water supply portfolio includes groundwater from within its service area, including poor quality groundwater that is treated to meet potable water quality standards. The WSA indicates that EMWD can handle the future water demand from the project without incurring a significant adverse impact. Thus, within the currently available sources of water supply EMWD does not forecast any significant adverse impact from the proposed project's contribution to cumulative demand for groundwater within the EMWD water supply capacity.

Thus, impacts will be **less than significant with mitigation**.

HYD-3 Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

The onsite drainage pattern will be substantially altered but it will not alter the offsite drainage pattern substantially. The data presented in the Preliminary Drainage Study (see Volume II of this DEIR) indicates that the project site currently experiences sheet flow across the shallow existing channel crossing the southern portion of the site. Post-development onsite drainage pattern as modified will not generate additional runoff beyond that which already exists at the site. Post-development onsite flows will be captured in a mix of bioretention basins and treatment facilities and then released in the manner that will not cause an increase in volume downstream. By implementing the proposed drainage system, the proposed project's modified drainage system will not cause substantial erosion or sedimentation within the project site or downstream. **Mitigation Measures 4.10-1** through **4.10-3**, identified above, as well as **Mitigation Measure 4.10-4**, below, is presented below to ensure that all the facilities described in the Preliminary Hydrology Study and the Water Quality Management Plan will be implemented. Although part of the project design, these facilities are being included as mitigation to ensure their implementation is monitored.

> ***Mitigation Measure 4.10-4:***
> *A bioremediation basin management plan for maintenance operations and water quality shall be submitted to the City for review and approval prior to occupancy. This plan shall protect human health and safety related to water quality issues, vectors and odors within the basins. Compliance with this measure shall be measured by prevention of anaerobic decomposition of organic*

matter for odors and control of vector habitat to prevent vector growth and dispersal.

Thus, impacts relating to drainage patterns will be **less than significant with mitigation**.

HYD-4 Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

As discussed above, the project site is traversed by a natural stream through the southerly portion of the project site. The stream will consist of earthen trapezoidal channel, a bridge, and two portions of reinforced concrete box culverts. Currently, an existing triple 24 inch corrugated metal pipe culvert crosses Haun Road and will be replaced with a double 4 foot high by 10 foot wide reinforced concrete box culvert.

Hydraulic analyses were performed for the pre-project and post-project channel to determine flooding limits. The analyses were performed for the 100-year 3-hour, 6-hour and 24-hour storm durations. Based upon the analyses, it was determined that the proposed storm drain system and channel will provide conveyance for the offsite flow rate (determined by the analysis to be 888 cubic feet per second) and protect the project site from flooding, so long as the following mitigation measure is incorporated:

Mitigation Measure 4.10-5:
During final engineering, the following items shall be included: (1) The HEC-RAS analysis and the Line A system shall be designed to ensure that the design reflects the final elevations provided in the construction drawings; (2) The project shall obtain an easement for Line A storm drain system, shown on Excerpt C of the Hydrology and Flood Plain Study for Mill Creek Promenade, dated August 13, 2018 and revised January 17, 2019; and (3) The final design and construction drawing of the Line A and natural system that traverse the project shall comply with RCFC and WCD design criteria and policies.

Thus, impacts related to flooding would be **less than significant with mitigation**.

HYD-5 Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

As the analysis above and the Preliminary Hydrology Study and Water Quality Management Plan indicate, the proposed project drainage design will not substantially increase runoff. The proposed project will discharge stormwater to the watershed without substantially altering the rate or volume of discharge. Also, the proposed water quality treatment provided by the bioretention basins and treatment units ensure that substantial sources of polluted runoff will not be added to future discharges with the implementation of **Mitigation Measures 4.10-1** through **4.10-5**, identified above. Thus, the impact of the proposed project's discharges to downstream storm runoff is forecast to be **less than significant with mitigation**.

HYD-6 Would the project otherwise substantially degrade water quality?

Please refer to the discussion under threshold HYD-1, above. All activities that have a potential to degrade water quality have been described in the preceding evaluation and in the Preliminary Hydrology Study and the Project-Specific Water Quality Management Plan contained in the Technical Appendices of Volume 2. However, with the incorporation of **Mitigation Measures 4.10-1** through **4.10-5**, identified above, both short term (construction) and long-term (occupancy) water quality impacts of the project can be controlled to a less than significant impact through the implementation of short-term Best Management Practices imposed through the project SWPPP. Thus, impacts would be **less than significant with mitigation**.

HYD-7 Would the project place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

A review of the area maps and the FEMA FIRM Panel indicates the project site is not subject to any 100-year flood hazard areas. All runoff from the future developed site will be managed, including future storms up to the 100-year storm. Based on these findings, the proposed project can be implemented without exposing the project to a significant flood hazard using the 100-year criterion. Impacts would be **less than significant**.

HYD-8 Would the project place within a 100-year flood hazard area structures which would impede or redirect flood flows?

The project's area of impact does not include any 100-year flood hazard areas. All roadways and offsite pipeline infrastructure will accommodate all surface flows generated from upstream watershed areas and deliver them to the downstream side of the roadways. Therefore, the proposed project will not impede or redirect flood clothes in a manner that would result in significant adverse impact to the environment. Impacts would be **less than significant**.

HYD-9 Would the project expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

A review of the water management features in the project area indicates that the nearest dam impounds Diamond Valley Lake. A review of the downstream dam inundation area for Diamond Valley Lake indicates this flood hazard is restricted to areas east of the City of Menifee. Therefore, no potential source a flood hazard related to artificial water storage can affect the project site. Impacts would be **less than significant**.

HYD-10 Would the project result in inundation by seiche or mudflow?

There is no source of stored water or a natural water body that could affect the project site from a seiche. During the geotechnical investigation no evidence of mud flow was observed on the property. Therefore, the potential for mud flowing impact to the project site is considered **less than significant**.

4.10.7 CUMULATIVE IMPACTS

The proposed project has been evaluated as having a potential to cause significant flood hazards and a potential to substantially degrade water quality onsite and downstream. Specific mitigation measures and design measures to control the proposed project's contributions to flood hazards and water quality degradation have been defined and are available to control future hydrology and water quality degradation to a less than significant impact level. With implementation of the proposed stormwater management design, as outlined in the Preliminary Hydrology Study and the Project Specific WQMP (Appendix 6 of Volume 2, Technical Appendices) and the above mitigation measures, future stormwater runoff after development of the project site is not forecast to make a cumulatively considerable contribution to downstream flood hazards and water quality degradation in the Santa Ana River Watershed. This conclusion is based on the findings that the proposed mitigation and design measures will not increase runoff from the project site and will provide adequate attenuation of water pollutants in runoff from this project area so as not to make a cumulatively considerable contribution to the runoff volume or water pollution within the watershed found on the property. Cumulative hydrology and water quality impacts are less than significant.

4.10.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to hydrology or water quality will occur as a result of the proposed project.

FIGURE 4.10-1
Receiving Waters Map
(Except from Hydromodification Susceptibility Documentation Report & Mapping) – RCFCWCD Map 1

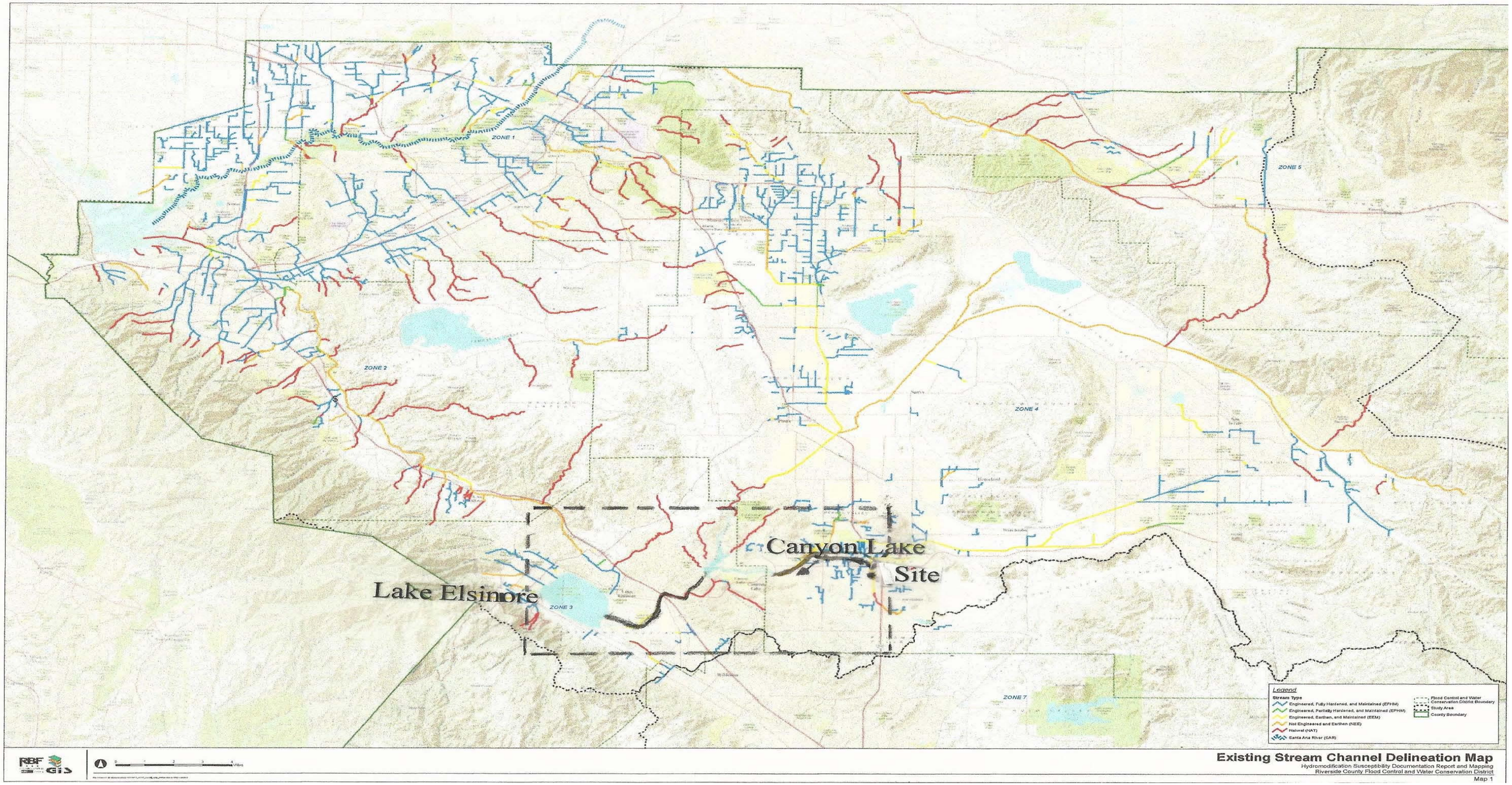
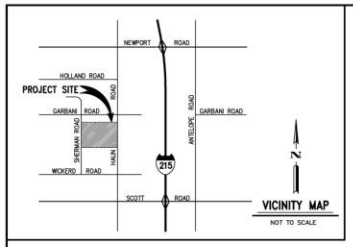
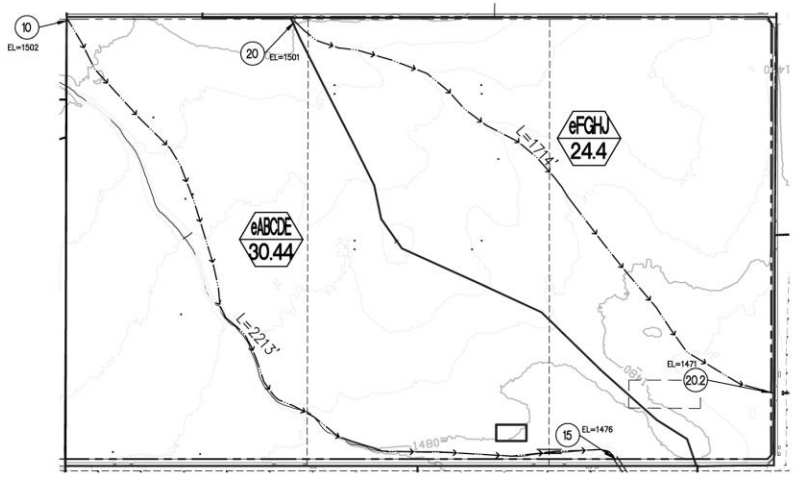


FIGURE 4.10-2



EXISTING DRAINAGE MAP



DRAINAGE LEGEND

SYMBOL	DEFINITION
	PROJECT BOUNDARY
	EXISTING RIGHT OF WAY
	EXISTING DRAINAGE BOUNDARY
	DIRECTION OF EXISTING FLOW
Q100 = 10.2cfs	100 YEAR FLOW FOR AREA
Q10 = 6.2cfs	10 YEAR FLOW FOR AREA
L=762'	LENGTH OF TRAVEL
3 EL=1431	NODE WITH ELEVATION
eA	AREA NAME (ON-SITE EXISTING)
0.78	AREA ACRES

100 YR

AREA DESIGNATION	AREA AC.	NODE	1HR (CFS)	3HR (CFS)	6HR (CFS)	24HR (CFS)
eABCDE	30.44	20.2	81.50	44.90	42.40	15.20
eFGHJ	24.40	15	73.30	37.40	34.00	12.20
TOTAL	54.84		154.80	82.30	76.40	27.40

10 YR

AREA DESIGNATION	AREA AC.	NODE	1HR (CFS)	3HR (CFS)	6HR (CFS)	24HR (CFS)
eABCDE	30.44	20.2	52.10	28.60	27.60	8.20
eFGHJ	24.40	15	47.70	23.90	22.20	6.60
TOTAL	54.84		99.80	52.50	49.80	14.80

2 YR

AREA DESIGNATION	AREA AC.	NODE	24HR (CFS)
eABCDE	30.44	20.2	3.31
eFGHJ	24.40	15	2.67
TOTAL	54.84		5.98

GRAPHIC SCALE
150 0 75 150 300 450
1 inch = 150 ft.

Call before you Dig
Call 811
1-800-227-2600

REVISIONS

SHT.	DESCRIPTION	DATE	BY	APRD

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25096 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8637

PREPARED BY: CHRIS D. HOPPER
RCE NO. 34821
DATE

SEAL: REGISTERED PROFESSIONAL ENGINEER CHRIS D. HOPPER No. 34821 Exp. 9/30/17 CIVIL STATE OF CALIFORNIA

SCALE: 1" =150'
DESIGN: BAM/REK
DRAWN: BENJE/RGS
CHECKED: HJK/BAM
APPROVED: HJK/TPV
DATE: MARCH, 2016

CITY OF MENIFEE
ENGINEERING DEPARTMENT
JONATHAN G. SMITH
DIRECTOR OF PUBLIC WORKS/
CITY ENGINEER
RCE 61253
EXP. 6/30/16
DATE
RECOMMENDED BY:
DATE

CITY OF MENIFEE

EXISTING DRAINAGE MAP
MILLCREEK PROMENADE
UNIT HYDROGRAPH METHOD 2YR, 10YR & 100YR

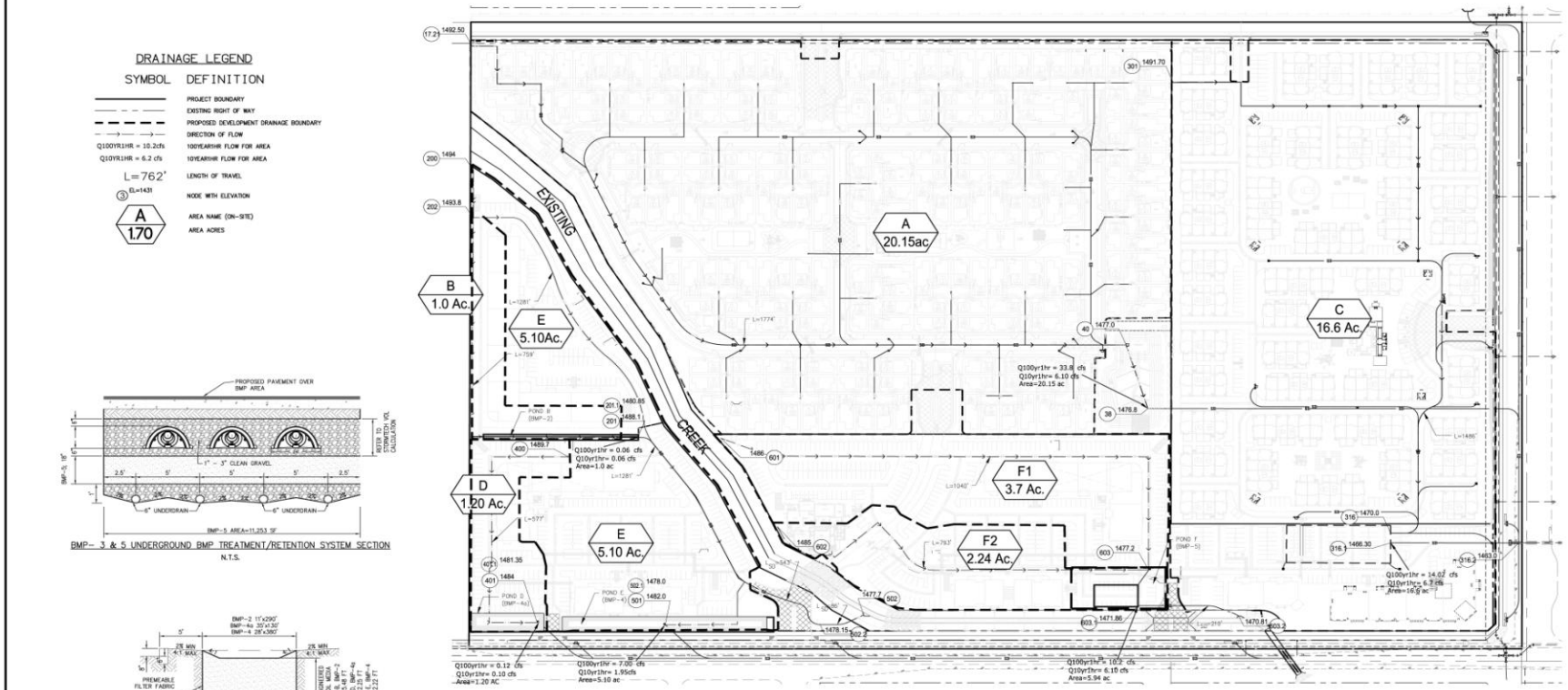
SHEET NO. 1 OF 1
PROJECT NO:

FIGURE 4.10-3


MAP SCALE 1" = 1000'
0 500 1,000 1,500 2,000 FEET
NFIP
NATIONAL FLOOD INSURANCE PROGRAM
PANEL 2070H
FIRM
FLOOD INSURANCE RATE MAP
RIVERSIDE COUNTY, CALIFORNIA
AND INCORPORATED AREAS
PANEL 2070 OF 3805
(SEE MAP INDEX FOR FIRM PANEL LAYOUT)
CONTAINS:
COMMUNITY NUMBER PANEL SUFFIX
MENIFEE, CITY OF 060176 2070 H
RIVERSIDE COUNTY UNINCORPORATED AREAS 060245 2070 H
MAP NUMBER 06065C2070H
MAP REVISED AUGUST 18, 2014
Federal Emergency Management Agency
This is an official copy of a portion of the above referenced flood map. It was extracted using F-MIT On-Line. This map does not reflect changes or amendments which may have been made subsequent to the date on the title block. For the latest product information about National Flood Insurance Program flood maps check the FEMA Flood Map Store at www.msc.fema.gov
City of Menifee
060176
3725000mN
3724000mN
3723000mN
CRAIG AVE
TUPELO RD
GARBANI RD
WICKERD RD
SCOTT RD
ANTELOPE RD
HALEBLIAN RD
MERJANIAN RD
GARLAND LN
EURTON LN
LORETTA AVE
EAGLE RD
PITMAN LN
CAPANO BAY CT
CALCITE ST
ROCHE LN
MENIFEE RD
BRENTWORTH ST
MILL CREEK DR
MISSION DR
SUNRIDGE CT
LEGACY WAY
HILLSIDE DR
SUNNY VIEW DR
BELL MOUNTAIN RD
MELMORE ST
NORTH STAR LN
PARKDALE LN
DAY BREAK CT
PALOMAR RD
HALLWOOD CT
EASTRIDGE
HANS DR
ROUGE LN
FEATHER CREEK DR
BASIN CT
POWDER CT
MAYHEWLIN
HILO AVE
LINDA LEE DR
TATON CT
BRAMWELL ST
WHITFIELD ST
CLAYMEN ST
HARDEN ST
LACOSSE ST
RUXTON ST
LANHAM ST
KURT ST
SHERMAN RD
HAUN RD
NIGHTLY RD
HEIM ST
ASCOT WAY
HOWARD WAY
TABB LN
JERRY
14
15
10
215
NS PANEL 2064

FIGURE 4.10-4

PROPOSED DRAINAGE MAP - UNIT HYDROGRAPH METHOD



100 YR						
AREA DESIGNATION	AREA AC.	NODE	1HR (CFS)	3HR (CFS)	6HR (CFS)	24HR (CFS)
A	20.15	38	33.8	258.9	27.50	11.60
B	1.00	201	0.06	0.06	1.50	0.60
C	16.60	316.1	14.02	16.24	18.50	6.70
D	1.20	401	0.12	0.76	1.20	0.65
E	5.10	501	7.00	6.75	6.70	3.05
F	5.94	603.1	10.2	8.13	7.90	3.52
TOTAL	49.99		65.30	80.84	63.30	26.12

10 YR						
AREA DESIGNATION	AREA AC.	NODE	1HR (CFS)	3HR (CFS)	6HR (CFS)	24HR (CFS)
A	20.15	38	6.10	16.64	18.40	6.95
B	1.00	201	0.06	0.06	0.06	0.06
C	16.60	316.1	6.70	6.70	6.70	3.85
D	1.20	401	0.10	0.10	0.50	0.32
E	5.10	501	1.95	3.97	4.53	1.91
F	5.94	603.1	5.04	5.30	5.33	2.20
TOTAL	49.99		19.95	32.77	35.52	15.29

2 YR			
AREA DESIGNATION	AREA AC.	NODE	24HR (CFS)
A	20.15	38	0.393
B	1.00	201	0.064
C	16.60	316.1	1.861
D	1.20	401.1	0.064
E	5.10	501	0.393
F	5.94	603.1	0.393
TOTAL	49.99		3.17

GRAPHIC SCALE
1 inch = 80 ft.

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1-800-227-2600

REVISIONS
NO. SHT. DESCRIPTION DATE BY APRD

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering-Land Planning-Land Surveying
PREPARED BY: CHRIS D. HOPPER
RCE NO. 34821
DATE:

SEAL: REGISTERED PROFESSIONAL ENGINEER No. 34821 Exp. 9/30/17 STATE OF CALIFORNIA

SCALE: 1" =40'
DESIGN: BMM/RDK
DRAWN: BENJE
CHECKED: HJK/BMM
APPROVED: HJK/CDH
DATE: NOVEMBER, 2016

CITY OF MENIFEE
ENGINEERING DEPARTMENT
JONATHAN G. SMITH RCE 61253
DIRECTOR OF PUBLIC WORKS/ EXP. 6/30/16
CITY ENGINEER
DATE
RECOMMENDED BY:
DATE

CITY OF MENIFEE
PROP. DRAINAGE MAP FOR AREA A, B, C, D, E & F
MILL CREEK PROMENADE
UNIT HYDROGRAPH METHOD-2YR,10YR & 100YR
1 HR, 3HR, 6HR & 24 HR

SHEET NO. 1 of 1
PROJECT NO:

FIGURE 4.10-5

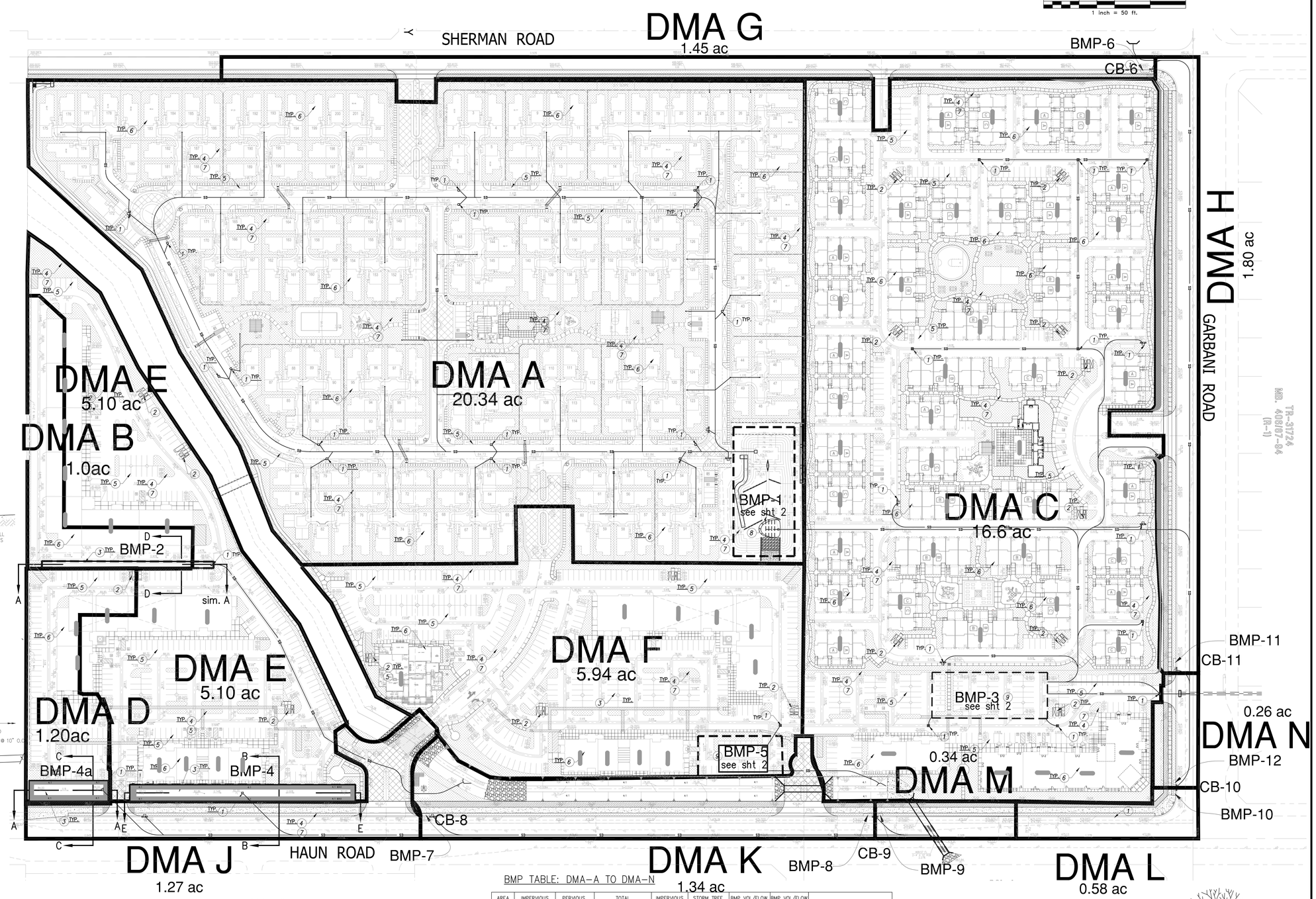
WATER QUALITY MANAGEMENT PLAN

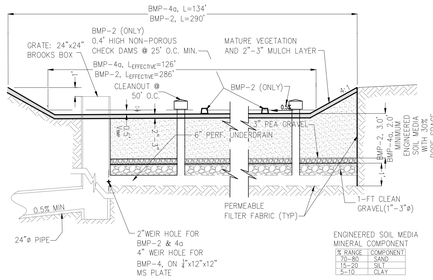
LEGEND:

- PROJECT BOUNDARY
- EXISTING RIGHT OF WAY
- EXISTING/PROPOSED CENTERLINE
- DMA DRAINAGE BOUNDARY
- BMP
- GRASS/LANDSCAPING

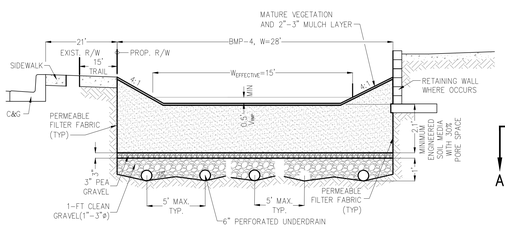
GENERAL NOTES:

1. STENCIL CATCH BASINS, INSTALL INLET FILTERS, SD-13
2. TRASH ENCLOSURES TO RECEIVE PROTECTIVE COVER, SC-34 AND PER CITY OF MENIFEE STD. DWG. NO. 1.3011.11
3. BIORETENTION WITH UNDERDRAIN, TC-32
4. LANDSCAPED AREAS TO BE PROPERLY MAINTAINED AND IRRIGATED, SC-73
5. PARKING & STORAGE MAINTENANCE, SC-43
6. ROOF RUNOFF CONTROL, SD-11
7. EFFICIENT IRRIGATION, SD-12
8. EXTENDED DETENTION BASIN, TC-22
9. SAND FILTER

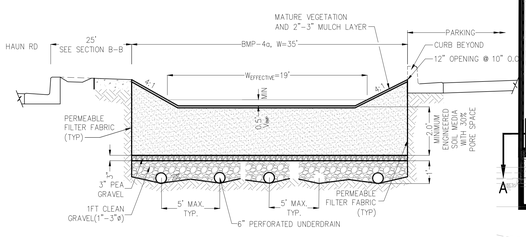




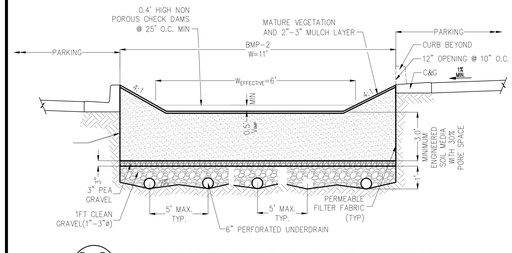
A–A BMP-2, & BMP4a BIORETENTION FACILITY WITH UNDERDRAIN
NOT TO SCALE



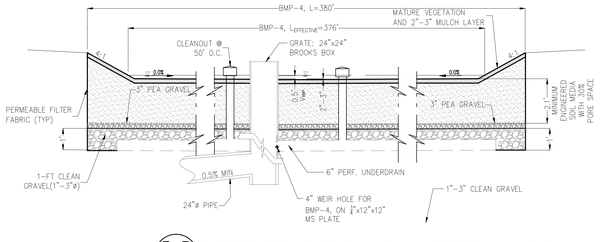
B–B BMP4–BIORETENTION FACILITY WITH UNDERDRAIN
NOT TO SCALE



C–C BMP4A–BIORETENTION FACILITY WITH UNDERDRAIN
NOT TO SCALE



D–D BMP2–BIORETENTION FACILITY WITH UNDERDRAIN
NOT TO SCALE

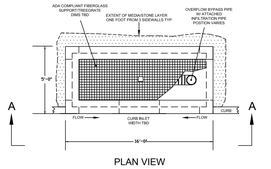


E–E BIORETENTION FACILITY WITH UNDERDRAIN – BMP-4
NOT TO SCALE

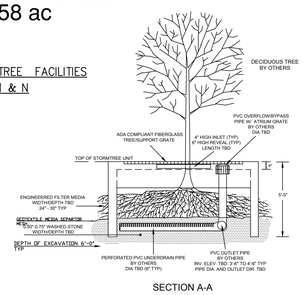
BMP TABLE: DMA-A TO DMA-N

AREA NO.	IMPERVIOUS AREA (SF)	PERVIOUS AREA (SF)	TOTAL AREA (SF)	TOTAL AREA (AC)	IMPERVIOUS AREA (%)	STORM TREE SIZE (FT X FT)	BMP VOL/FLOW REQUIRED (CF)	BMP VOL/FLOW PROVIDED (CF)	BMP USED
DMA-A	556,688	321,046	877,734	20.15	63	–	24,151	69,856	BMP-1 : DETENTION BASIN
DMA-B	40,760	2,800	43,560	1.00	94	–	1,834	2,883	BMP-2 BIORETENTION FACILITY
DMA-C	587,984	143,990	722,974	16.60	80	–	22,642	23,220	BMP-3 SAND FILTER FACILITY
DMA-D	40,552	11,809	52,361	1.22	77	–	1,874	3,606	BMP-4a BIORETENTION FACILITY
DMA-E	179,217	42,939	222,156	5.10	81	–	8,231	8,347	BMP-4 BIORETENTION FACILITY
DMA-F	213,841	44,905	258,746	5.94	83	–	9,898	9,900	BMP-5 SAND FILTER FACILITY
DMA-G	41,291	22,046	63,337	1.45	65	5 X 16	0.20	0.20	BMP-6 STORMTREE BY STORMTECH
DMA-H	51,429	27,080	78,509	1.80	66	5 X 16	0.20	0.20	BMP-11 STORMTREE BY STORMTECH
DMA-J	43,693	11,547	55,240	1.27	79	5 X 16	0.20	0.20	BMP-7 STORMTECH BY STORMTECH
DMA-K	44,086	14,399	58,485	1.34	75	5 X 16	0.20	0.20	BMP-8 STORMTREE BY STORMTECH
DMA-L	16,818	8,260	25,078	0.58	67	5 X 5	0.10	0.10	BMP-10 STORMTREE BY STORMTECH
DMA-M	11,353	3,613	14,965	0.34	76	5 X 5	0.10	0.10	BMP-9 STORMTREE BY STORMTECH
DMA-N	9,033	2,089	11,122	0.26	81	5 X 5	0.10	0.10	BMP-12 STORMTREE BY STORMTECH
TOTAL	1,827,744	656,523	2,484,267	57.03	74				

BMPs– 6, 7, 8, 9, 10, 11 & 12 STORMTREE FACILITIES FOR DMA – G, H, J, K, L, M & N
N.T.S.



PLAN VIEW
NOT TO SCALE



SECTION A-A
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REVISIONS

SHT.	DESCRIPTION	DATE	BY	APRD

PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying
25006 Jefferson Avenue, Suite "D" Murrieta, Ca. 92562
Tel: (951) 698-1350 Fax: (951) 698-8607

PREPARED BY:
CHRIS D. HOPPER
RCE NO. 34821
DATE

SEAL: REGISTERED PROFESSIONAL ENGINEER CHRISTIE D. HOPPER No. 34821 Exp. 9/30/17 CIVIL STATE OF CALIFORNIA

SCALE: 1" =60'
DESIGN: BAM/REK
DRAWN: BENJIE
CHECKED: HJK/BAM
APPROVED: HJK/CDH
DATE: NOVEMBER, 2016

CITY OF MENIFEE
ENGINEERING DEPARTMENT
JONATHAN G. SMITH
DIRECTOR OF PUBLIC WORKS/
CITY ENGINEER
RCE 61253
EXP. 6/30/16
DATE
RECOMMENDED BY:
DATE

CITY OF MENIFEE
WATER QUALITY MANAGEMENT PLAN
MILL CREEK PROMENADE

SHEET NO.
1 OF 2
PROJECT NO:

S:\Land Projects\2004\27058 MILL CREEK PROMENADE\TRACT\1x-BMP\Proposed WQMP-1.dwg 2-27-18 03:26:12 PM

4.11 LAND USE AND PLANNING

4.11.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to land use and planning from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan and Municipal Development Code were used in the evaluation presented in this subchapter. When addressing specific topical land use or planning goals or policies (such as biology or cultural resources), information from the pertinent technical studies contained in Volume 2 of this document were used to support land use and planning findings in this section of the Draft EIR.

The following comments were received by the City during the NOP comment period or at the Scoping Meeting held on the proposed project:

Comment Letter #2 from Mr. Franz Siep a local resident (e-mail, November 16, 2017):

- Compatibility with existing environmental setting at the site and introduction of noise and activities similar to the Scott Road and Newport Road on-off ramp congestion into neighborhood.
- Visual effect of the view of the back sides of the “light industry” buildings that back up to existing neighborhoods. Introduction of urbanization into the existing rural and residential neighborhoods that exist in the vicinity of the proposed project.

Comment Letter #3 from Inland Empire Biking Alliance (Alliance, November 16, 2017):

- The Alliance seeking fulfillment of General Plan Goal C-2 through the Specific Plan and EIR through design and construction of the project. Biggest concern is to ensure traffic study for project addresses effects the project and associated mitigation measures would have on bicyclists and usability of bikes within the project and to locations in the area.
- Measure and report on the bicyclist level-of-service (BLOS) and provide analysis of biking issues to ensure safe, accessible and attractive biking experience for the project area.
- Concern about traffic safety at local intersections. Recommends inclusion of roundabouts because they are safer for bicyclists than signalized intersections.
- Concerned about roadway design and speeding and suggests lane widths that BLOS believes will be safer.
- Concerned about overestimating trip generation and recommends alternatives to use of ITE’s Trip Generation figures.

Comment Letter #7 from Ms. Emily Lee (e-mail November 27, 2017):

- The e-mail states that the primary concern is traffic. Requests that a traffic signal be placed at the corner of Garbani Road and Haun Road or alternatively the exit out of the Marsden community due to traffic on Haun.

Comment Letter #12 from South Coast Air Quality Management District (SCAQMD) (dated December 5, 2017) states:

- Send DEIR and Air Quality/GHG technical appendices directly to SCAQMD at address provided, submit for review
- Use SCAQMD CEQA Handbook and most current version CalEEMod for air emission forecast
- Identify potential adverse AQ/GHG impacts from project construction and operations
- Use SCAQMD regional and localized significance thresholds
- If necessary, perform mobile source health risk assessment, including toxic air contaminant impacts, for project within 500 feet of a freeway (note the project site is more than 1,000 feet west of I-215)
- Assess compatibility of land uses with respect to air quality (such as placing sensitive receptors near air pollution sources, or vice versa)
- Identify mitigation measures, and identify any impacts that would result from mitigation measures
- Consider alternatives if project will generate significant air quality impacts and identify any permits required by the project

4.11.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Regional

Southern California Association of Governments

Southern California Association of Governments ("SCAG") is a regional council of governments representing Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura counties, which encompass over 38,000 square miles. SCAG is the federally recognized metropolitan planning organization for this region and a forum for addressing regional issues concerning transportation, the economy, community development, and the environment. SCAG is also the regional clearinghouse for projects requiring environmental documentation under federal and state law. In this role, SCAG reviews proposed development and infrastructure projects to analyze their impacts on regional planning programs. As the southern California region's metropolitan planning organization, SCAG cooperates with the South Coast Air Quality Management District, the California Department of Transportation, and other agencies in preparing regional planning documents. SCAG has developed regional plans to achieve specific regional objectives, as discussed below.

On April 7, 2016, SCAG adopted the 2016–2040 Regional Transportation Plan/Sustainable Communities Strategy (2016–2040 RTP/SCS), a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2016 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with Senate Bill 375, improve public health, and meet the National Ambient Air Quality

Standards. This long-range plan, required by the state of California and the federal government, is updated by SCAG every four years as demographic, economic, and policy circumstances change. The 2016 RTP/SCS is a living, evolving blueprint for the region's future (SCAG 2016).

Local

City of Menifee General Plan

The following General Plan goals and policies relating to land use and planning are applicable to the project:

Land Use Goal

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

Land Use Policies

- LU-1.1: Concentrate growth in strategic locations to help preserve rural areas, create place and identity, provide infrastructure efficiently, and foster the use of transit options.
- LU-1.2: Provide a spectrum of housing types and price ranges that match the jobs in the city and make it possible for people to live and work in Menifee and maintain a high quality of life.
- LU-1.3: Develop senior housing in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.
- LU-1.4: Preserve, protect, and enhance established rural, estate, and residential neighborhoods by providing sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and adjoining areas.
- LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.
- LU-1.6: Coordinate land use, infrastructure, and transportation planning and analysis with regional, county, and other local agencies to further regional and subregional goals for jobs-housing balance.
- LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the city.
- LU-1.8: Ensure new development is carefully designed to avoid or incorporate natural features, including washes, creeks, and hillsides.
- LU-1.9: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.
- LU-1.10: Buffer sensitive land uses, such as residences, schools, care facilities, and recreation areas from major air pollutant emission sources, including freeways, manufacturing, hazardous materials storage, and similar uses.

City of Menifee Economic Development Corridors

As described in the City General Plan's Land Use Element, the City has identified the properties next to I-215 as Economic Development Corridors ("EDCs"). These areas were identified as areas that could accommodate new growth desired by the City. The EDC land use designation applies to approximately 2,600 acres within the City.

The following General Plan policies relating to Economic Development Corridors, specifically, are applicable to the project:

Economic Development Corridor / Land Use Goal

- LU-2: Thriving Economic Development Corridors that accommodate a mix of nonresidential and residential uses that generate activity and economic vitality in the city.

Economic Development Corridor / Land Use Policies

- LU-2.1: Promote infill development that complements existing neighborhoods and surrounding areas. Infill development and future growth in Menifee is strongly encouraged to locate within EDC areas to preserve the rural character of rural, estate, and small estate residential uses.
- LU-2.2: Encourage vertical and horizontal integration of uses where feasible on properties in EDCs.
- LU-2.3: Identify opportunities to link the city's educational and medical facilities, such as Mount San Jacinto College and the Regional Medical Center, to complementary uses in EDCs.
- LU-2.4: Actively support development of cultural, education, and entertainment facilities in EDCs and utilize these venues to generate a unique identity for the city in Southwest Riverside County.

Pursuant to the General Plan, the intent of the EDC designation is to identify areas where a mix of residential, commercial, office, industrial, entertainment, education, and/or recreational uses is planned. Both horizontal and vertical mixed uses are permitted. The General Plan identifies a citywide "preferred land use mix" for all property designated as EDC: 15 percent residential, 15 percent commercial retail, 10 percent commercial office, and 60 percent business park.

Southern Gateway EDC Subarea

The EDC designation is organized into five EDC subareas. The proposed project is located within the Southern Gateway EDC subarea. Pursuant to Exhibit LU-B2F of the City's General Plan, the Southern Gateway Subarea is envisioned as a business park with limited support commercial uses. The General Plan describes the Southern Gateway as follows:

"The EDC area east of the I-215 and north of Scott Road is envisioned to be a mix of commercial uses near the interchange and transitioning to office and residential extending north toward Mount San Jacinto College. On the west side of I-215, north of Scott Road, the EDC area provides an opportunity for commercial, residential and office uses with a high level of freeway accessibility as a transitional area to the Town Center located to the north. Avoid placement of residential units directly adjacent to the freeway."

The General Plan identifies a "preferred mix" of land uses for the entire Southern Gateway as follows: 10 percent residential, 10 percent commercial retail, 10 percent commercial office, and 70 percent business park. However, while the overall preferred mix limits residential uses within the entire Southern Gateway to 10 percent of the subarea's overall acreage, the 10 percent limitation does not apply on a project-by-project basis, given that the General Plan allows for stand-alone residential projects within the EDC. (See General Plan, Exhibit LU-3.)

City of Menifee Municipal Code

Ordinance No. 2015-180 has been codified into the City's Municipal Code at Chapter 9.28. Municipal Code sections 9.29.010 through 9.28.190 therefore apply to the City's several EDC subareas, including the EDC-SG district.

Municipal Code section 9.28.030, Organization of Land Uses Within the EDC-SG District includes the following provisions:

- "While flexibility in land use options is one of the benefits of the EDC designation, EDC designated areas are intended to provide a distinct mix of uses that are complementary to surrounding land uses while providing distinct activity centers in the City and encouraging economic growth within the City."
- "Southern Gateway (EDC-SG): This district serves as a buffer and transition between the land uses south and east of the district and the residential uses located within and outside Menifee to the south, west and east of the district. The EDC area east of the I-215 north of Scott Road to Craig Avenue, is envisioned to be a mix of commercial uses near the Scott Road/I-215 interchange transitioning to office and minimal residential extending north toward Craig Avenue. The EDC area on the west side of I-215 extends north from Keller Road to Garbani Road. The EDC-SG west side will feature a business park style of development consisting of light industrial and office uses, with commercial use opportunities. Small independent commercial and service venues, which may be rural-oriented, will be included in the EDC-SG area where found appropriate...The EDC-SG area should include the potential for economic driver themes that shall include a mix of industrial and professional business park uses which would complement and be compatible with the Medical uses to the south in Murrieta. The City encourages the development of an auto mall in that portion of the Southern Gateway district, between the I-215 freeway and Haun Road, north of Scott Road."

Municipal Code section 9.28.040, Design Flexibility, includes the following provision:

- "[F]lexibility in both development standards and allowed land uses shall be allowed. The Director may allow minor deviations to the development standards of this Chapter and allow land uses not listed . . . ."

Municipal Code section 9.28.060, Specific Plan, includes the following provision:

- "Project complexities or other nuances may require the development of a specific plan for the proposed land use or development."

4.11.3 EXISTING CONDITIONS

The project site is located on a rectangular–shaped set of parcels that currently consist of fallow agricultural land. As shown in Chapter 2 of this DEIR, **Figure 3-2, Project Location Map**, the proposed project site is situated in an area of mixed vacant, open space and single-family residential uses of varying density with scattered commercial development. The sizeable undeveloped acreage in the immediate vicinity includes property planted for dry farming as well as areas that are not actively farmed and have a cover of non-native weeds/plants.

The project is located on the northwestern-most parcels within the Southern Gateway subarea of the EDC ("EDC-SG"). Immediately adjacent to the north is existing, lower density residential. This existing residential neighborhood, developed at a density of 2.1 to 5 dwelling units per acre, is not included within the EDC-SG district. Adjacent and to the west of the project site is

an additional existing residence, and vacant property. Property to the west is also designated lower density residential (2.1-5 dwelling units per acre) and is also not located within the EDC. Adjacent to the east and the south is vacant land, which is located within the EDC and is therefore designated EDC-SG and planned for higher intensity commercial, business and industrial park uses.

Elevations on the project site range from approximately from 1,470 feet to 1,500 feet above mean sea level. The terrain is relatively level, with a gradual incline towards a large hill located approximately 450 feet to the west of the site. Drainage within the property generally flows to the north. Under present circumstances the site is undeveloped and the onsite soils have historically been used to support dry farming activities. Most vegetation has been removed by past activities; there is a light regrowth of Russian thistle and buckwheat. The site soil contains a substantial amount of small to large rocks, with the highest concentrations of rocks located in the northeast corner of the property. A small drainage, Mill Creek, crosses through the southern portion of the site and continues along the eastern edge of the property before exiting to the east across Haun Road. See **Figure 3-4** for a higher resolution aerial photograph of the project site.

4.11.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

LU-1 Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.

LU-2 Disrupt or divide the physical arrangement of an established community (including a low-income or minority community).

LU-3 Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.11.5 METHODOLOGY

The analysis analyzes the proposed project's consistency with regional and local plans, policies and regulations for the purposes of avoiding or mitigating an environmental effect. Specifically, the proposed project was analyzed with respect to applicable regional planning guidelines and strategies of SCAG's RTP/SCS, and local plans, including the City of Menifee General Plan and Municipal Code.

4.11.6 ENVIRONMENTAL IMPACTS

LU-1 Would the project conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

SCAG RTP/SCS

SCAG's 2012-2035 RTP/SCS Plan identifies coordinated transportation and land use planning strategies intended to reduce greenhouse gas ("GHG") emissions in accordance with SB 375 and to benefit regional quality of life. The RTP/SCS Plan emphasizes placing higher intensity housing and jobs in locations with existing high quality transit infrastructure that make daily travel via transit or active transportation (biking, walking, etc) feasible and attractive alternatives to single occupancy vehicle travel. Specific metrics identified in the SCAG Facts About California's Sustainable Communities Plans[1] (Fact Sheet) are: 2/3 of new housing will be multi-family by 2035; over 60% of all jobs will be within High Quality Transit Areas (HQTAs) by 2035; over half of new homes and jobs will be within walking distance of transit; fewer drive-alone trips and more transit use, biking and walking and HOV (high occupancy) trips; average auto trip length decreases through 2035; per capita vehicle miles traveled (VMT) decreases through 2035.

The California Air Resources Board ("CARB") Technical Evaluation of the Greenhouse Gas Emission Reduction Quantification for the Southern California Association of Governments' SB 375 Sustainable Communities Strategy dated May 2012 notes that SCAG's SCS relies on the following key policies and strategies:

- Focusing new growth in existing and emerging population centers and along major transportation corridors;
- Creating significant areas of mixed use development and walkable communities;
- Targeting growth around existing and planned transit stations; and
- Preserving existing open space and protecting established residential areas.

The CARB Evaluation further states, "The preferred alternative is believed to meet demand for a broader range of housing types, with new housing and land use focused on the development of smaller lot single-family homes, townhomes, and multi-family condominiums and apartments." The proposed project conforms to the metrics identified in the fact sheet by providing a mixed-use community with amenities designed to enhance active transportation in a location designated for enhanced walkability within the City. The project site is located within an emerging population center in the City of Menifee, but it is not located within a HQTA and is not currently within reasonable walking distance of transit. The project would construct HDR housing, commercial, retail, restaurant, office and business park uses within a mixed-use development that would provide the opportunity for residents and employees on the project site to access the other uses via trails and sidewalks. The site is located within an area of the City where existing nearby residents could also access on-site amenities and where future development designed in manner consistent with the General Plan land use designations, zoning and vision would complement the mixed-use and active transportation opportunities of the project.

The proposed project would be consistent with SCAG 2012 RTP/SCS Goals summarized as follows.

[1] http://www.arb.ca.gov/cc/sb375/scag_fact_sheet.pdf

RTP/ SCS Goal 1: Align the plan investments and policies with improving regional economic development and competitiveness

Consistent. At the broad scale Goal 1 appears to be referring to ensuring that the 2012 RTP/SCS recommended investments support the improvement of regional economic development and competitiveness. At the project specific level it would appear that this policy refers to the individual project support infrastructure improvements that are consistent with improving regional economic development and competitiveness within the project area, which in this case consists of the City of Menifee and the southwestern portion of Riverside County. The proposed project would install infrastructure improvements or provide fees for the following environmental issues: drainage system, water supply, wastewater collection, and the circulation system. Although limited to the project area, these improvements and the inclusion of commercial and business uses as part of the project enhance the ability of the project to improve the area economy and ability to support the area's competitiveness. Therefore, the project is consistent with and supports RTP/SCS Goal 1.

RTP/ SCS Goal 2: Maximize mobility and accessibility for all people and goods in the region

Consistent. The proposed project is a mixed-use community that includes sidewalks and trails that provide the opportunity for non-motorized access between land uses and with existing adjacent development. Based on review of the Riverside Transit Agency ("RTA") website route maps, RTA does not currently offer an existing transit route that could serve the project. Based on the location of the project within the City EDC, it would make sense for RTA to extend bus service into the area as development occurs. It is not possible to compel RTA to provide such service. Mitigation measure 4.17-7 requires the proposed project to initiate discussions with the RTA in cooperation with the City to induce the RTA to extend service into the project area by committing to provide supporting transit infrastructure at intersection(s) adjacent to the project site that meet RTA site selection criteria.

RTP/ SCS Goal 3: Ensure travel safety and reliability for all people and goods in the region

Consistent. The proposed project will construct roadways within and adjacent to the project site to their ultimate or half-width paved sections. As a result both routine and emergency travel will be enhanced once the project site is developed. **Mitigation Measure 4.9-4** is identified and described in this DEIR's subchapter 4.9 to ensure that adequate routine and emergency access is maintained during all construction activities. As previously noted, the project would include non-motorized trails and sidewalks within the site that would enhance the safety and reliability of non-motorized access.

RTP/ SCS Goal 4: Preserve and ensure a sustainable regional transportation system

Consistent. The proposed project will contribute to the generation of additional traffic on local and regional roadways. The proposed project is consistent with the land use and density for the site as identified in the City's adopted General Plan (see further details regarding the project's consistency with the General Plan, below). The mixed-use design of the project and location within an emerging mixed-use population center would place less demand on the regional transportation system than would traditional suburban development. The analysis in this DEIR's subchapter 4.17 determined it is possible to mitigate all potentially significant intersection

impacts through the Horizon Year (2035) if all identified improvements are funded in a timely manner. The one exception is the mainline freeway on I-215 which is identified as experiencing an unacceptable LOS in 2035 (due to cumulative traffic growth) regardless of project commitments to mitigate.

The proposed project would install infrastructure improvements as described by **Mitigation Measure 4.17-2**, identified in this DEIR's subchapter 4.17, Traffic/Transportation. Measure 4.17-2 lists the incremental improvements that are required by Horizon Year traffic conditions to alleviate long-range circulation system deficiencies. The regional and local transportation impact fee programs have each been reviewed and compared to the recommended improvements for each impacted facility. Recommended improvements already identified and included in one of the pre-existing fee programs (i.e., TUMF, DIF, RBBD, etc.) are clearly denoted. If an impacted facility was found to require improvements beyond those already identified within one of the pre-existing regional or local fee programs, the project may be required to contribute the associated intersection or roadway fair-share percentage toward the costs of the recommended improvements.

RTP/ SCS Goal 5: Maximize the productivity of our transportation system

Consistent. While cumulative circulation system effects of the proposed project are forecast to be significant based on the fact that circulation improvements are dependent on other projects and funding sources beyond the control of the proposed project, the project will pay its fair share of development impact fees in accordance with City requirements. Internal circulation of the project will also be designed in accordance with City requirements and the City General Plan.

RTP/ SCS Goal 6: Protect the environment and health of our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)

Consistent. The proposed mixed-use project would be located within an emerging mixed-use population center as envisioned by the City's General Plan. The project would include trails and sidewalks in addition to providing opportunities for residents of the site or nearby areas to access employment opportunities or retail destinations via active transportation.

RTP/ SCS Goal 7: Actively encourage and create incentives for energy efficiency, where possible

Consistent. Extensive mitigation has been identified in this DEIR's subchapter 4.4, Air Quality, that will reduce the energy demand of the proposed project. These measures are designed to increase the water and energy efficiency of the buildings such that the per capita electrical demand of the residences would be substantially lower than in conventionally built homes. Further, mitigation identified in this DEIR's subchapter 4.18, Utilities, reduces GHG associated with conveying solid waste by reducing hauling trips to the landfills and by reducing waste generation rates thereby resulting in less anaerobic decomposition in landfills. Extensive water conservation requirements mandated by EMWD will reduce GHG emissions associated with providing residential and landscaping water.

RTP/ SCS Goal 8: Encourage land use and growth patterns that facilitate transit and non-motorized transportation

Consistent. The proposed mixed-use project would be located within an emerging mixed-use population center as envisioned by the City's General Plan. The project would include trails and sidewalks in addition to providing opportunities for residents of the site or nearby areas to access employment opportunities or retail destinations via active transportation.

RTP/ SCS Goal 9: Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies

N/A. The proposed project would have no impact on system monitoring, rapid recovery planning, and coordination with other security agencies. However, as detailed in this DEIR's subchapter 4.15, Public Services, and the Fiscal Analysis prepared for the project, the proposed project would generate on-going General Funds anticipated to exceed the expense of providing services to the project site and population that can be used to offset cumulative public services impacts associated with the proposed project.

City of Menifee General Plan

City General Plan Exhibit LU-1 Community Structure illustrates a conceptual vision of the clustering and transition of land uses desired by the City. The project site is depicted as supporting a jobs center and residential transition. The exhibit does not identify the area as neighborhood commercial, but rather has neighborhood and regional commercial located farther south between the Interstate and Haun Road north of the Scott Road. The proposed project includes residential transition that would buffer existing lower density residential development from the proposed commercial and business park development on the site as well as from any future proposed development south of the site. Locating neighborhood commercial closer to existing and proposed residential areas increases the opportunity for residents to choose non-motorized transportation options for casual commercial and restaurant trips, particularly with integrated, landscaped trail and sidewalk amenities as depicted in the proposed Project Specific Plan.

Implementing the project as proposed would alter the zoning of the proposed site from EDC to Specific Plan ("SP"). This change reflects the objective of providing more flexible development standards than authorized in the EDC zone classification.

The proposed project's land use and planning impacts will result from converting vacant land to a higher density mixed used development consistent with the General Plan vision and land use designations and intensities. Approval of the proposed project will cause an intensification of development greater than that which presently occurs on the site, but not greater than that which was planned for in the General Plan. In fact through incorporation of a higher percentage of residential use when compared to the EDC designation, the proposed project provides a better transition with the adjacent residential uses to the north. The proposed project design includes buffers around boundary portions of the project site which abut existing lower intensity residential uses. Any contrast between the proposed site and some surrounding parcels would diminish over time as other undeveloped parcels are developed in a manner consistent with the uses and intensity depicted in the General Plan. The proposed project will contribute to implementing the General Plan vision for the project area, the EDC, and the City.

In the following discussion, the Land Use goals and policies outlined in the City General Plan are restated and addressed with respect to project impacts.

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

Consistent. The project proposes higher density residential (8.1-14 du/ac) via two different product types – attached townhome and detached single family residential. The majority of surrounding residential is designated at a much lower density. By providing additional residential options, the project is contributing to a community where residents at all stages of life have a diversity of living options (including options relating to lifestyle, density, location and affordability).

Further, the project includes adoption of the Mill Creek Promenade Specific Plan, which would provide land uses and building types that support the vision of a community where residents at all stages of life, employers, workers, and visitors have a diversity of options of where they can live, work, shop, and recreate within Menifee. The Specific Plan implements the EDC by providing residential, commercial, office, business park, and open space uses within the project's five planning areas.

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

Consistent. The project is part of the EDC-SG district, where higher intensity non-residential uses will be concentrated along the I-215 corridor and along Scott Road. Within the EDC-SG district, the placement of this project's residential component is strategic, and provides a needed transitioning use between existing lower density residential to the north, and the anticipated higher intensity commercial and industrial park uses planned for the majority of the EDC-SG district to the south.

The proposed project would concentrate appropriate uses within the EDC, as prescribed by the City General Plan, thereby potentially reducing development pressures on rural areas. Through the land use plan, development standards, and the design guidelines, the Specific Plan would create a unique place and develop its own identity. As shown in Chapter III, Community Development Plan of the Specific Plan, the Land Use Plan, Circulation Plan, Public Facilities Plan, Grading Plan, and Phasing Plan, development of the Specific Plan would provide infrastructure efficiently by providing a combination of pathways, paseos, walkways, or similar pedestrian and bicycle accesses that connect the individual Planning Areas within the Specific Plan to each other as well as to the adjacent properties and to public transportation facilities (currently or in the future) located on key perimeter streets (Haun and Garbani Roads).

Policy LU-1.2: Provide a spectrum of housing types and price ranges that match the jobs in the city and make it possible for people to live and work in Menifee and maintain a high quality of life.

Consistent. The project proposes higher density residential (8.1-14 du/ac) in two different product types – attached townhome and detached single family residential. Providing higher density residential ensures a more affordable product and more housing options for Menifee residents.

Further, the proposed project provides housing types and price ranges that attempt to match the jobs in the City. Higher density residential products typically offer a less expensive housing alternative than single family housing on larger lots. In a mixed use community, the higher density single family residences provide an entry level home for young and older residents of the City to become homeowners. The proposed project contains residential, commercial, office, and business park uses, providing opportunities for City residents to work and shop close to home.

Policy LU-1.3: Develop senior housing in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.

Consistent. The proposed project does not develop housing specifically for seniors; however, smaller homes without yard maintenance obligations in walkable neighborhoods often appeal to senior citizens. The proposed project is consistent with this policy by providing housing that meets the identified goals available to seniors or whomever else would select it for occupancy. By placing higher density residences adjacent to commercial uses and near health facilities just south in the City of Murrieta, Mill Creek Promenade can also support a community that will be less dependent on the automobile.

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

Consistent. Existing lower density residential uses are located directly north of the EDC-SG district, and directly adjacent to the proposed project site. These residents have expressed concerns regarding the impact of higher intensity uses adjacent to their homes and neighborhood. The project therefore provides an important transition land use – higher density residential. This will protect existing residential from greater conflicts with commercial and business uses and provide a well-designed transition between this existing residential neighborhood and the more intensive, non-residential EDC-SG uses.

Residential uses at a higher “transitioning” density (such as the density proposed by the project) would provide greater protection for home values to the north, than would higher intensity industrial park uses. Further, a high density residential “buffer” would provide more compatible types of traffic on adjacent streets (i.e. passenger vehicles) as opposed to higher intensity heavy duty trucks, commonly associated with industrial uses. To name just a few, noise, air quality, traffic hazard, community and land use conflicts, and pedestrian connectivity impacts are more likely to occur between low density residential and industrial park uses, than low density residential and a “transitioning” higher density residential product.

Further, the proposed project would provide sensitive and well-designed transitions (building design, landscape, etc.) between these neighborhoods and the project. Landscaping, sidewalks and trails would be located along both Sherman Road and Haun Road, further buffering neighboring residential areas and providing a well-designed transition between the project site and those areas.

Policy LU-1.5: Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.

Consistent. Providing higher density residential on the project site will reduce reliance on the automobile by placing residents closer to the commercial and business uses planned for the EDC-SG district. However, at the same time, concentrating residential land uses together at the northern end of the district, will also protect new residents from adverse effects relating to the I-215, or heavier intensity uses like industrial park uses that are envisioned for the district. In contrast, if residential units were more evenly dispersed through the district, these new units would place sensitive receptors adjacent to the I-215, adjacent to the intensive commercial uses planned for Scott Road, and adjacent to, and integrated within, industrial park uses. Such "integration" could lead to residents experiencing increased air quality impacts, noise impacts, and incompatible traffic conflicts between passenger vehicles and heavy truck traffic.

Further, and as described previously, the proposed project is a mixed-use development with residential, commercial, office, business park, and open space uses that would reduce reliance on automobiles by locating amenities in immediate proximity to other uses and by providing a combination of pathways, paseos, walkways, or similar pedestrian and bicycle accesses that connect the individual Planning Areas within the project site to each other as well as to the adjacent properties and to public transportation facilities (currently or in the future) located on key perimeter streets (Haun and Garbani Roads).

In addition, concentrating residential development on the northern parcels of the EDC-SG District would not impede (and would encourage) the development of higher intensity commercial uses in the central area of the district. The ease by which shoppers can access these parcels by way of the I-215 and Scott Road further makes these parcels attractive for commercial and retail development, as opposed to residential development. Residential development in the central portion of the EDC-SG would also suffer from potential impacts relating to noise, traffic, incompatible design, and air quality impacts related to higher intensity non-residential uses, I-215 and Scott Road.

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

Consistent. The proposed project would support this policy by locating appropriate uses within the EDC, as prescribed by the General Plan. The project proposes 398 dwelling units, as well as 120,190 square feet of commercial retail and office uses (together within the proposed Promenade Shopping Center) and 33,800 square feet of light industrial and business park uses. The proposed project would directly create temporary construction jobs as well as permanent jobs within the shopping center and industrial/business park.

Further, by concentrating residential units in the northwestern-most portion of the EDC-SG, residential is situated away from the I-215, located to the east. I-215 bisects the northern portion of the EDC-SG and creates the easternmost boundary for the southern portion of the EDC-SG. Concentrating residential in the northern part of the EDC-SG (as opposed to equally distributing residential on each EDC-SG parcel or within each new development) provides myriad benefits: protecting both existing and new residential uses from air quality and noise impacts that may occur as a result of I-215 traffic, and also preserving parcels along I-215 and Scott Road for uses that are more dependent on access to regional highways (i.e. industrial parks that utilize and rely upon heavy duty truck traffic, and business uses that benefit from visibility along the interstate). This is also consistent with direction provided in General Plan Exhibit LU-3 and Municipal Code section 9.28.030 (discussed in further detail, below).

Policy LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the city.

Consistent. The proposed project would include neighborhood amenities for the proposed residential areas such as pools, clubhouses, multiple playground areas, a basketball court, a volleyball court, community garden, walking trails, multiple open space areas and three garden courts. The proposed walkway along Mill Creek through the site, in connection with perimeter trails and sidewalks, would provide open space and trail facilities.

Policy LU-1.8: Ensure new development is carefully designed to avoid or incorporate natural features, including washes, creeks, and hillsides.

Consistent. A natural drainage (identified as PA5) conveys flows through and from the site. The drainage would separate PA4 from PAs 1, 2, and 3. The proposed project would avoid the drainage to the greatest extent feasible on the property while providing crossings that would facilitate access throughout the site. At Haun Road the existing natural channel is modified with culverts to allow the flow to pass under the road and enter the maintained channel on the east side of Haun. Due to the future volume of runoff from the property the existing culvert will be modified to provide a larger reinforced concrete box culvert beneath Haun Road. This issue is discussed in greater detail in Chapter 4.5 Biology and Chapter 4.9, Hydrology and Water Quality. There are no other natural features on-site (i.e., creeks and hillsides).

Policy LU-1.9: Allow for flexible development standards provided that the potential benefits and merit of projects can be balanced with potential impacts.

Consistent. The project proposes to control development through the adoption of a Specific Plan, which will allow for flexible design regulations beyond those provided in the Municipal Code's more conventional zoning controls. This is consistent with the vision for the EDC-SG, as described in General Plan Land Use Element Exhibit LU-4.

The proposed Specific Plan would tailor the site's development standards to the specific topographical and locational constraints of the site. While the proposed project implements the vast majority of the development standards contained in the EDC zoning, the Specific Plan allows for additional flexibility, and therefore has established standards regarding setbacks in order to better develop the site and achieve the desired objectives of the EDC, including objectives relating to the siting of appropriate uses at the appropriate locations.

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

Consistent. The eastern edge of the proposed project is located approximately 1,350 feet from the I-215 Freeway, which is the only major air pollutant emission source located in proximity of the project site. Sensitive land uses proposed by the project, specifically residential and recreation spaces, are buffered from the freeway by being located west of the proposed commercial buildings and parking lots. The project would not locate sensitive land use adjacent to a major air pollutant emission source.

As described above, providing higher density residential on the project site will reduce reliance on the automobile by placing residents closer to the commercial and business uses planned for

the EDC-SG district. However, at the same time, concentrating residential land uses together, at the northern end of the district will also protect new residents from adverse effects relating to the I-215, or heavier intensity uses like industrial park uses that are envisioned for the district. In contrast, if residential units were more evenly dispersed throughout the district, these new units would place sensitive receptors adjacent to the I-215, adjacent to the intensive commercial uses planned for Scott Road, and adjacent to, and integrated within, industrial park uses. Such "integration" could lead to residents experiencing increased air quality impacts, noise impacts, and incompatible traffic conflicts between passenger vehicles and heavy truck traffic.

Goal LU-2: Thriving Economic Development Corridors that accommodate a mix of nonresidential and residential uses that generate activity and economic vitality in the city.

Consistent. The project provides a mix of uses within its own project site, but more importantly, supports the overall development of the EDC-SG district. The project concentrates 35 acres of the district's total 83 acres of residential development at a location where it makes the most sense – providing a transitioning higher density residential use adjacent to existing lower density residential to the north, and concentrating residential away from the I-215 where it is prohibited pursuant to the General Plan.

As discussed above, the project site is located adjacent to existing, lower density residential uses to the north, and vacant property also designated for lower density residential to the west. Given that these adjacent residential properties are not located within the EDC-SG district, Mill Creek Promenade's residential uses would provide an appropriate and needed buffer between these existing residential uses, and the more intense uses planned for the EDC-SG district. Residential uses at a higher "transitioning" density (such as the density proposed by the project) would provide greater protection for home values to the north, than would higher intensity industrial park uses.

By concentrating residential units in the northwestern-most portion of the EDC-SG, residential is situated away from the I-215, located to the east. I-215 bisects the northern portion of the EDC-SG and creates the easternmost boundary for the southern portion of the EDC-SG. Concentrating residential in the northern part of the EDC-SG (as opposed to equally distributing residential on each EDC-SG parcel or within each new development) provides myriad benefits: protecting both existing and new residential uses from air quality and noise impacts that may occur as a result of I-215 traffic, and also preserving parcels along I-215 and Scott Road for uses that are more dependent on access to regional highways (i.e. industrial parks that utilize and rely upon heavy duty truck traffic, and business uses that benefit from visibility along the interstate). This is also consistent with direction provided in General Plan Exhibit LU-3 and Municipal Code section 9.28.030.

The central portion of the EDC-SG includes the existing Menifee Commercial Specific Plan, along Scott Road. Other commercial and retail uses would be compatible with this Specific Plan, and, if such uses are developed on the surrounding parcels (i.e. those parcels roughly bounded by Scott Road to the south, Howard Road to the west, Wickerd Road to the north and I-215 to the east) within the EDC-SG, this would provide a synergistic node of commercial and retail uses at this key interchange.

Concentrating residential development on the northern parcels of the EDC-SG District would not impede (and would encourage) the development of higher intensity commercial uses in the

central area of the district. The ease by which shoppers can access these parcels by way of the I-215 and Scott Road further makes these parcels attractive for commercial and retail development, as opposed to residential development. Residential development in the central portion of the EDC-SG would also suffer from potential impacts relating to noise, traffic, incompatible design, and air quality impacts related to higher intensity non-residential uses, I-215 and Scott Road.

Moving further south of Scott Road and the Menifee Commercial Specific Plan, business park uses (which, by the City's definition includes industrial park and industrial uses) are most appropriate to the south. Locating these uses in the southernmost portion of the EDC-SG implements several key planning principals. First, it separates these more intensive uses from existing lower density residential to the north of the district (north of Garbani Road). Second, it allows these uses to benefit from the key I-215/Scott Road interchange, which would facilitate heavy truck traffic. Third, it leaves properties along Scott Road and adjacent to the existing Menifee Commercial Specific Plan available for commercial and retail uses. Fourth, it protects new residents from impacts relating to I-215, Scott Road, and high intensity industrial uses.

Policy LU-2.1: Promote infill development that complements existing neighborhoods and surrounding areas. Infill development and future growth in Menifee is strongly encouraged to locate within EDC areas to preserve the rural character of rural, estate, and small estate residential uses.

Consistent. As discussed above, the project site is located adjacent to existing, lower density residential uses to the north, and vacant property also designated for lower density residential to the west. Given that these adjacent residential properties are not located within the EDC-SG district, Mill Creek Promenade's residential uses would provide an appropriate and needed buffer between these existing residential uses, and the more intense uses planned for the EDC-SG district. Residential uses at a higher "transitioning" density (such as the density proposed by the project) would provide greater protection for home values to the north, than would higher intensity industrial park uses.

Policy LU-2.2: Encourage vertical and horizontal integration of uses where feasible on properties in EDCs.

Consistent. The proposed project provides horizontal integration of uses on site, concentrating residential uses on the northern portion of the site, adjacent to existing, lower density residential.

Policy LU-2.3: Identify opportunities to link the city's educational and medical facilities, such as Mount San Jacinto College and the Regional Medical Center, to complementary uses in EDCs.

Consistent. Education and medical facilities are identified as permitted uses within the project's proposed Specific Plan Table IV-7, Land Use Regulations – Commercial Retail (see "Institutional Uses"), and Table IV-9, Land Use Regulations – Business Park (see "Institutional Uses"). Implementation of these uses can be coordinated with the Regional Medical Facility in Murrieta and the education facilities in Menifee through participation of future onsite educators and medical personnel/facilities with these existing facilities.

Policy LU-2.4: Actively support development of cultural, education, and entertainment facilities in EDCs and utilize these venues to generate a unique identity for the city in Southwest Riverside County.

Consistent. Cultural, educational and entertainment related uses are identified as permitted uses within the project's proposed Specific Plan Table IV-7, Land Use Regulations – Commercial Retail (see "Institutional Uses"), and Table IV-9, Land Use Regulations – Business Park (see "Institutional Uses"). The potential exists for cultural, educational and entertainment venues to be developed at the project site through coordination between the developer and the City.

General Plan Land Use Element Exhibit LU-1 (Land Use Villages).

Consistent. The General Plan Land Use Element establishes the City's general pattern of land uses, and specifically identifies a concentration of nonresidential land uses along the I-215 corridor, with these areas transitioning to more rural and residential land uses adjacent to the City boundaries. The Land Use Element also organizes residential land uses into four village areas. (Land Use Element; see also Exhibit LU-1). The project site is shown in General Plan Figure LU-1 as being located at the confluence of three areas: Residential Village, Residential Transition, and Jobs Center (which also includes limited residential uses). The project proposes higher density residential, along with commercial and business/industrial park uses, appropriate for such a location. The higher density residential provides an appropriate buffer and transitioning use between the Residential Village and the higher intensity, and more impactful, Jobs Center uses, and is consistent with Residential Transition-type uses shown in General Plan Exhibit LU-1 as well.

General Plan Land Use Element Exhibits LU-2 and LU-3 (Land Use Designations).

Consistent. General Plan Exhibit LU-2 identifies land use designations for each parcel within the City, and Exhibit LU-3 provides additional explanation of each use illustrated in LU-2.

General Plan Land Exhibit LU-2 identifies the proposed project site as designated "Economic Development Corridor" and Exhibit LU-3 provides the following for EDC designated areas:

- Both horizontal and vertical mixed uses are permitted.
- EDC is to be developed primarily as nonresidential uses, with residential uses playing a supporting role.
- Residential uses <u>shall</u> be allowed as stand-alone projects.
- <u>Overall</u>, residential uses shall not exceed 15 percent of the total EDC acreage.
- Residential uses shall not be allowed directly adjacent to the freeway.
- EDC is primarily intended for uses along corridors such as I-215 and Ethanac, Newport, and Scott Roads.
- Preparation of a Conceptual Master Plan is required to illustrate a comprehensive understanding of the relationship to surrounding uses.
- Development in EDC areas may be implemented by specific plan or through conventional zoning designations.

The proposed project is consistent with the EDC designation, as described in Exhibit LU-3. Specifically, the project proposes a horizontal mix of uses. Residential uses are proposed as a "supporting role" to the larger EDC-SG district, acting as a transitioning use, protecting existing

lower density residential to the north from the more intensive EDC uses like business, industrial, auto-mall, medical-supporting uses, etc.

Given that stand alone residential projects are allowed in the EDC, the proposed project, which includes residential uses on approximately 34 net acres that have been integrated into the whole project. Non-residential uses will be developed on the remaining southern and eastern portions of the site. The project is consistent with the residential requirement as well.

The project's residential acreage would not exceed 15 percent of the total EDC area; it only constitutes approximately 34 net acres of the approximately 830 acre EDC-SG district and the more than 2,225 acres of the EDC designation within the City as a whole. On the project site the residential component constitutes 34 of the 58 acres of the project site, which is equivalent to 59% of the site.

The proposed project does not place residential uses adjacent to I-215, which should be preserved for industrial park uses, or along Scott Road, which should be preserved for commercial uses. Within the EDC-SG district as a whole, residential is most appropriate on the project site, and would preserve parcels along the freeway and along Scott Road for commercial and industrial park uses.

Finally, the project includes approval of the Mill Creek Specific Plan, which would govern development in place of the conventional zoning designations. Therefore, the proposed project is consistent with the EDC designation requirements identified in Exhibit LU-3 of the General Plan.

General Plan Land Use Element Exhibit LU-4 (Buildout Summary).

Consistent. General Plan Exhibit LU-4 identifies the City's maximum buildout potential for housing units, nonresidential building square footage, population, and employment that could be generated by the Land Use Plan. LU-4 identifies a total of 4,474 dwelling units for the entirety of EDC-designated parcels, as well as 3,774,167 square feet of retail use, and 25,020,987 square feet of non-retail commercial use. Within the residential land use specifically, LU-4 identifies a total of 94 acres of residential uses to be built at a density of 8.1-14 du/ac (the density proposed by Mill Creek Promenade).

Exhibit LU-4 aggregates totals for all EDC designated parcels, not just the parcels within the EDC-SG district. However, the project proposes a land use mix that would not exceed these anticipated build out numbers, as the project only encompasses approximately 58 acres of the 2,225 acres allocated by the City to EDC uses..

City of Menifee Ordinance No. 2015-180

As discussed above, Ordinance No. 2015-180 has been codified into the City's Municipal Code at Chapter 9.28. Municipal Code sections 9.29.010 through 9.28.190 therefore apply to the City's several EDC subareas, including the EDC-SG district. Not all of the code sections within Chapter 9.28 apply to the proposed project, however those that do apply are analyzed below.

Section 9.28.030: "While flexibility in land use options is one of the benefits of the EDC designation, EDC designated areas are intended to provide a distinct mix of uses that are

complementary to surrounding land uses while providing distinct activity centers in the City and encouraging economic growth within the City."

Consistent. The project contributes to, and is not in conflict with, the distinct mix of uses identified for the EDC-SG district. As explained above, although more than 10 percent of the project site will be dedicated to residential uses, neither the General Plan nor Chapter 9.28 requires that each individual project within an EDC district reflect the same identical percentage mix of land uses as are prescribed to the district as a whole. In fact, given that stand-alone residential projects are permitted (see General Plan, Exhibit LU-3) within the EDC, it must be inferred that each individual project within the EDC-SG is not restricted to only 10 percent residential use. Further, the project is complementary to surrounding land uses, and takes into account existing residential uses to the north, and is integrated into the EDC-SG as a whole.

Section 9.28.030: "Southern Gateway (EDC-SG): This district serves as a buffer and transition between the land uses south and east of the district and the residential uses located within and outside Menifee to the south, west and east of the district. The EDC area east of the I-215 north of Scott Road to Craig Avenue, is envisioned to be a mix of commercial uses near the Scott Road/I-215 interchange transitioning to office and minimal residential extending north toward Craig Avenue. The EDC area on the west side of I-215 extends north from Keller Road to Garbani Road. The EDC-SG west side will feature a business park style of development consisting of light industrial and office uses, with commercial use opportunities. Small independent commercial and service venues, which may be rural-oriented, will be included in the EDC-SG area where found appropriate...The EDC-SG area should include the potential for economic driver themes that shall include a mix of industrial and professional business park uses which would complement and be compatible with the Medical uses to the south in Murrieta. The City encourages the development of an auto mall in that portion of the Southern Gateway district, between the I-215 freeway and Haun Road, north of Scott Road."

Consistent. The proposed project's land use mix is consistent with the vision and description of land use layout provided in this code section. As described above, the project provides a buffer between existing residential uses to the north, designated lower density residential areas to the west, and the more intensive commercial and industrial uses proposed and planned for the remainder of the EDC-SG district to the south and east. Also as described above, the concentration of higher density residential in the northern portion of the district leaves the parcels adjacent to I-215 and Scott Road available for more intense commercial uses, consistent with this code provision.

Section 9.28.040: "[F]lexibility in both development standards and allowed land uses shall be allowed. The Director may allow minor deviations to the development standards of this Chapter and allow land uses not listed...."

Consistent. As provided for in General Plan Exhibit LU-3, development in EDC areas may be implemented by specific plan *or* through conventional zoning designations. Here, to ensure that the high density residential product provides an appropriate buffer to existing residential in the north, and is most appropriately integrated with the non-residential uses of the proposed project, a Specific Plan is proposed. The Specific Plan will provide specific and site-tailored design standards applicable to the project, consistent with this code provision's call for flexibility in development standards and General Plan Exhibit LU-3.

Section 9..28.060: "The submittal requirements and criteria for the conceptual master plan are included in the General Plan Land Use Element. A conceptual master plan is intended to be part of a pre-application process and not formally adopted."

Consistent. Just as discussed above, General Plan Exhibit LU-3, development in EDC areas may be implemented by specific plan *or* through conventional zoning designations. Here, to ensure that the high density residential product provides an appropriate buffer to existing residential in the north, and is most appropriately integrated with the non-residential uses of the proposed project, a Specific Plan is proposed. The Specific Plan will provide specific and site-tailored design standards applicable to the project, consistent with this code provision's call for flexibility in development standards and General Plan Exhibit LU-3.

Conclusion

As discussed in detail above, the proposed project is consistent with the relevant goals and policies of the SCAG RTP/SCS, the City's General Plan Land Use Element (including those goals and policies relating to the EDC specifically), and the City's Municipal Code (including those code sections relating to the EDC specifically). As such, **impacts would be less than significant**. No mitigation measures are required.

LU-2 Would the project disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?

The project is located on the northwestern-most parcels within the Southern Gateway subarea of the EDC ("EDC-SG"). Immediately adjacent to the north is existing, lower density residential. This existing residential neighborhood, developed at a density of 2.1 to 5 dwelling units per acre, is not included within the EDC-SG district. Adjacent and to the west of the project site is an additional existing residence, and vacant property. Property to the west is also designated lower density residential (2.1-5 dwelling units per acre) and is also not located within the EDC. Adjacent to the east and the south is vacant land, which is located within the EDC and is therefore designated EDC-SG and planned for higher intensity commercial, business and industrial park uses.

The proposed project would not disrupt the physical arrangement or character of an established land use pattern or existing community. Under present conditions urban/suburban uses have been established in a random pattern in the immediate vicinity. The proposed project will convert the existing vacant site to a more intensely developed suburban/urban site. The proposed project would contribute to a redefinition of the project vicinity and to a transition to a more intensely developed urban/suburban community in a manner consistent with the General Plan. Existing lower density residential properties north and west of the site would not be isolated from other lower density residential properties as a result of the project's implementation. As stated previously, the proposed project design includes buffers around the boundaries which abut lower density residential uses designed to provide a transition between higher and lower density areas of the City. The change in character would be consistent with the General Plan vision for both the site and the general area, and **impacts would be less than significant**. No mitigation measures are required.

LU-3 Would the project conflict with any applicable habitat conservation plan or natural community conservation plan?

The project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) planning area. The project's consistency with the MSHCP is described in detail in subchapter 4.5, Biological Resources, of this DEIR. Based on the detailed information in subchapter 4.5, the proposed project was concluded to have no conflicts or inconsistency with the MSHCP. Therefore, **impacts will be less than significant**. No mitigation measures are required.

4.11.7 CUMULATIVE IMPACTS

Development of the proposed project will result in substantial change of the land use on the vacant site, but the changes are consistent with the land use and planning designations of the General Plan which establishes the cumulative land use framework for the City of Menifee. Approval of the proposed project will cause an intensification of development greater than that which presently occurs on the site, but not greater than that which has been planned for in the General Plan. The proposed project design includes buffers around boundary portions of the project site which abut adjacent lower intensity uses. The proposed project would contribute to implementation of the General Plan vision for the project site and for the EDC design measures. No significant adverse impacts related to land use and planning resources and issues have been identified, and no cumulatively considerable and unavoidable impact is forecast to occur if the proposed project is implemented as proposed.

4.11.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to land use and planning will occur as a result of the proposed project.

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4.12 MINERAL RESOURCES

4.12.1 INTRODUCTION

This subchapter evaluates the environmental impacts to mineral resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The following analysis is based on the City of Menifee General Plan and General Plan EIR, as well as a careful field review of the project site and surrounding property. The following technical studies were also reviewed to determine the past uses and intrinsic potential for mineral resources at the project site, and are included in Volume 2 of this DEIR.

- *Phase I Environmental Site Assessment and Limited Agricultural Chemical Survey*, EEI Geotechnical & Environmental Solutions, March 12, 2014 (2014 ESA Report).
- *Interpretive Report for Infiltration System Design, Proposed Millcreek Promenade* Assessor's Parcel Number 360-350-017, Located South of Garbani Road and on the West Side of Haun Road, City of Menifee, Riverside County, California, Earth Strata Geotechnical Services, Inc., May 16, 2016.

No comments related to mineral resources were received in response to the Notice of Preparation or during the scoping meeting held for the Project.

4.12.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

Surface Mining and Reclamation Act

The Surface Mining and Reclamation Act ("SMARA") of 1975 (Public Resources Code, Division 2, Chapter 9, Section 2710 et seq.) mandated the classification of mineral lands throughout the state to help identify and protect mineral resources in areas subject to urban expansion or other irreversible land uses that would preclude mineral extraction. Since 1975, the State Mining and Geology Board ("SMGB") has mapped areas in California that contain regionally significant mineral resources. Deposits of construction aggregate resources (sand, gravel, or crushed stone) were the initial commodity targeted for classification by the SMGB because of their importance to the state. Once areas are mapped, the SMGB is required to designate for future use those areas that contain aggregate deposits that are of prime importance to meeting the region's future need for construction quality aggregates.

Local

City of Menifee General Plan

The following General Plan goals and policies addressing mineral resources are applicable to the project:

Open Space & Conservation Goal:

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

Open Space & Conservation Policies:

- OSC-4.4: Require that any future mining activities be in compliance with the State Mining Reclamation Act, federal and state environmental regulations, and local ordinances.
- OSC-4.5: Limit the impacts of mining operations on the city's natural open space, biological and scenic resources, cultural resources and landscapes, and any adjacent land uses

City General Plan Exhibit OSC-3: Mineral Resource Zones, identifies the city's mineral resources.

4.12.3 EXISTING CONDITIONS

The earth materials on the project site are primarily comprised of topsoil, Quaternary very old alluvium, and bedrock. There has been no historic effort to mine the project site. According to the Phase I ESA completed for the project, the project site was historically used for dry-farming agricultural uses. A field review determined that there are no active or historic mine sites in the immediate vicinity of the project site.

The City of Menifee General Plan EIR Mineral Resource Zones Map (see **Figure 4.12-1**) identifies the aggregate mineral resource zones (MRZs) as mapped by the California Geological Survey in 2008. The proposed project is located within the MRZ-3 zone, which is defined as a Mineral Resource Zone where the significance of mineral deposits cannot be determined from the available data." Furthermore, the General Plan EIR states that no active mines are mapped within the City of Menifee. The closest known active or inactive mining activity to the Project site is an inactive sand and gravel mine, Mine ID No. 91-33-0087, located more than eight miles to the north near the southwest corner of SR-74 and Sherman Road in the unincorporated community of Romoland, Riverside County, California. Based on the available data, the project site and project area do not support any mineral resource values and the current land use designation, Economic Development Corridor (EDC), would not support any mineral extraction activities.

4.12.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

MIN-1 Alter or destroy Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

MIN-2 Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

4.12.5 METHODOLOGY

The analysis herein is based upon a review of City generated maps depicting the location and quality of known mineral resources within the City, as well as the findings of the Phase I ESA prepared for the proposed project and a field review of the site.

4.12.6 ENVIRONMENTAL IMPACTS

MIN-1 Would the project alter or destroy Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

The proposed project will convert the existing vacant site to a more intensely developed urban site. Based on a review of available data and a field review of the project site and surrounding area, there are no known mineral resource values in the general area. The project site is not identified as an area where there are any known mineral resource values. Thus, **no impact will occur.** No mitigation measures are required.

MIN-2 Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

The City of Menifee General Plan EIR does not designate the project site or surrounding area as a locally-important mineral resource recovery site. In fact, the General Plan EIR states the following on Page 5.11-5:

"Neither the Riverside County General Plan nor the proposed Menifee General Plan designate mining sites in the City of Menifee. General Plan buildout would not cause a loss of availability of mining sites designated in the City or county general plans."

Therefore, the development of the project site—which is designated for EDC land use by the Menifee General Plan—has no potential to result in the loss of a locally-important mineral resource recovery site. Thus, **no impact will occur.** No mitigation measures are required.

4.12.7 CUMULATIVE IMPACTS

The project site and surrounding area do not contain any existing mineral development nor any identified potential for mineral resource development. Development of the proposed project will not cause any adverse impacts to mineral resource or values. As a result, the proposed project has no potential to contribute to any cumulative loss of mineral resources or values. The project will have no cumulative adverse impact to mineral resources.

4.12.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to mineral resources will occur as a result of the proposed project.

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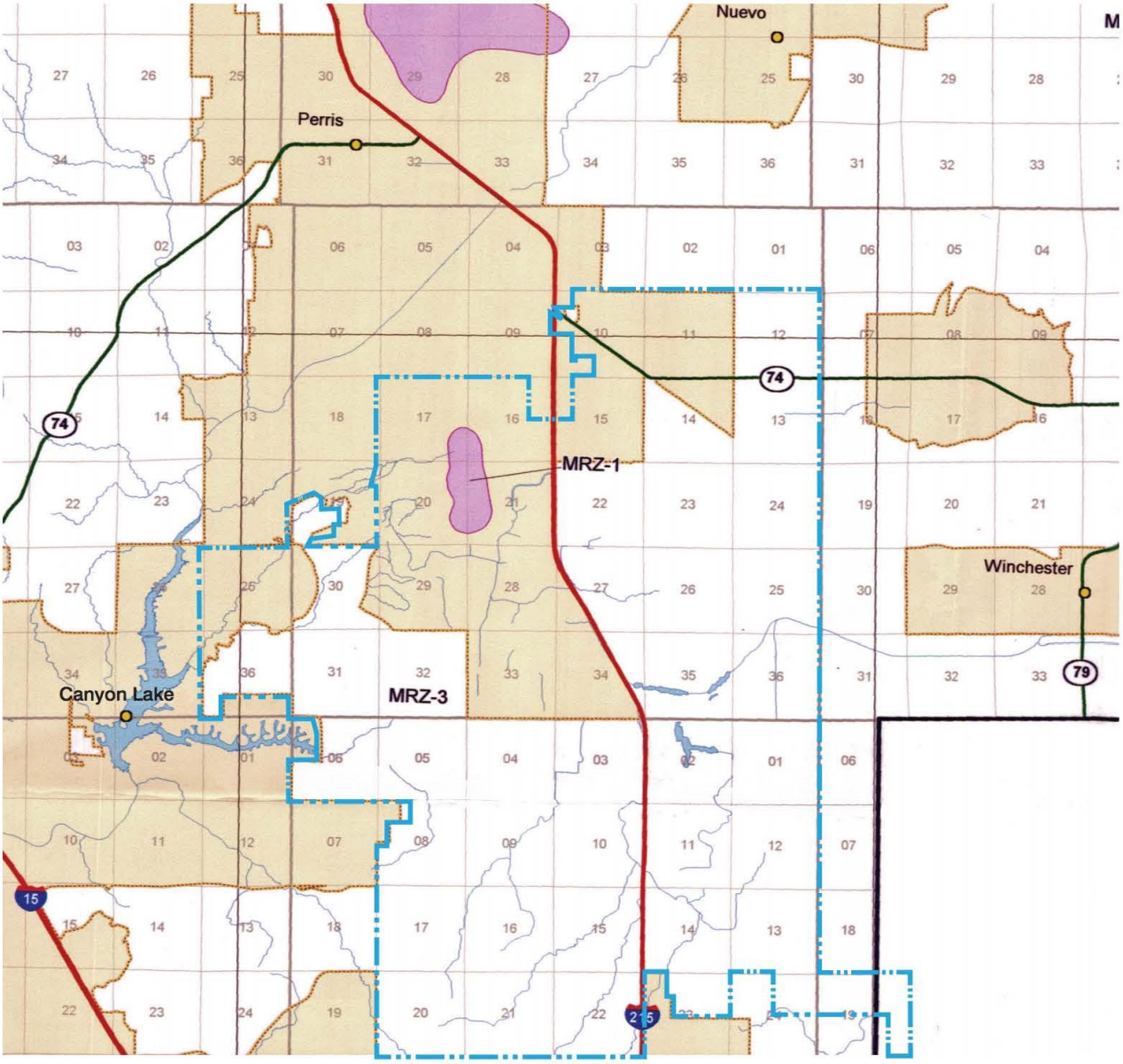
FIGURE 4.12-1
Mineral Resource Zones



City Boundary

MRZ-1 - Area where available geologic information indicates that little likelihood exists for the presence of significant mineral resources.

MRZ-3 - Areas containing known or inferred mineral occurrences of undetermined mineral resource significance.

Urban Area

0 2
Scale (Miles)

Source: CGS 2008

Source: Menifee General Plan Draft EIR

4.13 NOISE

4.13.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to noise from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The analysis in this subchapter is based on *The Millcreek Promenade Noise Impact Analysis* (NIA) dated (revised) March 18, 2019 was prepared by Kunzman Associates, Inc.; *Noise Background Document and Definitions provided for the City General Plan Noise Element* (https://www.cityofmenifee.us/DocumentCenter/View/1008 accessed March 28, 2018); and the City of Menifee General Plan Draft Environmental Impact Report (DEIR) Section 5.12 Noise Section dated September 2013 (Available at https://www.cityofmenifee.us/DocumentCenter/View/1112).

The following comments relating to noise were received in response to the Notice of Preparation regarding noise. Refer to Chapter 2 for a comprehensive discussion of all comments submitted in response to the Notice of Preparation (NOP) and at the public scoping meeting.

NOP Comment Letter #2, Mr. Franz Siep: Concerned with increase in noise that could create a level of noise similar to that experienced at the Scott Road and Newport Road on-off ramps.

Scoping Meeting Comment, Mr. John Camp: Mr. Camp raised several noise related issues including:

- Existing noise along Haun Avenue is a concern and it is worse during the day than at night.
- Concerned with how noise will be mitigated; perhaps greater setbacks are need between roadways and homes that backup to busy roads.

4.13.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

The federal government, the State of California, county governments, and many municipalities have established standards and ordinances to limit intrusive and physically and/or psychologically damaging noise levels. In most areas, automobile and truck traffic is the major source of environmental noise. Traffic activity generally produces an average sound level that remains fairly constant with time. Air and rail traffic, and commercial and industrial activities are also major sources of noise in some areas. Federal, state, and local agencies regulate different aspects of environmental noise. Federal and state agencies generally set noise standards for mobile sources such as aircraft and motor vehicles, while regulation of stationary sources is left to local agencies.

Federal

Federal Noise Control Act of 1972

The U.S. Environmental Protection Agency (EPA) Office of Noise Abatement and Control was originally established to coordinate federal noise control activities. After its inception, EPA's Office of Noise Abatement and Control issued the Federal Noise Control Act of 1972, establishing programs and guidelines to identify and address the effects of noise on public health, welfare, and the environment. In response, the EPA published Information on Levels of Environmental Noise Requisite to Protect Public Health and Welfare with an Adequate Margin of Safety (Levels of Environmental Noise). The Levels of Environmental Noise recommended that the Ldn should not exceed 55 dBA outdoors or 45 dBA indoors to prevent significant activity interference and annoyance in noise-sensitive areas.

In addition, the Levels of Environmental Noise identified five (5) dBA as an "adequate margin of safety" for a noise level increase relative to a baseline noise exposure level of 55 dBA Ldn (i.e., there would not be a noticeable increase in adverse community reaction with an increase of five dBA or less from this baseline level). The EPA did not promote these findings as universal standards or regulatory goals with mandatory applicability to all communities, but rather as advisory exposure levels below which there would be no risk to a community from any health or welfare effect of noise.

In 1981, EPA administrators determined that subjective issues such as noise would be better addressed at lower levels of government. Consequently, in 1982 responsibilities for regulating noise control policies were transferred to State and local governments. However, noise control guidelines and regulations contained in EPA rulings in prior years remain in place by designated Federal agencies, allowing more individualized control for specific issues by designated Federal, State, and local government agencies.

Federal Vibration Criteria

The United States Department of Transportation Federal Transit Administration (FTA) provides guidelines for maximum-acceptable vibration criteria for different types of land uses. These guidelines allow 80 VdB for residential uses and buildings where people normally sleep.

State

The State of California regulates freeway noise, sets standards for sound transmission, provides occupational noise control criteria, identifies noise standards and provides guidance for local land use compatibility. State law requires that each county and city adopt a General Plan that includes a Noise Element which is to be prepared according to guidelines adopted by the Governor's Office of Planning and Research. The purpose of the Noise Element is to "limit the exposure of the community to excessive noise levels." In addition, the California Environmental Quality Act (CEQA) requires that all known environmental effects of a project be analyzed, including environmental noise impacts.

State of California General Plan Guidelines 2003

Though not adopted by law, the State of California General Plan Guidelines 2003, published by the California Governor's Office of Planning and Research (OPR) (OPR Guidelines), provide

guidance for the compatibility of projects within areas of specific noise exposure. The OPR Guidelines identify the suitability of various types of construction relative to a range of outdoor noise levels and provide each local community some flexibility in setting local noise standards that allow for the variability in community preferences. Findings presented in the Levels of Environmental Noise Document (EPA 1974) influenced the recommendations of the OPR Guidelines, most importantly in the choice of noise exposure metrics (i.e., Ldn or CNEL) and in the upper limits for the Normally Acceptable outdoor exposure of noise-sensitive uses. The OPR Guidelines include a Noise and Land Use Compatibility Matrix (see Table 4) identifies acceptable and unacceptable community noise exposure limits for various land use categories. The City of Menifee utilizes the compatibility matrix.

State of California Building Code

The State of California's noise insulation standards are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 2, California Building Code. These noise standards are applied to new construction in California for the purpose of interior noise compatibility from exterior noise sources. The regulations specify that acoustical studies must be prepared when noise-sensitive structures, such as residential buildings, schools, or hospitals, are located near major transportation noise sources, and where such noise sources create an exterior noise level of 65 dBA CNEL or higher. Acoustical studies that accompany building plans must demonstrate that the structure has been designed to limit interior noise in habitable rooms to acceptable noise levels. For new residential buildings, schools, and hospitals, the acceptable interior noise limit for new construction is 45 dBA CNEL.

Local

City of Menifee General Plan

The City of Menifee Noise Element of the City General Plan identifies policies to minimize the impacts of excessive noise levels throughout the community and adopts appropriate noise level requirements for all land uses. The City of Menifee General Plan EIR evaluation of the Noise Element identifies the maximum noise levels considered compatible new developments impacted by transportation noise sources such as arterial roads, freeways, airports and railroads and identifies guidelines to evaluate the acceptability of the transportation related noise level impacts and to assess long-term traffic noise impacts on adjacent land uses. Based on these standards, the City has developed policies to ensure land use compatibility when placing new land uses.

The City uses the California Governor's Office of Planning and Research Guidelines Noise and Land Use Compatibility Matrix for community noise exposure (provided as Figure 4.13-2). Land uses such as single family residences are "Normally Acceptable" with exterior noise levels below 60 dBA CNEL and "Conditionally Acceptable" with noise levels below 70 dBA CNEL. For office building, businesses, commercial and professional land uses exterior noise levels of less than 70 dBA CNEL are considered "Normally Acceptable" with noise levels exceeding 75 dBA CNEL considered as "Conditionally Acceptable." The City has adopted an indoor noise level standard of 45 dBA CNEL that is consistent with the California Building Code requirements.

The following General Plan policies addressing noise are applicable to the project:

Noise Policies

- Goal N-1: Noise-sensitive Land Uses. Noise-sensitive land uses are protected fro, excessive noise and vibration exposure.
- N-1.1: Assess the compatibility of proposed land uses with the noise environment when preparing revising, or reviewing development project applications.
- 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.
- N-1.3: Require noise abatement measures to enforce compliance with any applicable regulatory mechanisms, including building codes and subdivision and zoning regulations, and ensure that the recommended mitigation measures are implemented.
- N-1.7: Mitigate exterior and interior noises to the levels listed in Table N-1 to the extent feasible, for stationary sources adjacent to sensitive receptors (provided as Table 4.13-1).
- 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.
- 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.
- N-1.11: Discourage the siting of noise-sensitive uses in areas in excess of 65 dBA CNEL without appropriate mitigation.
- N-1.13: Require new development to minimize vibration impacts to adjacent uses during demolition and construction.
- Goal N-2: Minimal Noise Spillover

City of Menifee Municipal Ordinance, Section 8.01.010 Hours of Construction

The Buildings and Construction Section of the City of Menifee Municipal Code permits any construction within one-fourth mile from an occupied residence that occurs between Monday through Saturday, except nationally recognized holidays, 6:30 am to 7:00 pm. Construction on Sundays or nationally recognized holidays is not allowed unless approval is obtained from the City Building Official or City Engineer.

City of Menifee Municipal Ordinance, Section 9.09.030 Construction-Related Exemptions

Pursuant to its police power, the City of Menifee has established a Noise Ordinance (Chapter 9.09 of the Municipal Ordinance) which is intended to establish city-wide standards for the regulation noise. It is made clear in the ordinance that the ordinance standards are not intended to establish thresholds of significance for the purpose of any analysis required by the California Environmental Quality Act and no such thresholds are established.

Section 9.09.030 allows a property developer to apply for a construction exemption to the City's Stationary Noise Standards (see Table 5) for the following construction scenarios:

- Private construction projects, with or without a building permit, located one-quarter miles or more from an inhabited dwelling.
- Private construction projects, with or without a building permit, located within one-quarter mile from an inhabited dwelling, provided that:

1. Construction does not occur between the hours of 6:00 pm and 6:00 am the following morning during the months of June through September; and
2. Construction does not occur between the hours of 6:00 pm and 7:00 am the following morning during the months of October through May.

A construction-related exemption is considered as either a minor temporary use or a major temporary use as defined in Chapter 9.06 of the Municipal Code. An application for a construction-related should be made using the temporary use application provided by the Community Development Director in Chapter 9.06 of the Municipal Code. For construction activities on Sunday or nationally recognized holidays, Section 8.01.010 prevails.

4.13.3 EXISTING CONDITIONS

4.10.3.1 Background on Noise and Vibration

Noise Terminology

For the purposes of this evaluation, noise is defined as unwanted sound. Typically sound becomes unwanted when it interferes with normal activities, when it causes actual physical harm or when it has adverse effects on health. Sound is technically described in terms of the loudness (amplitude) of the sound and frequency (pitch) of the sound. The standard unit of measurement of the loudness of sound is the decibel (dB). Since the human ear is not equally sensitive to sound at all frequencies, special frequency-dependent rating scales have been devised to relate noise to human sensitivity. The A weighted decibel scale dB performs this compensation by discriminating against frequencies in a manner approximating the sensitivity of the human ear. A-weighted decibels are written as “dBA” or “dB(A)”.

Decibels are based on the logarithmic scale. The logarithmic scale compresses the wide range in sound pressure levels to a more usable range of numbers in a manner similar to the Richter scale used to measure earthquake intensity. In general, a 1-dB change in the sound pressure levels of a given sound is detectable only under laboratory conditions. A 3-dB change in sound pressure level is considered a "just detectable" difference in most ambient situations. A 5-dB change is readily noticeable and a 10-dB change is considered a doubling (or halving) of the subjective loudness. It should be noted that, generally speaking, a 3-dB increase or decrease in the average traffic noise level is realized by a doubling or halving of the traffic volume.

In terms of human response to noise, a sound 10 dB higher than another is judged to be twice as loud; 20 dB higher, four times as loud; and so forth. Everyday sounds normally range from 30 dB (very quiet) to 100 dB (very loud.) Examples of various sound levels in different environments are shown in Figure 4.13-1, Sound Levels and Human Response.

Noise Scales

There are three general methods used to measure sound over a period of time, all of which are based on averages, rather than instantaneous, noise levels: the Community Noise Equivalent Level (CNEL), and the equivalent energy level (LEQ).

CNEL: The predominant community noise rating scale used in California for land use compatibility assessment is the Community Noise Equivalent Level (CNEL). The CNEL reading represents the average of 24 hourly readings of equivalent levels, known as LEQs, based on an

A weighted decibel with upward adjustments added to account for increased noise sensitivity in the evening and night periods. These adjustments are +5 dB in the evening (7:00 p.m. to 10:00 p.m.), and +10 dB for the night (10:00 p.m. to 7:00 a.m.). CNEL may be indicated by "dB CNEL" or just "CNEL."

Leq: The LEQ is the sound level containing the same steady-state total energy over a given sample time period as a continuously varying ambient level. The LEQ can be thought of as the steady (average) sound level which, in a stated period of time, would contain the same acoustic energy as the time-varying sound level during the same period. LEQ is typically computed over 1, 8, and 24 hour sample periods.

Other noise descriptors include the Lmax and the Ln. The maximum instantaneous noise level recorded during a noise event is typically expressed as Lmax. The sound level exceeded over a specified time frame can be expressed as Ln (i.e., L90, L50, L10, etc.). For example, L50 equals the level exceeded 50 percent of the time.

The City of Menifee (General Plan) relies on the 24-hour CNEL level to assess land use compatibility with transportation-related noise sources and the Leq(h) to assess impacts associated with on-site project operational noise impacts.

Sound Propagation

When sound propagates over a distance, it changes in level and frequency content. The manner in which noise reduces with distance depends on the following factors.

Geometric Spreading: Sound from a localized source (i.e., a stationary point source) propagates uniformly outward in a spherical pattern. The sound level attenuates (or decreases) at a rate of 6 dB for each doubling of distance from a point source. Highways consist of several localized noise sources on a defined path and hence can be treated as a line source, which approximates the effect of several point sources. Noise from a line source propagates outward in a cylindrical pattern. Sound levels attenuate at a rate of 3 dB for each doubling of distance from a line source.

Ground Absorption: The propagation path of noise from a highway to a receptor is usually very close to the ground. Noise attenuation from ground absorption and reflective wave canceling adds to the attenuation associated with geometric spreading. Traditionally, the excess attenuation has also been expressed in terms of attenuation per doubling of distance. This approximation is usually sufficiently accurate for distances of less than 200 ft. For acoustically hard sites (i.e., sites with a reflective surface between the source and the receptor, such as a parking lot or body of water), no excess ground attenuation is assumed. For acoustically absorptive or soft sites (i.e., those sites with an absorptive ground surface between the source and the receptor such as soft dirt, grass, or scattered bushes and trees), an excess ground attenuation value of 1.5 dB per doubling of distance is normally assumed. When added to the cylindrical spreading, the excess ground attenuation results in an overall drop-off rate of 4.5 dB per doubling of distance from a line source.

Atmospheric Effects: Receptors located downwind from a source can be exposed to increased noise levels relative to calm conditions, whereas locations upwind can have lowered noise levels. Sound levels can be increased at large distances (e.g., more than 500 ft) due to

atmospheric temperature inversion (i.e., increasing temperature with elevation). Other factors such as air temperature, humidity, and turbulence can also have significant effects.

Shielding: A large object or barrier in the path between a noise source and a receptor can substantially attenuate noise levels at the receptor. The amount of attenuation provided by shielding depends on the size of the object and the frequency content of the noise source. Shielding by trees and other such vegetation typically only has an “out of sight, out of mind” effect. That is, the perception of noise impact tends to decrease when vegetation blocks the line-of-sight between the noise source and the noise recipient. The FHWA does not consider the planting of vegetation to be a noise abatement measure.

Vibration

Vibration is the periodic oscillation of a medium or object. The rumbling sound caused by the vibration of room surfaces is called structure borne noise. Sources of groundborne vibrations include natural phenomena (e.g., earthquakes, volcanic eruptions, sea waves, landslides) or human-made causes (e.g., explosions, machinery, traffic, trains, construction equipment). Vibration sources may be continuous, such as factory machinery, or transient, such as explosions. As is the case with airborne sound, ground-borne vibrations may be described by amplitude and frequency. Vibration is often described in units of peak particle velocity (PPV) or acceleration (inches per second), and discussed in decibel (dB) units in order to compress the range of numbers required to describe vibration. Vibration impacts are generally associated with activities such as train operations, construction and heavy truck movements.

The background vibration-velocity level in residential areas is generally 50 VdB. Ground-borne vibration is normally perceptible to humans at approximately 65 VdB. For most people, a vibration-velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels. Typical outdoor sources of perceptible ground-borne vibration are construction equipment, steel-wheeled trains, and traffic on rough roads. If a roadway is smooth, the ground-borne vibration is rarely perceptible. The range of interest is from approximately 50 VdB, which is the typical background vibration-velocity level, to 100 VdB, which is the general threshold where minor damage can occur in fragile buildings. Refer to Table 4.13-2 for a summary of typical human response to vibration and typical vibration impacts on structures.

4.13.3.2 Existing Sensitive Receptors

Noise sensitive receptors typically include residences, hospitals, schools, libraries and certain types of passive recreational uses where unwanted sound could adversely affect the use of the land or buildings. The existing land uses surrounding the proposed project include vacant land, dry-land farming and single-family residential uses of varying density, and scattered commercial and light industrial uses. Vacant, agricultural, commercial and industrial land are not considered noise-sensitive. The nearest noise sensitive receptors are residences located immediately north of Garbani Road and west of Sherman Road. Residences located to the east are also sensitive receptors that could be impacted by the proposed project.

4.13.3.3 Existing Ambient Noise Levels

In order to document existing ambient noise levels in the Project area, the NIA recorded two 10-minute daytime noise measurements at 1:30 PM and 2:11 PM on November 6, 2015 and

one 24-hour noise measurement was performed starting on June 2, 2016 and ending on June 3, 2016, Thursday and Friday. As shown on Figure 4.13-3, the two short-term noise measurements were taken along the project site's north property line and the 24-hour noise measurement was performed at the southeast corner of the project site. Table 4.13-1 provides a summary of the short-term ambient noise data. Ambient noise levels measured between 46.5 to 55.8 dBA Leq during the daytime (7:00 AM to 10:00 PM). Estimated ambient nighttime noise levels are anticipated to decrease by 5 dBA to 41.5 to 50.8 dBA Leq during nighttime hours. The 24-hour ambient noise levels ranged between 57.7 and 68.8 dBA Leq(h) with a 70.9 dBA CNEL. Field worksheets and noise measurement output data are included in Appendix C of the NIA.

Table 4.13-1
SHORT-TERM NOISE MEASUREMENT SUMMARY (dBA)[1,2]

Daytime								
Site Location	**Time Started**	**Leq**	**Lmax**	**Lmin**	**L(2)**	**L(8)**	**L(25)**	**L(50)**
1	1:30 PM	46.5	58.3	37.7	52.3	50.0	47.0	44.7
2	2:11 PM	55.8	75.6	42.1	62.2	57.5	54.9	52.1

[1] See Figure 4.13-3 for noise measurement locations. Each noise measurement was performed over a 10-minute duration.
[2] Noise measurements were performed on November 6, 2015.
Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

4.13.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines and the City's Initial Study Checklist, a project would normally have a significant effect on the environment if the project would:

NOI-1 Expose persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

NOI-2 Expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

NOI-3 Result in a substantial permanent increase in ambient noise levels in the Project vicinity above existing levels without the proposed Project.

NOI-4 Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above noise levels existing without the proposed Project.

NOI-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

NOI-6 For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

While the CEQA Guidelines and the City of Menifee noise standards provide direction on noise compatibility and establish noise standards by land use type that are sufficient to assess the significance of noise and vibration impact exposure, they do not define the levels at which increases are considered substantial when background noise is already high. Under CEQA, consideration must be given to the magnitude of the increase, the existing ambient noise levels from the existing background and the location of noise-sensitive receptors in order to determine if a noise increase represents a significant adverse environmental impact.

The level of significance attributed to the cumulative project impacts are based on the noise levels with and without the project. The significance of cumulative noise impacts varies depending on the condition of the environment and the project related noise level increases. For example, if the ambient noise environment is quiet and the new noise source greatly increases the noise levels, an impact may occur even though the noise criteria might not be exceeded.

The Federal Interagency Committee on Noise (FICON) developed guidance to be used for the assessment of project-generated increases in noise levels that take into account the existing ambient noise level. Although these recommendations were specifically developed to assess aircraft noise impacts, these recommendations are often used in environmental noise impact assessments involving the use of cumulative noise exposure metrics, such as the average-daily noise level (i.e., CNEL).

Where the ambient noise environment is quiet (<60 dBA), a change of 5 dB or more is readily noticeable and, therefore, is considered a significant impact. In areas where the without project noise levels range from 60 to 65 dBA, a 3 dBA noise level increase may be noticed by some individuals and is therefore considered a significant impact. Table 4.13-2 provides a summary of the FICON cumulative noise impact significance criteria.

Table 4.13-2
SIGNIFICANCE OF CUMULATIVE NOISE IMPACTS

Without Project Noise Level (CNEL)	Project-Related Significant Impact
< 60 dBA	5 dBA or more
60 - 65 dBA	3 dBA or more
> 65 dBA	1.5 dBA or more

Source: Federal Interagency Committee on Noise (FICON), 1992.

However, for the proposed Project, noise impacts shall be considered significant if any of the following occur as a direct result of the proposed development:

Traffic Noise:
Roadway noise impacts would be considered significant if the project increases noise levels at a noise sensitive land use by 3 dBA CNEL and if: (1) the existing noise levels already exceed the applicable land use compatibility standard for "normally acceptable," or (2) the project increases noise levels from below the standard to above the standard.

Stationary Noise:
Project operations may produce an increase in noise levels which disturbs the peace and quiet of adjacent residential areas or cause discomfort/annoyance to area residents.

A 5 dBA increase is considered to be "readily audible", which seems to correlate most closely to "substantial increase." For the purposes of this report, a substantial permanent increase in ambient noise levels due to stationary noise sources shall be considered 5 dBA L_{eq}.

If the on-site exterior noise levels exceed 65 dBA CNEL and the interior noise levels exceed 45 dBA CNEL at the single-family residential lots located within the Project site. The interior noise level is assumed to apply to a residence with windows closed.

If the stationary-source noise levels received at the on-site residential lots within the Project site exceed 55 dBA Leq during the daytime hours (7:00 a.m. to 10:00 p.m.) or 40 dBA Leq during the nighttime hours (10:00 p.m. to 7:00 a.m.).

The above values apply not only to the future residences within the project site but existing residences as sensitive noise receptors.

Further, a significant impact is assumed to occur if either of the following occur:

- If project-related construction activities occur at any time other than between the permitted weekday hours of 6:00 a.m. to 6:00 p.m. during the month of June through September, and between the weekday hours of 7:00 a.m. and 6:00 p.m. during the months of October through May.

- If short-term project generated construction source vibration levels exceed the FTA maximum acceptable vibration standard of 80 vibration decibels (VdB) at noise sensitive receiver locations and/or vibrations levels exceed 0.2 inches per second (in/sec) PPV.

4.13.5 METHODOLOGY

The noise technical report prepared for the project modeled a worst-case construction noise scenario using a version of the Federal Highway Administration's Roadway Construction Noise Model (RCNM). RCNM utilizes standard noise emission levels for many different types of equipment and includes utilization percentage, impact, and shielding parameters.

In order to project future traffic noise onto the project site and determine if the proposed project tripes would result in a substantial increase in ambient noise levels, Existing, Existing Plus Project, and Existing Plus Ambient Plus Project noise levels along affected roadways were modeled using the FHWA Traffic Noise Prediction Model. Project trips were obtained from the project's Traffic Impact Analysis. The vehicle mix and split data were utilized from the City/County of Riverside's Industrial Hygiene traffic noise modeling requirements. Vehicle speeds were based on roadway classification, per City/County protocol.

4.13.6 ENVIRONMENTAL IMPACTS

NOI-1 Would the project expose persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Project noise from both construction and operation were analyzed to determine whether the project would expose persons to or generate noise levels in excess of established City of Menifee noise standards.

Construction Noise

Existing single-family detached residential dwelling units located north (approximately 150 feet) to the project site may be affected by short-term noise impacts associated the transport of workers, the movement of construction materials to and from the project site, ground clearing, excavation, grading, and building activities.

Construction noise is considered a short-term impact and would be considered significant if construction activities are undertaken outside the allowable times as described by the City's Municipal ordnances 8.01.010 and 9.09.030. Existing single-family detached residential dwelling units to the north may be temporarily affected by short-term noise impacts associated the transport of workers, the movement of construction materials to and from the project site, ground clearing, excavation, grading, and building activities. The noise analysis reviews the construction noise levels during the various phases of the project.

Project generated construction noise will vary depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work. Site preparation is expected to produce the highest sustained construction noise levels. Typical noise sources and noise levels associated with the site grading phase of construction are shown in Table 6. Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by three to four minutes at lower power settings. Noise levels will be loudest during grading phase. A likely worst-case construction noise scenario during grading assumes the use of a grader, a dozer, and two (2) excavators, two (2) backhoes and a scrapper operating at 150 feet from the nearest sensitive receptor.

Assuming a usage factor of 40 percent for each piece of equipment, unmitigated noise levels at 150 feet have the potential to reach 78 dBA Leq and 80 dBA Lmax at the nearest sensitive receptors during grading. Noise levels for the other construction phases would be lower and range between 73 to 75 dBA.

Construction is anticipated to occur during the permissible hours according the City's Municipal Code. Construction noise will have a temporary or periodic increase in the ambient noise levels above the existing within the project vicinity. As stated earlier, any construction activities that occur outside the allowable time would be considered significant; however, here construction is anticipated to only occur during the allowable hours as indicated in the City's Municipal Code. Further, the following **Mitigation Measure 4.13-1** will further ensure that construction noise is minimized by requiring mufflers on construction equipment, proper placement of stationary equipment, limitations on idling, and the prohibition of sound amplification at the project site during construction.

> ***Mitigation Measure 4.13-1:***
> *In addition to adherence to the City of Menifee policies found in the Noise Element and Municipal Code limiting the construction hours of operation, the following measures are recommended to*

reduce construction noise and vibrations, emanating from the proposed project:

- *During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards.*
- *The contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.*
- *Equipment shall be shut off and not left to idle when not in use.*
- *The contractor shall locate equipment staging in areas that will create the greatest distance between construction-related noise/vibration sources and sensitive receptors nearest the project site during all project construction.*
- *The project proponent shall mandate that the construction contractor prohibit the use of music or sound amplification on the project site during construction.*
- *The construction contractor shall limit haul truck deliveries to the same hours specified for construction equipment.*

Therefore, construction noise impacts are considered **less than significant with mitigation**.

Operational Noise

The City prohibits any person to make or allow exterior noise levels at residential land uses to exceed 45 dBA Leq between the hours of 10:00 PM and 7:00 AM or 65 dBA Leq between the hours of 7:00 AM and 10:00 PM. Further, residential interior noise levels due to commercial activities are not to exceed 40 dBA Leq between the hours of 10:00 PM and 7:00 AM or 55 dBA Leq between the hours of 7:00 AM and 10:00 PM. For this analysis, It is assumed that commercial operations will not be open between the hours of 10:00 PM to 7:00 AM.

On-site noise sources associated with development of the proposed project will include vehicles starting and stopping, loading and unloading associated with commercial and restaurant uses, refuse trucks, occasional car alarm activation and parking lot and landscape maintenance. These noise sources would range between 55 and 70 dBA at 50 feet from the noise source.

In order to determine if it is likely that the proposed commercial activities would violate the above thresholds, commercial parking lot noise was modeled using the SoundPLAN model. As shown on Figure 5, peak hour noise levels associated with project operation are not expected to exceed 65 dBA Leq at residential buildings with the exception of the proposed Building 14. The 1st row of east facing facades of Building 14. Similarly, the noise levels at patios exposed to noise along Haun, Garbani and Sherman Roads may require mitigation through installation of a noise attenuation barrier that meets the City's noise requirements at the time of construction. This is based on the possibility of these outdoor living areas being exposed to noise levels higher than the City's acceptable noise threshold. See mitigation measure 4.13-4 below.

To meet the City's interior 45 dBA CNEL standard a "windows closed" condition is required for all 1st row of residential units in Building 14 facing east. Prior to obtaining building permits, the applicant shall consult with an acoustical consultant to ensure the building plans provide adequate sound insulation to attenuate sound levels to meet the interior 45 dBA CNEL standard. To ensure these standards are met, the following two mitigation measures have been identified:

Mitigation Measure 4.13-2:
Prior to obtaining building permits, the applicant shall provide an interior acoustic isolation analysis verifying separating assemblies (e.g., demising wall and floor/ceiling assemblies) for multi-family attached residential land uses meet Title 24 STC/IIC sound attenuation requirement as outlined within Chapter 12, Section 1207 of the 2013 California Building Code.

- *1st Row of Residential Units Directly Facing Garbani. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher.*
- *1st Row of Residential Units Directly Facing Sherman Road. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 28 or higher.*
- *East Facing 1st Row of Residential Units in Building 14. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 26 or higher.*
- *1st Row of Commercial Units Directly Facing Haun Road. The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher.*

Mitigation Measure 4.13-3:
The commercial portion of the project shall incorporate parapet screen walls separating rooftop condenser units from adjacent residential land uses.

Mitigation Measure 4.13-4:
Any exterior patio areas facing Haun, Garbani or Sherman Roads shall be modeled based on the final traffic generated noise levels on these roads, including the recommended six foot concrete wall at the proposed residences that face the commercial land. Where required the patios shall receive adequate noise attenuation protection consistent with the City's noise criteria at the time of construction through use of a noise attenuation wall and/or glass/plastic screen along these roadways, including a combination of these features. Any required noise attenuation features for the exterior patios exposed to the roadways shall be installed as part of the building design where required at the time of construction.

Following additional analysis the Noise Study in Appendix 7 identified an additional potential impact within the project site when built out. The commercial activities were assumed to not to cause a significant noise impact on adjacent residences to the north with the implementation of Mitigation Measure 4.13-4. However, in an abundance of caution, the Noise Study in Appendix 7 recommends limiting retail commercial operations to specific hours of operation. The following mitigation measure shall be implemented to eliminate the potential for the nighttime exterior noise standard of 45 dBA or the City's 40 dBA Leq interior noise standard to be exceeded.

> ***Mitigation Measure 4.13-5:***
> *The operation of all industrial, retail, and restaurant activities of the project shall be limited to the hours from 7:00 AM and 10:00 PM.*

The additional noise analysis also confirmed that the daytime exterior noise levels at the residences to the north would not exceed the 65 dBA Leq threshold.

With the incorporation of these measures, operational noise impacts are considered **less than significant with mitigation**.

NOI-2 Expose persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

This impact discussion analyzes the potential for the proposed project to cause an exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels. Vibration levels in the project area may be influenced by construction. A vibration impact would generally be considered significant if it involves any construction-related or operations-related impacts in excess of 0.2 +inches per second (in/sec) PPV.

Construction activity can result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of construction equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings respond to these vibrations with varying results ranging from no perceptible effects at the low levels to slight damage at the highest levels.

The City allows vibration from temporary construction however this analysis provides the potential vibration impact for quantitative purposes. The nearest existing structure to the project site is located approximately 150-feet to the north of the project site.

The threshold at which there may be a risk of architectural damage to normal houses with plastered walls and ceilings is 0.20 PPV in/second. Primary sources of vibration during construction would be bulldozers. A large bulldozer could produce up to 0.089 PPV at 25 feet.

At a distance of 150 feet a bulldozer would yield a worst-case 0.002 PPV (in/sec) which is well below the threshold of perception and below any risk or architectural damage.

Construction equipment is anticipated to be located at least 150 feet or more from any existing sensitive receptor. Therefore, temporary vibration levels associated with project construction would be **less than significant**.

NOI-3 Result in a substantial permanent increase in ambient noise levels in the Project vicinity above existing levels without the proposed Project.

Permanent operational increases in ambient noise would be as a result of increases in traffic noise generated by the proposed project.

A worst-case project generated traffic noise level was modeled utilizing the FHWA Traffic Noise Prediction Model FHWA-RD-77-108. Traffic noise levels were calculated 50 feet from the centerline of the analyzed roadway. The modeling is theoretical and does not take into account any existing barriers, structures, and/or topographical features that may further reduce noise levels. Therefore, the levels are shown for comparative purposes only to show the difference in with and without project conditions. In addition, the noise contours for 55, 60, 65 and 70 dBA CNEL were calculated.

The potential off-site noise impacts caused by an increase of traffic volumes from operation of the proposed project on the nearby roadways were calculated for the following scenarios:

- Existing Year (without project): This scenario refers to existing year traffic noise conditions.
- Existing Year (plus project): This scenario refers to existing year traffic noise conditions with project trips added.
- Existing Year (plus ambient plus project): This scenario refers to existing year traffic noise conditions with ambient conditions and project trips added.

It takes a change of 3 dB or more to notice a change in the ambient noise level. The modeling described above determined that the project is anticipated to change the ambient noise levels by less than 1 dB along most affected road segments. However, the project trips are expected to result in an increase of 4.1 CNEL along Holland Road between Haun Road and I-215 Freeway. This increase is due to the fact that Holland Road is currently just a partial dirt road in this location. Adjacent land uses are vacant and light industrial. The proposed project trips are also expected to result in an increase of 3.1 CNEL along Tupelo Street between Bradley Road and Sherman Road; an increase of 3.9 CNEL along Garbani Road between Sherman Road and Haun Road, and an increase of 3.5 CNEL along Sherman Road between Sherman Road and Garbani Road. These increases are due to the fact that the land south of Garbani and the project site is currently not developed. Development of the project is consistent with the land use designation and traffic and noise projections analyzed in the City of Menifee General Plan. The project's contribution to increases in ambient noise levels were also evaluated at opening year (2020). When evaluated in light of opening year conditions, all project related increases in ambient noise levels are below 3 dB.

Therefore, this impact would be considered **less than significant**.

Noise impacts to on-site receptors due to buildout traffic noise was also considered. Future on-site noise levels at the on the project site associated with the subject roadways adjacent to the project site were modeled based on Level of Service C buildout based upon the roadway classification. The 1st row of residential building facades along Sherman Road may reach up to 69.2 dBA CNEL without mitigation. The 1st row of residential building facades along Garbani Road will reach up to 75.7 without mitigation. Exterior noise levels at commercial buildings along Haun Road will reach 75.7 dBA CNEL without mitigation. Active outdoor use areas associated with the proposed residential uses are located near the center of the site and are shielded by

the proposed architectural layout design. Exterior noise levels at outdoor use areas are not expected to exceed 65 dBA CNEL.

Typical "windows closed" condition assumes a 20 dBA noise reduction from building construction techniques. The anticipated interior noise level at residential buildings facing Sherman Road will reach up to 49.2 dBA CNEL with the "windows closed". The anticipated interior noise level at residential buildings facing Garbani Road will reach up to 55.7 dBA CNEL with the "windows closed."

To meet the City's interior 45 dBA CNEL standard a "windows closed" condition is required for all 1st row of residential and commercial units directly facing subject roadways (adjacent to the building facades). Prior to obtaining building permits, the applicant shall consult with an acoustical consultant to ensure the building plans provide adequate sound insulation to attenuate sound levels to meet the interior 45 dBA CNEL standard. The following outlines noise abatement measures for the proposed project:

- 1st Row of Residential Units Directly Facing Garbani: The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher.
- 1st Road of Residential Units Directly Facing Sherman Road: The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 28 or higher.
- 1st Road of Commercial Units Directly Facing Haun Road: The results of the interior analysis indicate that all windows and sliding glass doors will require a minimum STC rating of 34 or higher.

To ensure that the above criteria are met, **Mitigation Measure 4.13-2**, identified above, has been identified. Therefore, impacts would be **less than significant with mitigation**.

NOI-4 Result in a substantial temporary or periodic increase in ambient noise levels in the Project vicinity above noise levels existing without the proposed Project.

As discussed above, under Impact NOI-1, existing single-family detached residential dwelling units located north (approximately 150 feet) to the project site may be affected by short-term noise impacts associated the transport of workers, the movement of construction materials to and from the project site, ground clearing, excavation, grading, and building activities.

Project generated construction noise will vary depending on the construction process, type of equipment involved, location of the construction site with respect to sensitive receptors, the schedule proposed to carry out each task (e.g., hours and days of the week) and the duration of the construction work. However, as stated earlier, here construction is anticipated to only occur during the allowable hours as indicated in the City's Municipal Code. Further, **Mitigation Measure 4.13-1** will further ensure that construction noise is minimized by requiring mufflers on construction equipment, proper placement of stationary equipment, limitations on idling, and the prohibition of sound amplification at the project site during construction. Therefore, impacts will be **less than significant with mitigation**.

NOI-5 For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels; and

NOI-6 For a project within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels.

The project is not located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport. The project is not located within the vicinity of a private airstrip. According to the Noise Background Document and Definitions provided for the City General Plan Noise Element, no portion of the City was within the 65 dBA CNEL noise contours of any airport. Figure 5.12-3 of the City General Plan DEIR illustrates noise contours of major airports (March AFB, Perris Valley Airport and French Valley Airport) in the vicinity of the City. None of the noise contours depicted impact the City. The text of the City General Plan DEIR also includes discussion of Pines Airpark and Heliports. Both were determined to have infrequent use and impacts were determined to be minimal. As such, the proposed Project would not expose people residing or working in the project area to excessive noise levels. **No impact** would occur.

4.13.7 CUMULATIVE IMPACTS

The project contributions to the cumulative noise environment are as follows. The future construction noise impacts can be controlled to a less than significant impact with implementation of standard Conditions of Approval and identified mitigation measures. Thus, a less significant cumulative noise impact is expected during construction activity by complying with the City's construction hours and the required mitigation measures. The proposed project contribution to on-site noise levels can also be reduced to a less than significant level with implementation of the recommended mitigation measures. Finally, the off-site roadway noise level increases would cause a significant noise level increase along four roadway segments. Mitigation is available to reduce the offsite traffic noise impact, but it cannot be enforced on private property. The available mitigation would consist of installing noise barriers or interior noise attenuation features, such as modifying vents and windows facing the affected roadways. However, there is no mechanism available in the City to either fund such improvements cumulatively or to enforce/mandate affected residences to accept such mitigation. Consequently, in an abundance of caution, the Project's traffic noise impacts on the surrounding land uses may be cumulatively considerable and significant over the long term.

4.13.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, the project's contribution to long-term roadway noise impacts may be cumulatively considerable. However, the project will not result in any direct significant and unavoidable impacts relating to noise.

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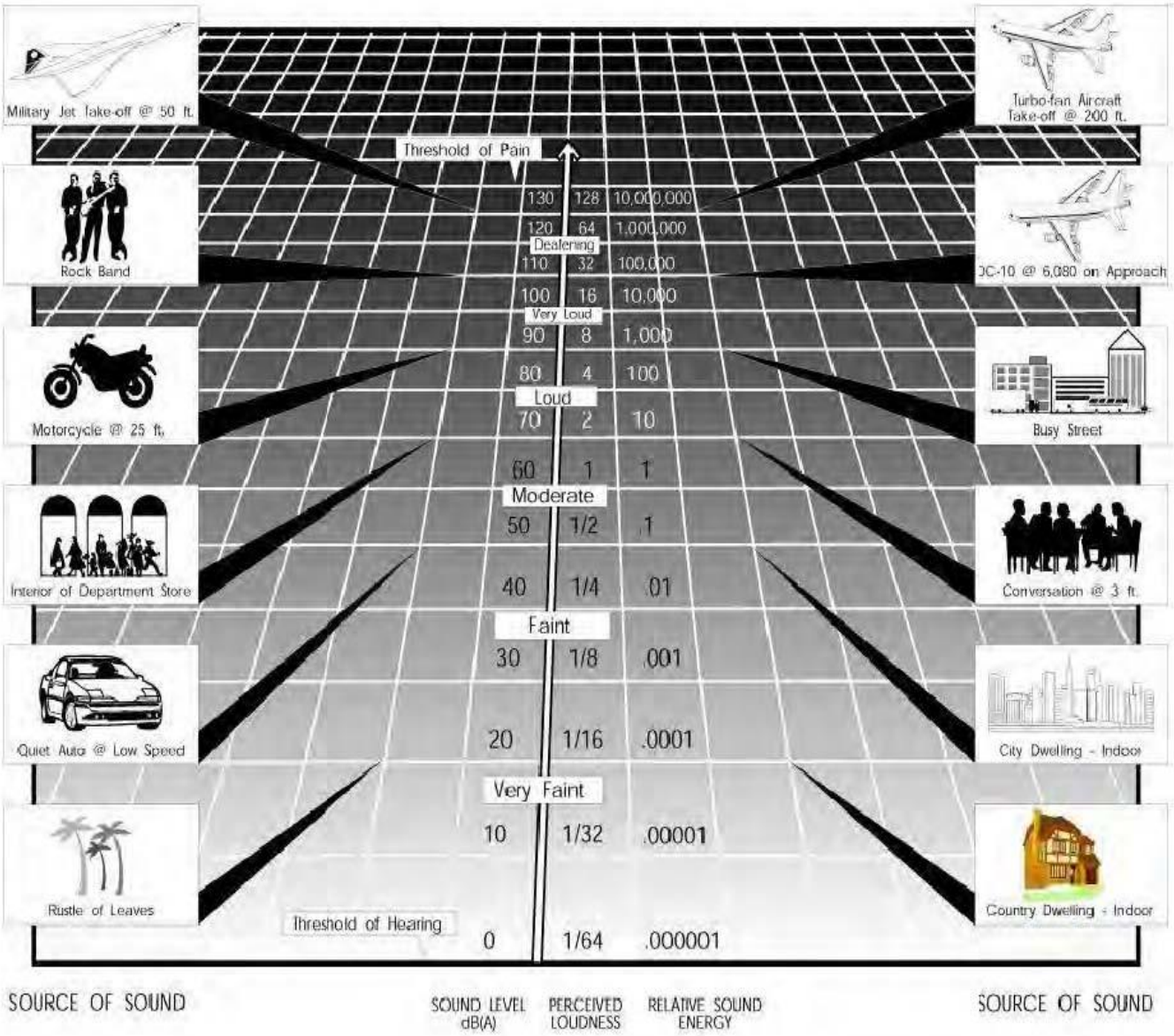
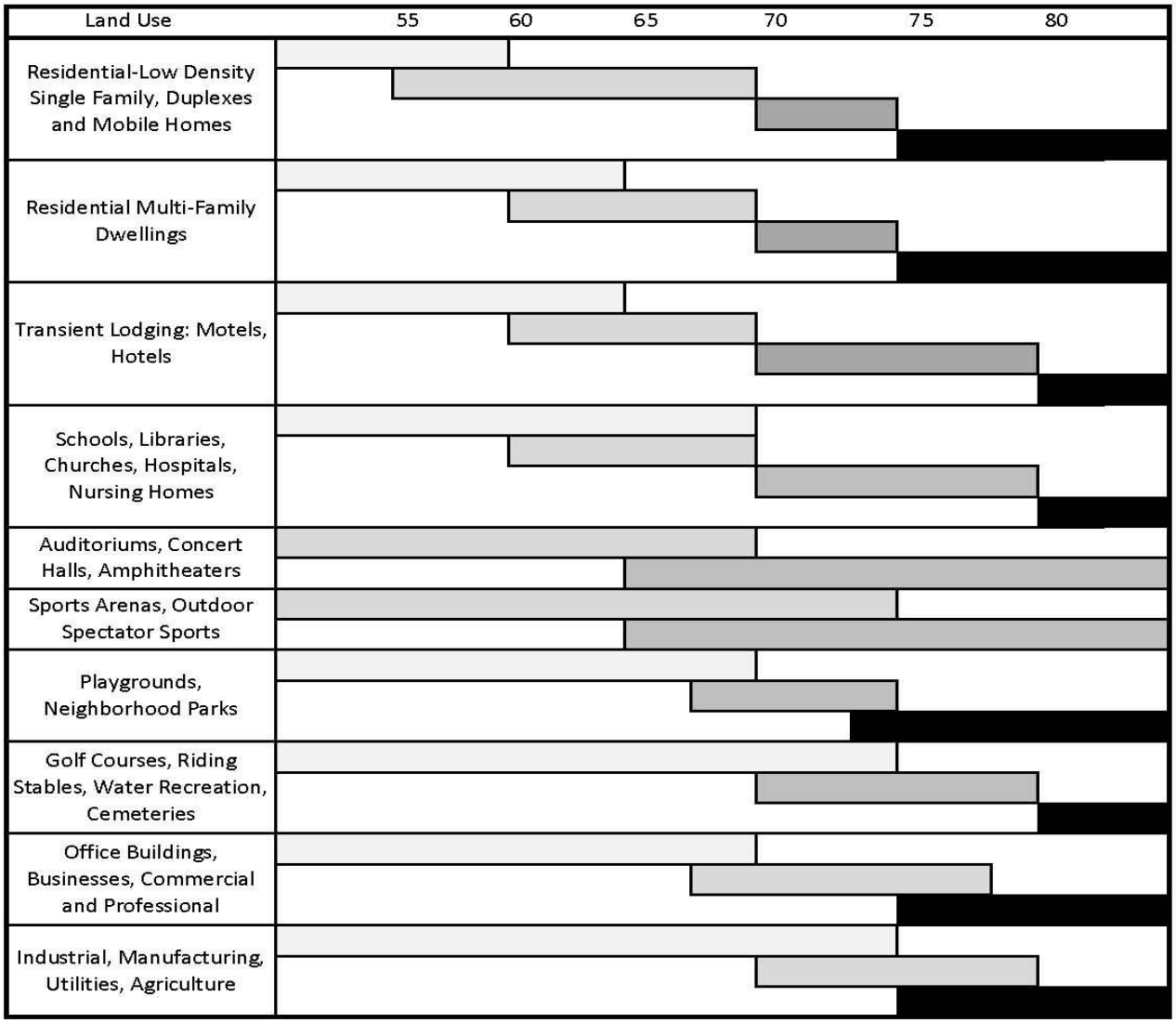
FIGURE 4.13-1
Common Noise Sources and Noise Levels



Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

FIGURE 4.13-2
Land Use Compatibility for Community Noise Exposure (dBA CNEL or Ldn)[1]



Normally Acceptable:	Conditionally Acceptable:	Normally Unacceptable:	Clearly Unacceptable:
Specified land uses is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation or requirements.	New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning	New construction and development should generally be discouraged. If new construction or development does proceed, a detailed analysis of the noise reduction requirements must be made with needed noise insulation	New construction or development should generally not be undertaken. Construction costs to make the indoor environment acceptable would be prohibitive and the outdoor environment would not be usable.

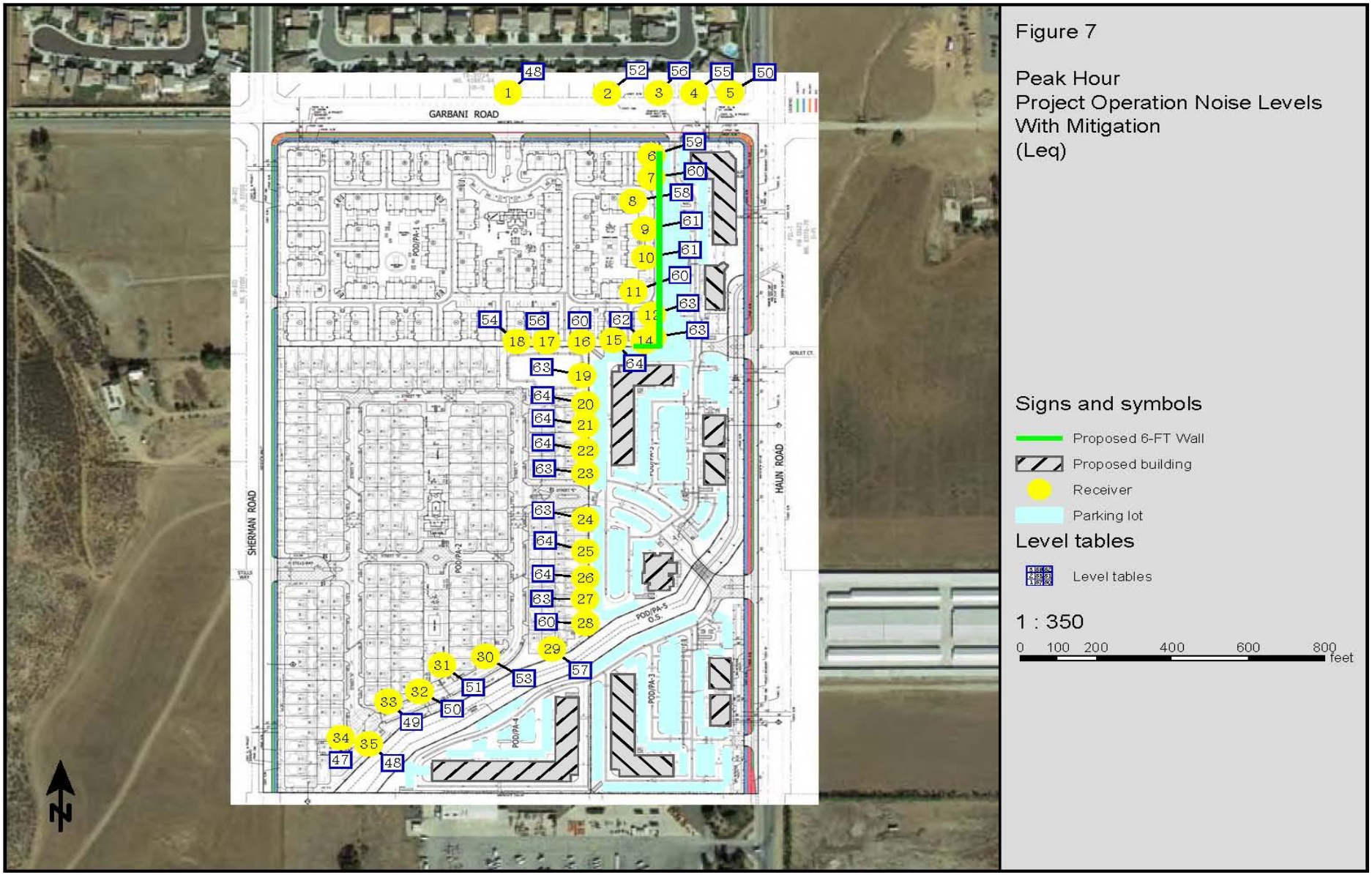
[1] Source: California Office of Noise Control. Guidelines for the Preparation and Content of Noise Elements of the General Plan. February 1976.

Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

FIGURE 4.13-3
Noise Measurement Location Map

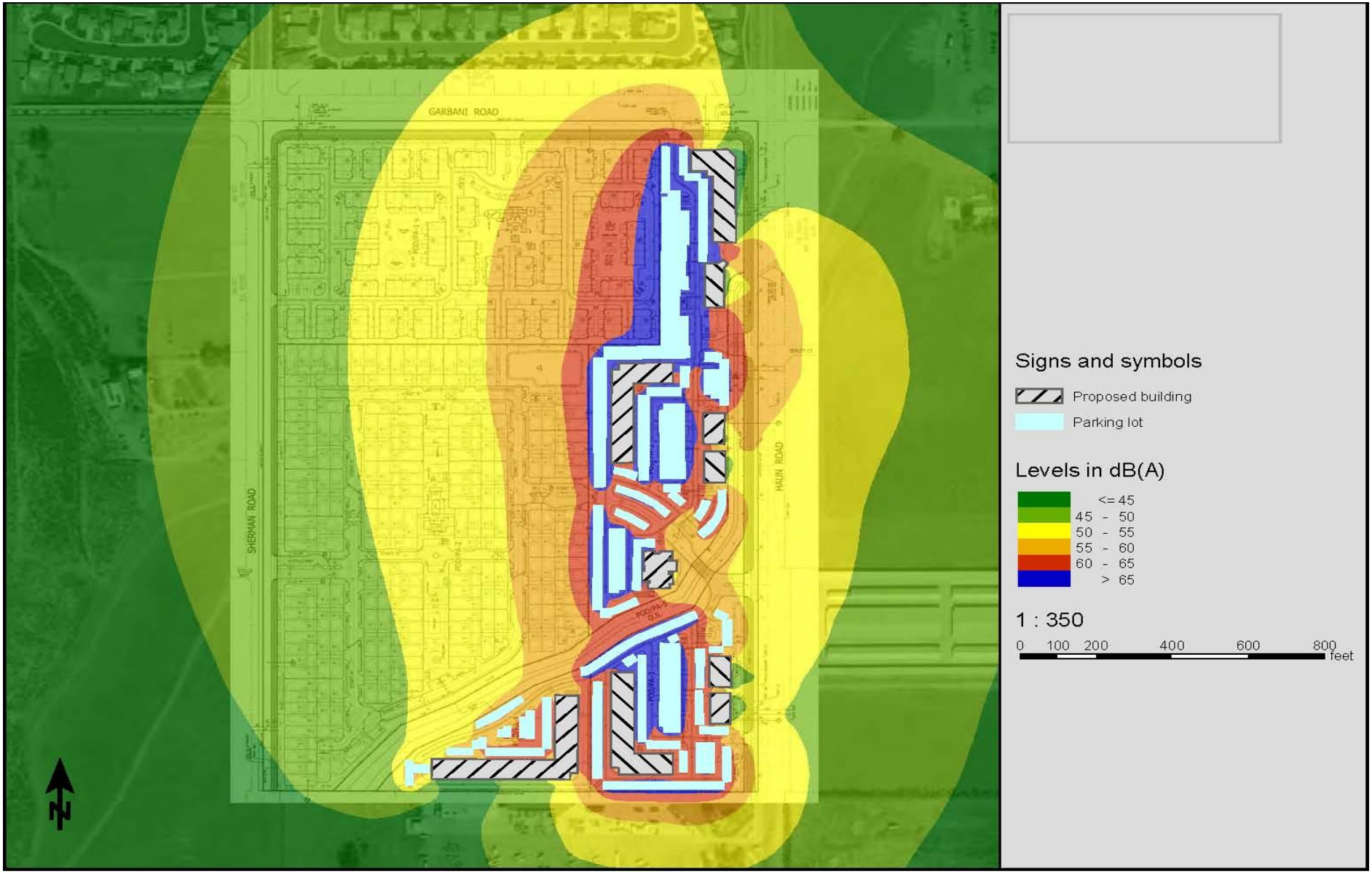
Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

EXHIBIT 4-13-4
Peak Hour Project Operational Noise Levels With Mitigation (Leq)



Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

EXHIBIT 4-13-5
Peak Hour Project Operational Noise Contours (Leq)



Source: Millcreek Promenade Noise Impact Analysis (revised) prepared by Kunzman Associates, Inc. (3/21/18)

4.14 POPULATION AND HOUSING

4.14.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to population and housing from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan, the Land Use Background Document and Definitions for the City General Plan, the City of Menifee Housing Element, the Southern California Association of Governments ("SCAG") Final 2016 Regional Transportation Plan ("RTP") Sustainable Communities Strategy ("SCS"), SCAG RTP 2016-2040 Final Growth Forecast by Jurisdiction[1], California Department of Finance E-1 Population Estimates (May 2018), the Fiscal and Economic Impact Analysis prepared for the proposed project and the Demographic Marketing Report (February 2018) prepared for the City of Menifee[2] were used in the analyses presented in this subchapter.

No comments related to population and housing issues were received in response to the Notice of Preparation or during the scoping meeting held for the Project.

4.12.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

California Housing Element Law

State law requires local communities to plan for enough housing to meet projected growth in California. Article 10.6 of the California Government Code (Sections 655801–65590) requires each city and county to prepare a Housing Element of its General Plan which is to be submitted (generally every eight years) to the State Housing and Community Development (HCD) Department for certification.

[1] http://www.scag.ca.gov/Documents/2016_2040RTPSCS_FinalGrowthForecastbyJurisdiction.pdf
[2] https://www.cityofmenifee.us/DocumentCenter/View/2352/Demographic-Marketing-Report---2018

Regional

Southern California Association of Governments

The Southern California Association of Governments ("SCAG")[3] identifies the number and type of housing units that each local jurisdiction should plan to accommodate through the Regional Housing Needs Assessment ("RHNA") process. According to SCAG, "the RHNA does not necessarily encourage or promote growth, but rather allows communities to anticipate growth, so that collectively the region and subregion can grow in ways that enhance quality of life, improve access to jobs, promotes transportation mobility, and addresses social equity, fair share housing needs." The SCAG RTP 2012-2035 SCS Program EIR ("PEIR") analyzes the population, housing and employment impacts of implementing the 2016 RTP/SCS to accommodate growth and provide for transportation needs.

The SCAG region, the second most populous metropolitan region in the nation, had approximately 18,051,534 residents in 2010. The population of the SCAG region increased by 1.7 million people between 2000 and 2011. Between 2000 and 2011 Riverside County grew by 45 percent (695,406 persons) to a population of 2,240,793 and had the highest annual growth rate (4.09 percent) in the SCAG region. Riverside County also has the highest homeownership rate (68.3 percent) in the SCAG region whereas Los Angeles County has the lowest rate at 48.6 percent. Riverside County had 692,725 households in 2011. The American Community Survey estimates that the population of Riverside County reached 2,292,507 in July of 2013.

SCAG RTP SCS 2016-2040 Final Growth Forecast estimates that the population of the City of Menifee will increase from 81,600 people in 2012 to 93,800 in 2020 and 121,100 in 2040. It further estimates that households will increase from 28,400 in 2012 to 35,200 in 2020 and 48,100 in 2040. Employment was estimated as 10,300 in 2012 and forecast to increase to 16,300 in 2020 and 23,500 in 2040.

The RHNA anticipates housing needs for all income groups related to population and employment growth with the goal to reduce the concentration of lower income households. It also requires "sufficient land use capacity to support improved mobility and job housing balance, including complementary transportation efficiency adjustments that reduce GHG and tailpipe emissions." In other words, it relies on higher density land use patterns at strategic locations to support reduced reliance on single-occupant vehicle trips. The SCAG 2016 RTP/SCS envisions "more compact, mixed-use development leading to more opportunities for walking and biking, more transit use, and shorter auto trips." The RTP intends to retain and increase affordable housing options through construction of higher density infill development as well as through deed restriction.

The land use development pattern of the 2016 RTP/SCS "assumes a significant increase in small-lot, single- and multi-family housing, will mainly occur in infill locations near transit infrastructure (HQTAs). In some cases, the land use pattern assumes that more of these housing types will be built than is currently anticipated in local general plans, and in most cases, this shift in housing type—especially the switch from large-lot to small-lot single-family homes—will occur naturally in the marketplace as developers shift to products in high demand." Over 50 percent of new housing and employment growth is anticipated to occur within HQTAs.

[3] Southern California Association of Governments includes the counties of Los Angeles, Orange, Riverside, San Bernardino, Ventura, and Imperial.

Policies of the 2016 RTP/SCS include the following:

- Develop "complete communities" – Create mixed-use districts, or "complete communities," in strategic growth areas through a concentration of activities with housing, employment, and a mix of retail and services, located in close proximity to each other.
- Develop nodes on a corridor – Intensify nodes along corridors with people-scaled, mixed-use developments.
- Plan for additional housing and jobs near transit – Support and improve transit use and ridership by creating pedestrian-friendly environments and more compact development patterns in close proximity to transit.
- Plan for a changing demand in types of housing – Address shifts in the labor force that will likely induce a demand shift in the housing market for additional development types such as multifamily and infill housing in central locations, which will appeal to the needs and lifestyles of these large populations.

The site is not projected to be developed within a High Quality Transportation Opportunity Area (HQTA) in the year 2040[4].

Local

City of Menifee General Plan Housing Element

The City of Menifee Draft Housing Element 2013-2021 adopted February 5, 2014 identifies and establishes the City's policies on the housing needs of existing and future residents. It establishes policies that will guide City decision-makers and sets forth an action plan to implement its housing goals.

Housing Element Goals:

- HE-1: A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.
- HE-2: Sustainable neighborhoods well served by ample parks, infrastructure, community amenities, and public services and facilities.
- HE-3: Improved opportunities for moderate and low income residents and those with special needs to rent, purchase, or maintain adequate housing.

Housing Element Policies:

- HE-1.1: Specific Plans. Support residential growth and infill in specific plan areas and along corridors where comprehensive neighborhood planning is completed and adequate infrastructure is planned.
- HE-1.2: Housing Design. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.
- HE-1.3: Housing Diversity. Provide development standards and incentives to facilitate a range of housing, such as single family, apartments, senior housing, and other housing types in rural, suburban, and urban settings.
- HE-1.4: Entitlement Process. Provide flexible entitlement processes that facilitate innovative housing solutions, yet balance the need for developer certainty in the approval process.

[4] http://gisdata-scag.opendata.arcgis.com/datasets/43e6fef395d041c09deaeb369a513ca1_1

- HE-1.5: Permit Process. Permit higher density housing in the 20.1–24 R General Plan designation per City policy; incorporate new policies upon completing the Zoning Code update.
- HE-1.6: Housing Incentives. Facilitate a mix of market rate and affordable housing through adoption of regulatory concessions and financial incentives, where feasible and appropriate.
- HE-1.7: Community Character. Protect the character of the community by preserving the unique rivers, landscape, natural features, and community features that distinguish Menifee from other cities in the region.
- HE-2.1: Housing Conditions. Support the improvement, rehabilitation, and maintenance of our housing resources to strengthen residential neighborhoods, offer quality housing, and maintain community property values.
- HE-2.2: Property Maintenance. Support the maintenance and improvement of the quality of housing and neighborhoods through the adoption, amendment, and compliance with land use, zoning, building, and property maintenance codes.
- HE-2.3: Neighborhood Revitalization. Support the comprehensive investments needed to improve physical infrastructure, housing conditions, and public services for our many neighborhoods, focusing on those neighborhoods of greatest need.
- HE-2.4: Parks and Recreation. Enhance neighborhood livability and sustainability by providing parks and open spaces, planting trees, greening parkways, and maintaining a continuous pattern of paths that encourage an active, healthy lifestyle.
- HE-2.5: Public Facilities and Infrastructure. Provide quality community facilities, infrastructure, traffic management, public safety, and other services to promote and improve the livability, safety, and vitality of residential neighborhoods.
- HE-2.6: Neighborhood Involvement. Encourage resident participation in their neighborhood organizations to help identify local needs and implement programs to beautify, improve, and preserve neighborhoods.
- HE-3.1: Homeownership Assistance. Increase homeownership assistance and security for lower and moderate income households through financial assistance, education, and collaborative partnerships.
- HE-3.2: Homeownership Preservation. Work with governmental entities, nonprofits, and other stakeholders to educate residents and provide assistance, where feasible, to reduce the number of foreclosures in the community.
- HE-3.3: Special Needs. Support the provision of community services and housing for people with special needs, such as disabled people, seniors, lower income families, and people without shelter.
- HE-3.4: Preservation of Affordable Housing. Preserve affordable rental housing by working with interested parties and providing technical assistance, as feasible and appropriate.
- HE-3.5: Collaborative Partnerships. Collaborate with nonprofit groups, developers, the business community, special interest groups, and state and federal agencies to provide housing assistance.
- HE-3.6: Fair Housing. Support and implement housing law in all aspects of the building, financing, sale, rental, or occupancy of housing based on protected status in accordance with state and federal law.

Many of the policies identified in the Housing Element are designed to ensure adequate affordable housing is available.

4.14.3 EXISTING CONDITIONS

4.14.3.1 City of Menifee

Pursuant to the U.S. Census Bureau, as of the 2010 Census, the City of Menifee had a population of 77,519. The Census estimated the City's 2016 population to be 84,978 and estimated the City's July 1, 2017 population to be 90,595. According to the California Department of Finance ("DOF") population estimates, the City of Menifee had a population of 91,102 as of January 1, 2018[5].

The 2010 Census also found a total of 27,461 households within the City and an average household size of 2.82 persons. This is consistent with the City of Menifee Housing Element, which estimates that there are on average 2.8 persons per household within the City, although the Housing Element also estimates that there are on average 3.5 persons per household in areas surrounding the City.[6]

The 2010 Census also found that the City had a total of 30,269 housing units, approximately 90 percent of which were occupied. Of occupied housing units, approximately 77 percent were found to be owner-occupied, and 23 percent were found to be renter-occupied.

4.14.3.2 Project Site

Under present circumstances the project site is vacant; it has historically supported dry-land farming activities and no housing units are current present on the site. The site is situated in an area of mixed vacant land, dry-land farming and single-family residential uses of varying density, with scattered commercial and light industrial uses. Surrounding land uses include the following: north of the site consists of Garbani Road, and low density residential uses; east of the site land uses consist of vacant land and a storage facility; immediately south of the project site is open space and a Verizon facility; and west of the site is vacant land and one single family residence. As discussed in detail within subchapter 4.The project site is located within an area of the City identified on the General Plan Land Use Map as an Economic Development Corridor ("EDC").

The proposed project would install the required utility and roadway infrastructure to support access to the site and develop the property with a mix of up to 398 residential units (at densities ranging from 10 to 14 dwelling units/acre), 120,190 square feet of retail, commercial and office space and 33,800 square feet of business park space on the approximate 58.5-acre project site.

4.14.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

POP-1 Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere.

[5] California Department of Finance. E-1 Population Estimates for Cities, Counties, and the State – January 1, 2018.
[6] The master planned senior community of Sun City, which is within the City of Menifee, has an average household size is 1.3 persons per household. If senior households are excluded, the average number of persons per household in the City of Menifee is 3.6.

POP-2 Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

POP-3 Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

4.14.5 METHODOLOGY

The focus of environmental analysis prepared under CEQA is a project's potential to cause effects on the physical environment. Accordingly, social and economic effects are not treated as significant effects on the environment. The State CEQA Guidelines make clear that there must be a physical change resulting from the proposed project directly or indirectly for an impact to be considered significant.

Social and economic effects, including employment, are relevant CEQA issues to the extent that a chain of cause and effect can be traced from a proposed project through anticipated social and economic changes resulting from the project, to physical changes caused in turn by the economic and social changes. (State CEQA Guidelines, §§ 15131(a), 15064(f).)

The proposed project includes both new residential units and employment growth. The project's growth in employment was compared to the availability of housing in the project vicinity to determine if the project would induce additional housing growth that would result in significant impacts to the environment.

4.14.6 ENVIRONMENTAL IMPACTS

POP-1 Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

There is no existing housing located on the proposed project site. The proposed project would not displace any existing housing, and therefore, it would not necessitate the construction of replacement housing elsewhere. Therefore, **no impact would occur**. No mitigation is required.

POP-2 Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

There is no existing housing located within the proposed project site; therefore, the project has no potential to displace any people and would not generate a need to construct replacement housing elsewhere. Therefore, **no impact would occur**. No mitigation is required.

POP-3 Would the project induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

As described in detail in Chapter 3, Project Description, of this DEIR, the proposed project would convert vacant land located within the City's EDC to a mixed use development that includes high density residential, commercial retail and office, and a business park. As discussed in detail in subchapter 4.11, Land Use and Planning, of this DEIR, the development is

consistent with the City's General Plan policies relating to land use and the EDC specifically. As relates to housing specifically, the project proposes 398 high density residential units.

According to the California Department of Finance ("DOF") population estimates, the City of Menifee had a population of 91,102 as of January 1, 2018[7]. Regional statistics compiled by SCAG set official regional growth forecasts for use in assessing a number of regional impacts associated with development. The 2016-2040 RTP/SCS Adopted Growth Forecast projects an estimated City population of 121,100 by the year 2040. According to the SCAG RTP/SCS, Menifee had an employment base of 10,300 in 2012 and is projected to increase to 23,500 by the year 2040.

Table 4.14-1
SCAG GROWTH FORECASTS FOR THE PROJECT AREA

City/Region	Population			Households			Employment		
	2012	2020	2040	2012	2020	2040	2012	2020	2040
Menifee	81,600	93,800	121,100	28,400	35,200	48,100	10,300	16,300	23,500
County Total	2,245,100	2,479,800	3,183,700	694,400	802,400	1,054,300	616,600	848,700	1,174,300

The City of Menifee Housing Element estimates that there are on average 2.8 persons per household within the City of Menifee and 3.5 persons per household in areas surrounding the City. The master planned senior community of Sun City, which is within the City of Menifee, has an average household size is 1.3 persons per household. If senior households are excluded, the average number of persons per household in the City of Menifee is 3.6.

The Housing Element states that the majority of single-family homes built in the community since 2010 are 3-, 4-, and 5-bedroom units. Residences with larger numbers of bedrooms obviously appeal to larger households. The Land Use Background Document and Definitions for the City General Plan derived population generation ratios from the 2010 Census and 2006-2008 American Community Survey, resulting in population generation estimates of 2.8 persons per household for residential units developed at a density at or below 8.0 du/ac and 2.07 persons per household for residential units developed at a density between 8.1 and 24.0 du/ac.[8] The Fiscal Impact Analysis (FIA) prepared for the Project (see Appendix 8 of Volume 2) estimated population generation of 2.92 persons per household based on CA DOF City/County Population and Housing Estimates, January 1, 2016.

Ultimately, the projected population generation rate of a particular development is an estimate based upon the best available assumptions. Given the relatively small size of the proposed residences (approximately 30 percent of PA 1 units would have two bedrooms; PA 2 units would be approximately 1,078 to 1,478 SF) and the proposed residential density between 8.1 and 14.0 du/ac, it is reasonable to assume that 2.92 persons per household (based on the FIA) is on the high end of the population that would be generated by the Project. A project-specific population generation of 2.07 persons per household as suggested by the Land Use Background Document and Definitions for the City General Plan for residential units developed at a density above 8.1 du/ac would seem appropriate. Based on this analysis, the proposed 398 residences

[7] California Department of Finance. E-1 Population Estimates for Cities, Counties, and the State – January 1, 2018.
[8] https://www.cityofmenifee.us/DocumentCenter/View/3654

(a density of 11.7 units per acres at 34 acres of residential use on the site) would have a build-out population of approximately 823 people based on a population factor of 2.07 persons per unit or approximately 1,162 people based on a population factor of 2.92 persons per household. In addition, pursuant to the Fiscal Impact Analysis prepared for the project, the project is also anticipated to generate approximately 310 direct employees; however this number could be more than accommodated by the housing provided onsite, as part of the proposed project.

The proposed project is consistent with General Plan designation for the site; therefore, the population that would be generated by the Project is already calculated into the assumptions of the City General Plan, including the Housing Element. The City General Plan estimates a build-out population of 165,830 persons. The increases in population and employment associated with the proposed project are within the growth assumptions estimated by SCAG for the City of Menifee and thus would not be substantially growth inducing.[9]

New population from residential development represents a direct form of growth. Direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the areas. The proposed project is a mixed-use community project, which will bring additional people to live and work in the area. Post-construction employment opportunities at or adjacent to the site would include the on-site office, business park and commercial/retail businesses.

With respect to the policies and goals of the 2016-2040 RTC/SCS, the proposed project would create a mixed use community with sidewalks and paths connecting different uses and providing opportunities for active transportation (human powered e.g., walking, biking, etc.) between uses. The project would intensify the land use of the site from the existing condition in a manner consistent with the General Plan vision for the site. The proposed project would contribute to creation of a "complete community" by including residential development, recreation areas, business park, offices, and commercial/retail in a comprehensively planned mixed-use manner.

Given the above, the proposed project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents, or that can be accommodated by the project and the City. Therefore, **impacts would be less than significant.** No mitigation is required.

4.14.7 CUMULATIVE IMPACTS

The proposed project would increase the population of the City by an estimated 823 to 1,162 residents, depending on the persons per household multiplier used.[10] The number of dwelling units within the City would increase by 398. Both the proposed dwelling units and the population induced are within the cumulative growth forecasts of the City and SCAG projections.

[9] As discussed in additional detail within subchapter 4.11, Land Use and Planning, of this DEIR, the preferred land use mix for the Southern Gateway subarea of the EDC ("EDC-SG") includes 10 percent of the land area (or 83 acres) dedicated to residential uses. At 14 dwelling units per acre, the preferred land use mix would result in a maximum of 1,162 dwelling units. The proposed project's 398 residential units would constitute approximately 35 percent of this total. The preferred land use mix for the EDC as a whole (including all subareas) would result in a maximum of 4,474 dwelling units. The proposed project's 398 residential units would constitute just under 9 percent of this total.

[10] In addition, pursuant to the Fiscal and Economic Analysis prepared for the project, the project is also anticipated to generate approximately 310 direct employees, however this number could be more than accommodated by the housing provided onsite, as part of the proposed project.

Because the project is proposed in a manner consistent with the General Plan and implements regional growth policies, the population and housing growth associated with the project is already planned for by the City. The project would not have a cumulatively considerable significant impact on population and housing.

4.14.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to population and housing will occur as a result of the proposed project.

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4.15 PUBLIC SERVICES

4.15.1 INTRODUCTION

This subchapter evaluates the environmental impacts relating to public services from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

This subchapter evaluates impacts relating to fire protection, police protection, schools and libraries.

This subchapter's analysis of fire protection impacts is based upon the following reference documents:

- City of Menifee General Plan, February 2014
- City of Menifee General Plan Draft EIR, September 2013
- City of Menifee Municipal Code, Chapter 8.20: Fire Code, November 2016
- City of Menifee Ordinance No. 17-232, Development Impact Fees (DIF); note the City has developed a new DIF Ordinance and Non-residential DIF will increase in July 2019.
- County of Riverside, Ordinance No. 787 – Fire Protection Ordinance
- Riverside County Fire Department, Fire and EMS Strategic Master Plan, 2009-2029. November 2009
- California Building Standards Commission, 2016 California Fire Code. January 2017
- National Fire Protection Association, NFPA Code 1710 Implementation Guide, 2002.
- Fiscal and Economic Impact Study dated November 23, 2016 prepared by David Taussig & Associates.

This subchapter's analysis of police protection impacts is based upon the following reference documents:

- City of Menifee General Plan, February 2014
- City of Menifee General Plan Draft EIR, September 2013
- County of Riverside, Riverside County General Plan, October 2003
- City of Menifee Ordinance No. 17-232, Development Impact Fees (DIF); note the City has developed a new DIF Ordinance and Non-residential DIF will increase in July 2019.
- Fiscal and Economic Impact Study dated November 23, 2016 prepared by David Taussig & Associates.
- Southern California Association of Governments. Profile of the City of Menifee, Local Profiles Report 2017. May 2017.

This subchapter's analysis of school impacts is based upon the following reference documents:

- City of Menifee General Plan, February 2014
- City of Menifee General Plan Draft EIR, September 2013
- City of Menifee Ordinance No. 17-232, Development Impact Fees (DIF); note the City has developed a new DIF Ordinance and Non-residential DIF will increase in July 2019.

- Ed Data Education Data Partnership Website. Accessed 3/16/2018 (http://www.ed-data.org/district/Riverside/)
- Perris Union High School District Webpage for High School #4. Accessed 3/16/2018 (http://www.puhsd.org/pages/high-school-4)
- Perris Union High School District – District Information Website. Accessed 3/16/2018 (http://www.puhsd.org/pages/high-school-4)
- Menifee Union School District Find Your School Webpage. Accessed 3/16/2018 (http://www.puhsd.org/pages/high-school-4)

Finally, this subchapter's analysis of library impacts is based upon the following reference documents:

- City of Menifee General Plan, February 2014
- City of Menifee General Plan Draft EIR, September 2013
- County of Riverside. Ordinance No. 659.7 – Establishing Development Impact Fees
- Riverside County Library System Website. Accessed 3/16/2018. (http://www.riverside.lib.ca.us)
- Fiscal and Economic Impact Study dated November 23, 2016 prepared by David Taussig & Associates.

No comments specific to public services were received in response to the Notice of Preparation or at the Scoping Meeting.

4.15.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

California Fire Code

The California Fire Code ("CFC") comprises Part 9 of Title 24 of the California Code of Regulations. The CFC is updated on a three-year cycle; the 2016 CFC took effect on January 1, 2017. Fire flow requirements are in CFC Appendix B, Table B105.1. Fire hydrant location and distribution requirements are in CFC Appendix C.

California Health and Safety Code

Sections 13000 et seq. of the California Health and Safety Code include fire regulations for building standards (also in the California Building Code; California Code of Regulations Title 24 Part 2); fire protection and notification systems, fire protection devices such as extinguishers and smoke alarms, high-rise building and childcare facility standards, and fire suppression training.

California Education Code Section 17620

California Education Code Section 17620 provides that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities.

Local

City of Menifee General Plan

The following General Plan goals and policies relating to public services are applicable to the project:

Safety 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.

Safety Policies
- S-4.2: Ensure, to the maximum extent possible, that fire services, such a firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the city.
- S-4.4: Review development proposals for impacts to fire facilities and compatibility with fire areas or mitigate.

Land Use Policy
- LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the city.

City of Menifee Resolution Nos. 17-656 and 17-232, Development Impact Fees

On December 6, 2017, the City Council of the City of Menifee adopted Resolution No. 17-656 approving updated Development Impact Fees. On December 20, 2017, the City Council adopted Ordinance No. 17-232, Development Impact Fees. The fees in the Ordinance became effective July 1, 2018. The fee ordinance applies residential fees ranging from $5,567 to $6,825 for multi-family units and $7,803 to $10,089 for single family units. The fee ordinance also applies non-residential development fees ranging from $2,183.00 to $2,651.50 per 1,000 square feet of industrial/business park use and ranging from $4,306.00 to $5,117.50 per 1,000 square feet of retail commercial use.

City of Menifee Fire Code (City of Menifee Municipal Code Chapter 8.20)

The City has adopted the 2016 California Fire Code, except as stated in the Municipal Code, Chapter 8.20, inclusive of all the inclusions and exclusions set forth in each chapter's matrix.

4.15.3 EXISTING CONDITIONS

4.15.3.1 Fire Protection

The project site is under the jurisdiction of the County of Riverside Fire Department, which operates in coordination with the California Department of Forestry and Fire Protection ("CalFire"). The level of service for fire protection services is expressed in terms of response time, rather than the use of service ratios of other performance objectives. An impact to fire protection is considered to be significant if a project will result in an increase in fire response time in excess of seven minutes for urban areas.

The primary station serving the project area is Riverside County Menifee Fire Station #68. Station #68 would be located within approximately 2.9 miles of the entire project site. The equipment and staffing of that station is described below. Riverside County Menifee Fire Station #68 is located at 26020 Wickerd Road, Menifee, CA 92584, which, at the closest location within the overall project site, is 2.9 miles west of the project site and at the furthest location from the project site is 3.3 miles southwest of the project. This station is recognized as the primary response station to the project site. It is staffed full-time, 24-hours per day, 7-days a week, with a with a minimum 3-person crew, including paramedics, and operating a Type-1 structural firefighting apparatus.

Riverside County Menifee Lakes Fire Station #76 is located approximately 3.3 miles northeast of the project site, at 29950 Menifee Road, Menifee, CA 92584. It is staffed full-time, 24-hours per day, 7-days a week, with an 8-person crew, including a Battalion Chief. They have a Type-1 structural firefighting apparatus, ladder truck, fire engine, and paramedics.

According to the Menifee General Plan Draft EIR, the Project will be within the Heavy Urban response time goal for fire suppression calls due to the high density of residential units on site. Heavy Urban is defined as 8-20 units per acre. From the above listed fire stations, the first unit should arrive within 5 to 6 minutes after dispatch, and the second within 6 to 7 minutes. These times are approximate and currently exceed the Heavy Urban Land Use protection goals found in the Menifee General Plan Draft EIR: the Heavy Urban Land Use Category is described as 2-20 residential units per acre, with a response time goal of 5 minutes at the location of the fire location. Current minimum staffing levels of three persons per responding unit presently meet existing demands, and the Menifee Lakes Fire Station is currently exceeding the staffing requirements.

Future demand will be modified by the Project because it will increase demand for Fire Protection and Emergency Response service and the existing station's ability to provide adequate fire and emergency response service.

Lastly, according to the CalFire Western Riverside County Fire Hazard Severity Zones Map in State Responsibility Area (**Figure 4.15-1**) and the CalFire Western Riverside County Very High Fire Hazard Severity Zones in Local Responsibility Area (**Figure 4.15-2**), the proposed project is not located within any Fire Hazard Severity Zone.

4.15.3.2 Police Protection

The project site is currently under the jurisdiction of the Riverside County Sheriff's Department Perris Station, located at 137 N. Perris Boulevard, which serves the City of Menifee, amongst other neighboring cities. The Station is located approximately 11.2 miles north of the project site. The Perris Station serves the City of Perris and also covers the City of Menifee and the communities of Romoland, Homeland, Lakeview, Nuevo, and others. The City is currently in the process of establishing a City Police Department, but data are currently insufficient to make a forecast regarding potential impacts.

According to the City General Plan EIR, in January 2013 the Perris Station was staffed with 138 sworn deputies and 30 classified employees, including 33 patrol and traffic officers assigned to patrol in the City of Menifee. Average Riverside County Sheriff Department response time to emergency calls is 7.28 minutes, and average response time for nonemergency calls is 49.58 minutes. Based on the project's location within the City of Menifee,

the above response times are anticipated to be similar to that which the proposed project would experience.

Although the City is in the process of establishing a City Police Department, it has not established specific police protection standards related to service ratios; however, the Riverside County General Plan Final Program Environmental Impact Report, Volume 1, 2003 has an established sheriff service ratio of one sworn officer per 1,000 residents.

4.15.3.3 Schools

The project site is located within and served by the Menifee Union School District ("MUSD") and Perris Union High School District ("PUHSD"), which serve grade K-8 aged students and grade 9-12 aged students, respectively. MUSD serves the children of Menifee with one preschool, three middle schools, and ten elementary school campuses. PUHSD has three high schools, one continuation high school, one middle school, an adult school, and a military school within its District boundaries. The project is within the MUSD boundary that is served by Chester Morrison Elementary School & Menifee Valley Middle School, and is within PUHSD's boundary that is served by Paloma Valley High School.

The enrollment for the entire MUSD for the 2016-17 school year was 11,676 students, while the enrollment for PUSD was 10,796 students. Chester Morrison Elementary School serves the project area for grades K-5 and has a capacity for approximately 175 additional students. Menifee Valley Middle School serves grades 6-8 and has capacity for approximately 245 additional students. Paloma Valley High School exceeds current enrollment capacity by approximately 421 students.

Table 4.15-1, *Current Enrollments and Capacity of Schools Serving the Project*, summarizes school populations and capacities.

Table 4.15-1
CURRENT ENROLLMENTS AND CAPACITY OF SCHOOLS SERVING THE PROJECT

School	Address	Current Enrollment	Capacity
Chester W. Morrison Elementary School	30250 Bradley Rd, Menifee, CA 92584	437	612
Menifee Valley Middle School	26255 Garbani Road, Menifee, CA 92584	1,133	1,378
Paloma Valley High School	31375 Bradley Road, Menifee, CA 92584	3,121	2,700

Sources: Information provided in this table was extracted from ed-data.org/district/Riverside/ which provides accurate data for California Schools; the data listed reflects the 2016-2017 school year enrollment numbers. Capacities of the Schools were gathered from the City of Menifee General Plan Draft EIR under the Public Services, School Services section (5.14.3).

According to the PUSD Website and the City of Menifee General Plan Draft EIR, PUSD plans to build a new high school, High School #4 at the northwest corner of Wickerd Road and Leon Road just east of the City of Menifee. The campus master plan has been developed to accommodate approximately 2,600 students in grades 9-12.

4.15.3.4 Libraries

The project site is located within the jurisdiction of the Riverside County Public Library System. Currently, the County of Riverside operates a three library branches that serve the City of Menifee: Sun City Library, Paloma Valley Library, and the Romoland Library. The County's ability to support the needs of future growth is dependent upon its ability to secure sites for, construct, and stock new libraries on a timely basis. According to the City General Plan Draft EIR, part of the funds raised may be used to construct library facilities, including land acquisition. Additionally, funding for the County libraries are provided by the Western County DIF Library Book Fund and donations from Friends of the Library are used for purchasing materials. As previously noted, these fees will be superceded by the new City DIF fee schedule.

The nearest library to the project site is the Paloma Valley Library, which is located approximately one-mile to the northwest of the project site. This library would serve the residents of the Project. According to the City General Plan Draft EIR, the Paloma Valley Library has approximately 15,967 items in its collection. The branch facility is located at 31375 Bradley Rd. Menifee, CA 92584, is 5,589 square feet and has been serving the area since 2002.

There are two additional libraries located in the general area, within ten miles of the project, and which are operated by the Riverside County Public Library System. In addition to these libraries, the Western County Bookmobile currently services the San Jacinto Community College Campus in Menifee Thursdays.

Table 4.15-2 identifies the library locations and square footage of libraries that serve the City of Menifee. In addition to the libraries listed in Table 4.15-2, the Riverside County Library System offers a variety of informational services on the Internet. These services are offered to California Library Card holders, and include online reference books, newspapers, audio books, magazines, and journals. Library cardholders can access this information from any Internet connection.

Table 4.15-2
LIBRARIES IN THE VICINITY OF THE PROJECT

Library	Address	Square Footage
Paloma Valley Library	31375 Bradley Road, Menifee, CA 92584	5,589
Sun City Library	26982 Cherry Hills, Menifee, CA 92586	10,500
Romoland Library	2600 Briggs Road, Romoland, CA 92585	6,600

4.15.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

PU-1 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection.

PU-2 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection.

PU-3 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools.

PU-4 Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities.

4.15.5 METHODOLOGY

To assess potential impacts to public services, the specific service ratios, response times, or infrastructure requirements of each analyzed public service was compared against the project's proposed residential units and non-residential square footage. In addition, the relevant development impact fee ordinances were compared against the project to determine the adequacy of those fees in address the potential for significant impacts.

4.15.6 ENVIRONMENTAL IMPACTS

PU-1 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection?

CalFire has established acceptable response times of 6 minutes 30 seconds for urban areas and 10 minutes 30 seconds for rural areas. Urban development located within 3 miles of a County fire station and rural development located within 5 miles of a County fire station is considered to be within acceptable response times. The existing Riverside County Menifee Fire Station #68 is located about 2.9 miles southwest of the project site, and therefore the response time conforms to the County's guidelines of 6 minutes 30 seconds. The proposed development is on the threshold for being within both an urban area and a rural area as defined by CalFire. The mixed-use development will consist of 398 dwelling units, which would not independently surpass the County threshold of 2,000 dwelling units (for a specific project) that would require establishment of a new fire station.

The proposed project would be required to participate in the City's new Development Impact Fee Program City (refer to Appendix 12, in Volume 2), to help offset the cost of providing new fire facilities as required to maintain acceptable response times. The fees provide funding for, and/or development of, capital improvements such as land, equipment purchases, and fire

station construction. The payment of Development Impact Fees (DIF) by this Project would typically be considered adequate contribution toward mitigation for this potentially significant cumulative Project contribution to demand. Regarding Development Impact Fees, please note the City has developed a new DIF Ordinance and Non-residential DIF will increase in July 2019. Thus, the fee values calculated in this document may need to be adjusted upward assuming the project is approved in the future.

The proposed project will not be developed until after the new City DIF fees are in effect. However, to ensure adequate fire flow at the project site, the following mitigation measure needs to be implemented to ensure that potential impacts are reduced to less than significant levels. Therefore, **Mitigation Measure 4.15-1** has been identified:

> ***Mitigation Measure 4.15-1***
> *The developer shall install fire hydrants with spacing defined by the Riverside County Fire Department. These hydrants shall be shown on the final Tract Map and approved development plans, and they shall be installed in accordance with the project design. The developer shall also document that fire flow delivered to the project site meets the requirements of the Fire Department in conjunction with the installation of sprinklers for the new structures.*

Note that since hydrants may be mandated as a Condition of Approval (COA), the preceding mitigation measure may not be required.

With payment of required DIF fees and implementation of **Mitigation Measure 4.15-1** or a comparable COA, potential impacts which would cause fire stations to be expanded or built will be reduced to a level below significance. The shift to an "urban" fire protection category requires that adequate stations be within three miles and a full assignment within 15 minutes, which is currently being met by proximity of fire stations to the project site.

Mitigation Measure 4.15-1 (or COA) would ensure the provision of adequate fire flow to provide water pressures great enough to serve the given type of construction, pursuant to County Ordinance No. 787 and the 2016 California Fire Code. Without adequate fire hydrant spacing and fire flow, structures could be at undue risk and performance objectives are not met. Therefore, impacts related to fire flow would be significant without implementation of mandatory measures identified. With implementation of mitigation, which requires adequate hydrant spacing, fire flows (volume of flow per minute) and sprinklers for new structures, **impacts would be less than significant with the incorporation of mitigation**.

PU-2 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for police protection?

The Fiscal and Economic Impact Study dated November 23, 2016 and prepared for the project by David Taussig & Associates estimates that the proposed mix of uses would have a build-out population of approximately 1,472 persons. This figure is based on the assumption of 2.92

persons per household (398 dwelling units x 2.92 = 1,162.16 persons) and a projected total employee count of 310 persons, for a total of 1,472 persons served by the proposed project (1,162.16 + 310 = 1,472.16). Using the County of Riverside's Sheriff Department preferred staffing ratio of 1.0 officers per 1,000 people in unincorporated areas, the Project would generate a total demand for approximately two additional officers. Police protection will continue to be provided by the Riverside County Sheriff Department. Since law enforcement services are based upon per capita service levels, the project will require an incremental increase in sheriff services to maintain current service levels within the Perris Station's service area. With the increase in sworn Sheriff's officers to serve the project area, the project contributes to maintaining the current response times within the Sheriff's Perris service area.

The City development review process and building permit plan check process include review by the County Sheriff Department to ensure incorporation of defensible space concepts (Crime Prevention through Environmental Design, or "CPTED") in site design and construction. Additionally, development fees required by Riverside County Ordinance No. 659.7 may be used to provide additional facilities for the Sheriff Department. To ensure potential public service **impacts would be less than significant** the following mitigation measure is required.

> ***Mitigation Measure 4.15-2***
> *As presently scheduled, the commercial/industrial/business park portion of the project is scheduled to be developed prior to the residential component. Should this not occur and if the DIF fees are not sufficient to cover costs of residential demand for public services, the site developer shall negotiate a method of covering the costs of services to be extended to the site, such as a Safety Services tax or payment of an in lieu fee. The objective is to mitigate the costs of services that exceed actual costs of delivering these services.*

PU-3 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for schools?

California SB 50, the Leroy F. Greene School Facilities Act of 1998: *Class Size Reduction Kindergarten-University Public Education Facilities Bond Act of 1998*, provided for the issuance of state general obligation bonds, in an amount not to exceed $9.2 billion. Proposition 1A (SB 50) was approved by California voters on November 3, 1998. The passage of Proposition 1A authorized $9.2 billion in State bonds for K–12 and higher education school facilities construction and modernization. Of this amount, $2.9 billion is allocated for new construction for grades K–12. The approval of Proposition 1A activated the provisions of Government Code Sections 65995.5, 65995.6, and 65995.7. This program, known as the School Facilities Program (SFP), established a state program to provide state per pupil funding for new construction and modernization of existing school facilities. The SFP requires the state to provide an estimated 50 percent of the funds required for new school projects matched by 50 percent funding from local funds.

Proposition 55, the *Kindergarten-University Public Education Facilities Bond Act of 2004,* and Proposition 47 of 2002, the *Kindergarten-University Public Education Facilities Bond Act*,

authorized $10 billion and $11.4 billion, respectively, for the upgrade and construction of California school facilities. With the passage of these propositions, approximately $21 billion was made available for school facilities construction. As such, until these funds are exhausted, only Level I and Level II fees can be imposed on new development. The level of fee that a new residential project is mandated to pay can change depending upon availability of State funds and under this circumstance, only Level 1 and Level II fees are allowed to be imposed on the proposed project. The amount of fees that can be charged for a residential project are placed in categories with the State establishing the value for each category level. The amount can vary each year depending on the capacity in a school district and availability of State funds.

California Education Code Section 17620 provides that the governing board of any school district is authorized to levy a fee, charge, dedication, or other requirement against any construction within the boundaries of the district, for the purpose of funding the construction or reconstruction of school facilities. Pursuant to this state law, the Project proponent will be required to pay school impact fees to MUSD and PUHSD, which are designed to off-set impacts associated with new development and its impact on area schools. School district authority to impose development fees on new construction is derived from Educational Code section 17620, and is subject to the limits defined in Government Code Section 65995.

The proposed project would generate additional demand for school services from MUSD and PUHSD. Children residing in the proposed residences would most likely attend one of the existing facilities such as Chester Morrison Elementary School, Menifee Valley Middle School, and Paloma Valley High School. As stated previously, PUHSD plans to build a new high school with capacity for about 2,600 students just east of Menifee. As shown in Table 4.15-3, *Student Generation Rates by Grade Level* below, an estimated total of 189 new students would be generated by the proposed 398 residential units. Using the appropriate generation factor, it is estimated that the Project would generate approximately 96 students in elementary school, 47 students in middle school and 46 students in high school. Under the proposed Mill Creek Specific Plan, Residential planning areas account for 34.52 acres, or approximately 58.9 percent of the total land uses of the Specific Plan. PA1 of the Specific Plan will allow for High Density Residential, HDR (8.1-140.0 du/ac) development and PA2 of the Specific Plan will allow for High Density Residential, HDR (8.1-14.0 du/ac) development. Three housing types are allowed in PA1 of the Specific Plan with a target of 194 attached single-family residential units. Two single-family detached residential housing types are allowed in PA2 of the Specific Plan with a target of 204 residential units.

Table 4.15-3
STUDENT GENERATION RATES BY GRADE LEVEL

	Elementary School*	Middle School*	High School#	Total
Student Generation Ratio for Single-Family Attached and Multi Family Homes	0.1703	0.0795	0.0940	0.3438
Total Number of Students Generated by 194 Single-Family Attached/Multi-Family Homes (proposed project)	33.03 students	15.42 students	18.24 students	66.70 students
Student Generation Ratio for Single-Family Detached Homes	0.3119	0.1525	0.1317	0.5961

	Elementary School*	Middle School*	High School#	Total
Total Number of Students Generated by 204 Single-Family Detached Homes (proposed project)	63.63 students	31.11 students	26.87 students	121.60 students
Student Generation Totals:	**96.66 students**	**46.53 students**	**45.11 students**	**188.3 students**

**MUSD student generation ratio*
 # PUHSD student generation ratio
Source: City of Menifee General Plan Draft EIR, September 2013

Pursuant to state law (SB 50 and Proposition 1A), the Project proponent will be required to pay school impact fees to MUSD and PUHSD, the payment of which, by statute, are deemed sufficient to offset impacts associated with new development and its impact on area schools. Per SB 50, the payment of the statutory school fees constitutes full mitigation of potential impacts upon the affected school district(s). The current (2013) development impact fees charged by the two school districts within the project area are listed in Table 4.15-4 below.

Table 4.15-4
CURRENT SB 50 DEVELOPMENT IMPACT FEES FOR SCHOOL FACILITIES

School District	SB 50 Fees	
	Residential Development	Commercial Development
Menifee Union School District	$2.30 per square foot	$0.367 per square foot
Perris Union High School District	$0.92 per square foot	$0.13 per square foot

Given that the State of California has deemed school development impact fees adequate to offset impacts for new development, the proposed project's contribution is sufficient to prevent significant impacts from occurring as a result of the increase in student population. Although the payment of mitigation fees by this Project is considered its fair share and adequate contribution toward mitigation for this potentially significant project specific and cumulative impact, every added high school student will be adding to an overcrowded situation within the PUHSD. Options PUHSD can implement to address overcrowding are portable classrooms, year-round schedules, single-track YRE (Year-Round Education) model, and Multi-track YRE model. The problem of overcrowding in PUHSD schools is one in which the District is keenly aware. The development of the proposed new high school may balance the population of students within the overall PUHSD, which may mitigate the problem of overcrowding; however, the development of the proposed project will have no influence on the timing of the development of the new school, or the measures PUHSD takes to accommodate school overcrowding.

As stated above, payment of statutory school development impact fees to the affected school districts is mandatory, and as such it is not unique mitigation imposed upon the proposed project. Therefore, potential **impacts would be less than significant.** No mitigation is required.

PU-4 Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which

could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for other public facilities?

The proposed project would develop a maximum of 398 residential units, which would increase the demand for library services. As stated in the City General Plan Draft EIR, the suggested standards for library facilities and reserves should be at a rate of 0.6 square foot of library space and 2 volumes per capita. Applying this suggested service criteria to the Project, the Fiscal and Economic Analysis, dated November 23, 2016 estimates a build-out population of approximately 1,472 persons, which would require 883.2 square feet of new library space and 2,944 volumes to adequately support the project. The increase in population as a result of implementation of the proposed project has the potential to affect existing library facilities and services.

According to the City General Plan Draft EIR, buildout of the General Plan would require net increases of 48,000 square feet of library space, 162,486 items, and 24 full-time-equivalent staff to adequately serve the population at General Plan buildout. However, the Draft EIR states that the additional City and County tax revenues, as well as Development Impact Fees are adequate to ensure that the General Plan would not have a significant impact on library service.

In order to reduce the impacts associated with increased demands on the local library system, Riverside County Ordinance No. 659.7 sets forth a fee for residential projects of $341 per single-family dwelling unit. This mandatory fee pays for library materials only, and not the acquisition and construction of additional library facilities.

The aforementioned Fiscal and Economic Impact Analysis prepared for the proposed Project estimates that the annual recurring revenues to the City General Fund build-out will equal $271,670 annually, based on $796.620 in fiscal revenues and $524,950 in fiscal costs. The fiscal surplus results primarily from the proposed services CFD (27.1%), direct sales tax (20.6%), and secured property tax (15.5%), respectively. Together these constitute approximately 63.2% of total recurring revenues to the City General Fund. In conjunction with the mandatory Development Impact Fees, the net annual revenue generated for the County by the proposed project is considered sufficient to reduce impacts to library facilities and/or services to a less than significant level. Therefore, **impacts would be less than significant.** No mitigation is required.

4.15.7 CUMULATIVE IMPACTS

4.15.7.1 Fire Protection

Cumulative projects which are proposed within the general Project vicinity are based on the assumption that up to about 9,489 dwelling units may be constructed within the area based on the data gathered in the Traffic Study prepared for this project. This cumulative change in type and amount of development within the planning area will require more or larger stations commensurate with development levels and locations for each of the proposed cumulative projects. The project contributes approximately 4.19 percent of the total proposed development within the cumulatively proposed projects, which represents a relatively small, but still cumulatively considerable amount. Thus, the project has the potential to result in a cumulatively considerable adverse impact to CalFire's ability to provide an acceptable level of service without offset of the project's demand. These impacts are forecast to include an increased number of emergency and public service calls due to the increased presence of structures and population.

However, as with all cumulative projects, the proposed project shall participate in the Development Impact Fee Program as adopted by the City of Menifee to mitigate a portion of these impacts. This will provide funding for capital improvements such as land, equipment purchases and fire station construction. The mixed-use development—consisting of attached townhome high density residential units, single-family detached high density residential units, commercial/retail, office, restaurant, and business park development—envisioned for the project will contribute incrementally to cumulative impacts related to the need for fire station construction and other mitigation to reduce cumulative effects on Fire Services.

The project's potential to result in cumulatively considerable impacts to fire protection and emergency response services would be less than significant through the payment of fees, and also through the payment of fees by all cumulative projects. Therefore, cumulative fire protection impacts are considered less than significant.

4.15.7.2 Police Protection

The project proposes to develop a mixture of residential, commercial, office, industrial, entertainment, educational, and/or recreational uses with a build-out population of approximately 1,472 persons, which can be broken down by projected residential population (1,162) and projected direct employees (310). The proposed project would increase the population of the City of Menifee from approximately 89,004 residents (based on the SCAG Local Profile of the City of Menifee) to approximately 90,476 residents. According to the SCAG Local Profile for the City of Menifee, the City had 32,776 dwelling units in 2016, and the project would increase that number to about 33,174 dwelling units. In context, the proposed project represents an increase in population of 1.6 percent and an increase in dwelling units of 1.2 percent, which are considered minimal increases in both population and dwelling units. Furthermore, the projected increase in population is well within the City General Plan's estimated build-out population of 165,830 persons, and the General Plan Housing Element identifies objectives for new housing construction at a total of 6,791 dwelling units, to which the proposed project would contribute an additional 398 units.

The cumulative change in type and amount of development within the planning area will require more sheriff services commensurate with development levels and population for each of the proposed cumulative projects. Based on this information, the project would make an incremental contribution to a cumulative adverse demand impact to the County Sheriff Department's ability to provide an acceptable level of service without mitigation. These impacts are forecast to include an increased number of emergency and public service calls due to the increased presence of urban/suburban uses and population.

As stated above, the proposed project would be required to participate in the Development Impact Fee Program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. The fee program is intended to provide funding to expand services to meet service demands and offset the impacts of new projects and population.

Based on the payment of mandatory offset fees and annual taxes for law enforcement demand generated by the proposed project and the mitigation measure listed above, the project's potentially significant cumulative impacts to police protection would be less than significant level and payment of fees by all cumulative projects can effectively reduce the overall cumulative impacts to such services. Based on this analysis, cumulative law enforcement impacts are considered less than significant.

4.15.7.3 Schools

The project, in conjunction with other projects anticipated within the area, will generate students in excess of what the local schools are presently able to accommodate. The payment of school impact fees and provision of school sites within each future development, commensurate with each project's level of impact, is considered adequate fair share contribution to cumulative impacts associated with development that leads to a determination of less than significant.

4.15.3.4 Libraries

The project, in conjunction with other projects anticipated within the area, will generate demand for library services in excess of what the local library system is presently able to accommodate. The payment of library impact fees, commensurate with each project's level of impact, is considered adequate fair share contribution to cumulative impacts associated with development, which leads to a determination of less than significant cumulative impacts.

4.15.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts relating to public services will occur as a result of the proposed project with implementation of mitigation measures or COAs.

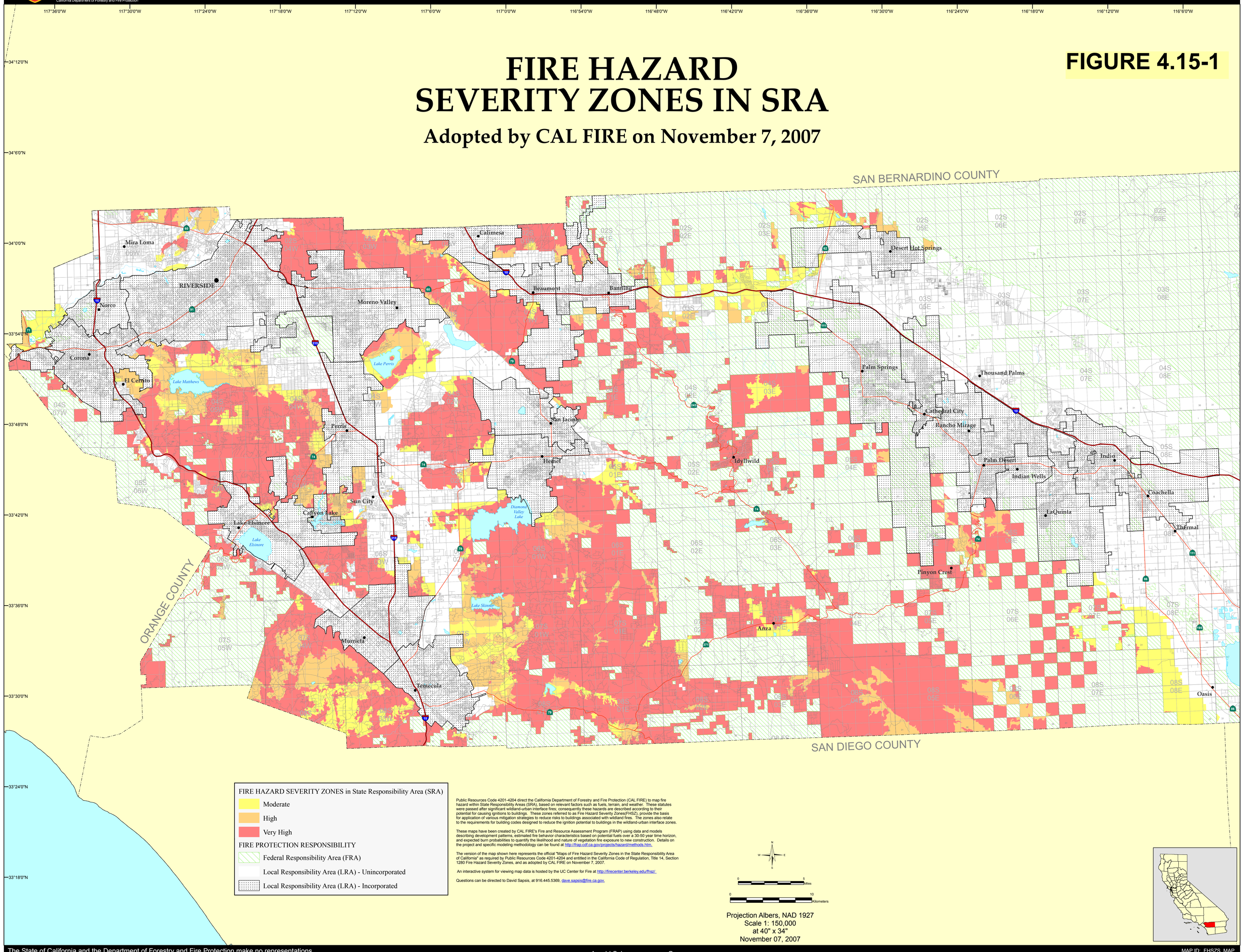
WESTERN RIVERSIDE COUNTY

FRAP
Fire and Resource Assessment Program
California Department of Forestry and Fire Protection

FIGURE 4.15-1

FIRE HAZARD SEVERITY ZONES IN SRA

Adopted by CAL FIRE on November 7, 2007



FIRE HAZARD SEVERITY ZONES in State Responsibility Area (SRA)

- Moderate
- High
- Very High

FIRE PROTECTION RESPONSIBILITY

- Federal Responsibility Area (FRA)
- Local Responsibility Area (LRA) - Unincorporated
- Local Responsibility Area (LRA) - Incorporated

Public Resources Code 4201-4204 direct the California Department of Forestry and Fire Protection (CAL FIRE) to map fire hazard within State Responsibility Areas (SRA), based on relevant factors such as fuels, terrain, and weather. These statutes were passed after significant wildland-urban interface fires; consequently these hazards are described according to their potential for causing ignitions to buildings. These zones referred to as Fire Hazard Severity Zones(FHSZ), provide the basis for application of various mitigation strategies to reduce risks to buildings associated with wildland fires. The zones also relate to the requirements for building codes designed to reduce the ignition potential to buildings in the wildland-urban interface zones.

These maps have been created by CAL FIRE's Fire and Resource Assessment Program (FRAP) using data and models describing development patterns, estimated fire behavior characteristics based on potential fuels over a 30-50 year time horizon, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure to new construction. Details on the project and specific modeling methodology can be found at http://frap.cdf.ca.gov/projects/hazard/methods.htm.

The version of the map shown here represents the official "Maps of Fire Hazard Severity Zones in the State Responsibility Area of California" as required by Public Resources Code 4201-4204 and entitled in the California Code of Regulation, Title 14, Section 1280 Fire Hazard Severity Zones, and as adopted by CAL FIRE on November 7, 2007.

An interactive system for viewing map data is hosted by the UC Center for Fire at http://firecenter.berkeley.edu/fhsz/

Questions can be directed to David Sapsis, at 916.445.5369, dave.sapsis@fire.ca.gov.

N W E S

0 5 Miles

0 10 Kilometers

Projection Albers, NAD 1927
Scale 1: 150,000
at 40" x 34"
November 07, 2007

Obtain FRAP maps, data, metadata and publications on the Internet at http://frap.cdf.ca.gov
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Arnold Schwarzenegger, Governor,
State of California
Mike Chrisman, Secretary for Resources,
The Resources Agency
Ruben Grijalva, Director,
Department of Forestry and Fire Protection

MAP ID: FHSZS_MAP

DATA SOURCES
CAL FIRE Fire Hazard Severity Zones (FHSZS06_3)
CAL FIRE State Responsibility Areas (SRA05_5)
CAL FIRE Incorporated Cities (Incorp07_3)
PLSS (1:100,000 USGS, Land Grants with CAL FIRE grid)

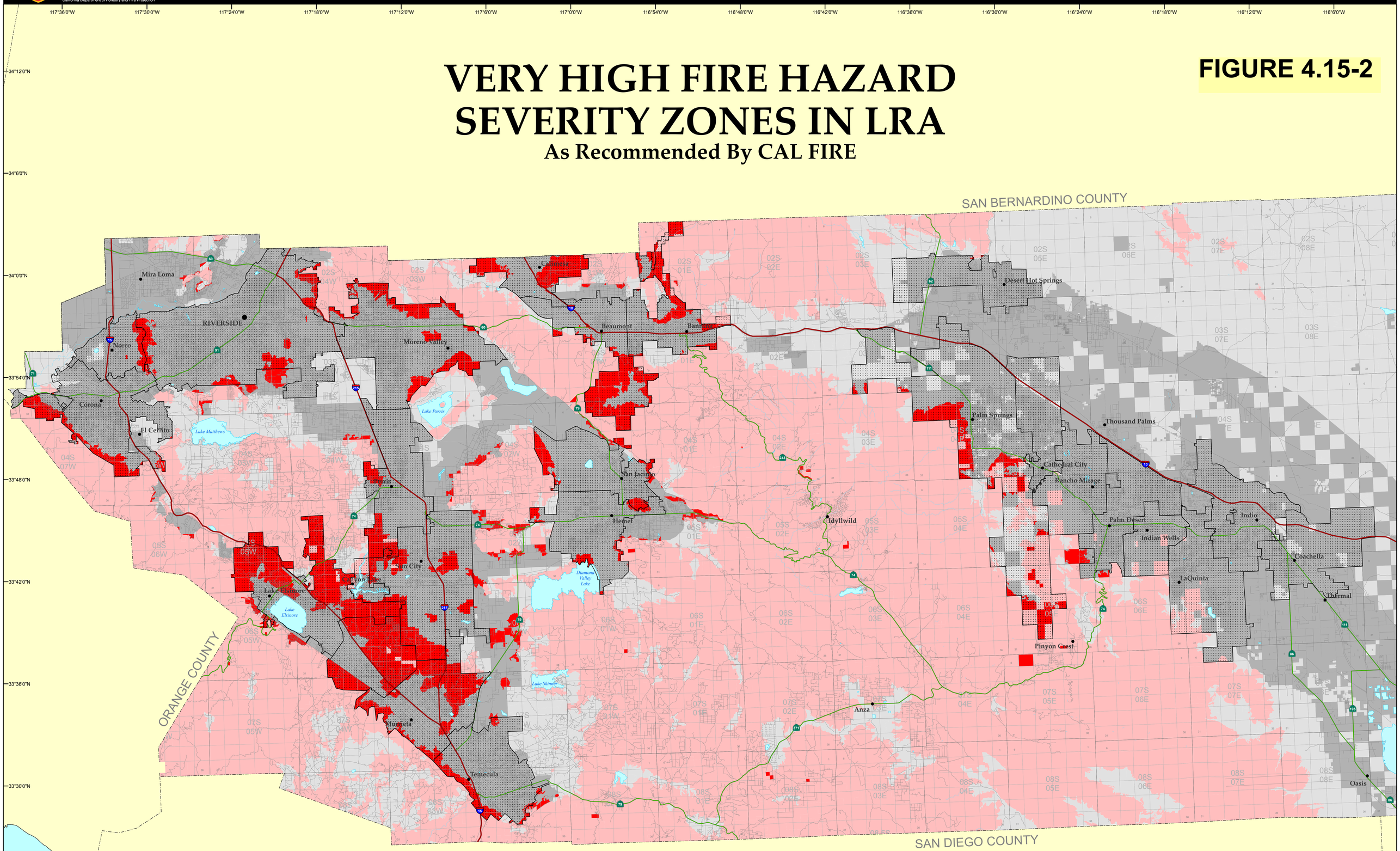
WESTERN RIVERSIDE COUNTY

FRAP
Fire and Resource Assessment Program
California Department of Forestry and Fire Protection

FIGURE 4.15-2

VERY HIGH FIRE HAZARD SEVERITY ZONES IN LRA

As Recommended By CAL FIRE



FIRE HAZARD SEVERITY ZONES

Local Responsibility Area	State or Federal Responsibility Area
VHFHSZ	VHFHSZ
Non-VHFHSZ	Non-VHFHSZ

Incorporated Cities

Government Code 51175-89 directs the California Department of Forestry and Fire Protection (CAL FIRE) to identify areas of very high fire hazard severity zones within Local Responsibility Areas (LRA). Mapping of the areas, referred to as Very High Fire Hazard Severity Zones (VHFHSZ), is based on data and models of, **potential** fuels over a 30-50 year time horizon and their associated expected fire behavior, and expected burn probabilities to quantify the likelihood and nature of vegetation fire exposure (including firebrands) to buildings. Details on the project and specific modeling methodology can be found at http://frap.fire.ca.gov/projects/hazard/fhz.html. Local Responsibility Area VHFHSZ maps were initially developed in the mid-1990s and are now being updated based on improved science, mapping techniques, and data.

In late 2005 to be effective in 2008, the California Building Commission adopted California Building Code Chapter 7A requiring new buildings in VH FHSZs to use ignition resistant construction methods and materials. These new codes include provisions to improve the ignition resistance of buildings, especially from firebrands. The updated very high fire hazard severity zones will be used by building officials for new building permits in LRA. The updated zones will also be used to identify property whose owners must comply with natural hazards disclosure requirements at time of property sale and 100 foot defensible space clearance. It is likely that the fire hazard severity zones will be used for updates to the safety element of general plans.

This specific map is based on a geographic information system dataset that depicts final CAL FIRE recommendations for Very High FHSZs within the local jurisdiction. The process of finalizing these boundaries involved an extensive local review process, the details of which are available at http://frap.cdf.ca.gov/projects/hazard/fhtnet/ (click on "Continue as guest without logging in"). Local government has 120 days to designate, by ordinance, very high fire hazard severity zones within its jurisdiction after receiving the recommendation. Local government can add additional VHFHSZs. There is no requirement for local government to report their final action to CAL FIRE when the recommended zones are adopted. Consequently, users are directed to the appropriate local entity (county, city, fire department, or Fire Protection District) to determine the status of the local fire hazard severity zone ordinance.

N W E S

0 5 Miles

0 10 Kilometers

Projection Albers, NAD 1927
Scale 1: 150,000
at 40" x 34"
December 24, 2009

Obtain FRAP maps, data, metadata and publications on the Internet at http://frap.cdf.ca.gov
For more information, contact CAL FIRE-FRAP, PO Box 944246, Sacramento, CA 94244-2460, (916) 327-3939.

Arnold Schwarzenegger, Governor,
State of California
Mike Chrisman, Secretary for Resources,
The Natural Resources Agency
Del Walters, Director,
Department of Forestry and Fire Protection

MAP ID: FHSZL_MAP

DATA SOURCES
CAL FIRE Fire Hazard Severity Zones (FHSZL06_3)
CAL FIRE State Responsibility Areas (SRA05_5)
CAL FIRE Incorporated Cities (Incorp07_3)
PLSS (1:100,000 USGS, Land Grants with CAL FIRE grid)

4.16 RECREATION

4.16.1 INTRODUCTION

This subchapter evaluates the environmental impacts to recreational resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The City of Menifee General Plan, General Plan EIR, City Ordinance No. 2017-212, the Fiscal and Economic Impact Study (November 23, 2016) prepared for the project, the Air Quality and Global Climate Change Impact Analysis (February 28, 2018) prepared for the project, the Noise Impact Analysis (revised March 18, 2019) prepared for the project were used in the evaluation presented in this subchapter.

No comments pertaining to recreational resources were received in response to the Notice of Preparation.

4.16.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

Quimby Act

This act is state legislation that authorizes cities and counties to pass ordinances requiring developers to set aside land, donate conservation easements, or pay fees for park improvements. (California Government Code 66477.) The Quimby Act permits local jurisdictions to require dedication of land, payment of fees, or both, to provide up to five acres of parkland per 1,000 residents in new developments.

Local

City Ordinance No. 2017-212

City of Menifee Ordinance No. 2017-212 revised Chapter 9.55 of the Menifee Municipal Code to establish the City parkland dedication standard and Quimby Fee requirements. Chapter 9.55 sets forth the formulas for calculating the amount of parkland dedication and/or Quimby Fees owed per new development project, sets criteria relating to the same, establishes procedures for making payments and/or dedications, and establishes exceptions for commercial and industrial developments. According to the City Staff, a new Quimby Ordinance has been adopted. The

analysis below utilizes the current Quimby fees, but these will be adjusted during the final consideration of approval for the proposed project as necessary.

Valley-Wide Recreation and Parks District

The Valley-Wide Recreation and Parks District has a standard of five acres of parkland per 1,000 persons (Wetter 2013).

City of Menifee General Plan

The City of Menifee requires a minimum of five acres of public open space to be provided for every 1,000 City residents.

The following General Plan goals and policies addressing recreation are applicable to the project:

Open Space and Conservation Policies

- OSC-1.1: Provide parks and recreational programs to meet the varied needs of community residents, including children, youth, adults, seniors, and persons with disabilities, and make these facilities and services easily accessible and affordable to all users.
- OSC-1.2: Require a minimum of five acres of public open space to be provided for every 1,000 City residents.
- OSC-1.3: Locate and distribute parks and recreational facilities throughout the community so that most residents are within walking distance (one-half mile) of a public open space.
- OSC-1.4: Enhance the natural environment and viewsheds through park design and site selection.
- OSC-2.1: Develop recreational trails for hiking, biking, and equestrian use throughout the City, making them, to the extent feasible, accessible to people of different neighborhoods, ages, and abilities.
- OSC-2.8: Ensure safety along recreational trails through appropriate lighting, signage, and other crime prevention through environmental design (CPTED) strategies.

Land Use Policies

- LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the City.
- LU-1.8: Ensure new development is carefully designed to avoid or incorporate natural features, including washes, creeks, and hillsides.

4.16.3 EXISTING CONDITIONS

The City of Menifee offers both active and passive recreation facilities.

Menifee's Active Parks offer an array of facilities including playgrounds, sport courts, and barbeque facilities and picnic benches. The largest active recreation facility is the Menifee recreation center/Wheatfield Park at the southwest corner of Menifee and La Piedra Roads. The recreation center and park provide a gymnasium, baseball fields, basketball, tennis and volleyball courts, horseshoe pits, and a picnic area. Overall, 16 of Menifee's existing parks have playground facilities, and 14 have sports fields/courts. The 25,000 square foot (SF) Marion

Ashley Community Center on Briggs Road in northern Menifee includes a child-care center, gymnasium, multipurpose rooms, kitchen, snack bar, park with two lighted baseball fields, a tot lot, and picnic shelters.

The City's passive parks primarily offer space for outdoor activities. Some of Menifee's parks are designated especially for passive recreation. Desert Green Park, Pepita Square Park, and Richmond Park are three spaces in the City devoted entirely to passive recreation. Aldergate Park and E. L. Pete Peterson Park also have off-leash dog parks.

The Valley-Wide Recreation and Parks District (Park District) administers Menifee's parks east of the I-215. The Park District covers an 800 square mile area serving a population of over 200,000. Park District facilities include ~100 miles of streetscapes, 78 parks (over 900 acres), 11 community centers, two aquatic centers and a golf course. The Park District requires that new developments contribute either 5 acres of park per 1,000 population or park fees. Constructed parks are required to be built to Valley-Wide District standards if they are to substitute for paying park fees. Passive open space is not counted toward park land credit.

In addition to the City of Menifee's active and passive recreational facilities, the demand for golf courses in Menifee is high because of the City's sizeable senior population. The City has several 18-hole golf courses.

According to the City of Menifee Parks website, as well as the City of Menifee General Plan Draft EIR,119.36 acres of park and recreation facilities are available to Menifee residents through the Valley Wide Recreation and Parks District, 49.32 acres are City-owned , and the Riverside County Regional Park & Open Space District provides 640 acres of park facilities to the City of Menifee and surrounding communities, for a total of 808 acres of park facilities available to the City of Menifee. Menifee's parks fall into the following categories, as outlined in the City of Menifee General Plan Draft EIR:

- Mini-Parks: May be as large as one acre, although they typically occupy infill parcels. These parks are used to address limited recreation needs and generally offer targeted amenities.

- Neighborhood Parks: Range in size from 1 to 10 acres and generally accommodate informal activities and passive recreation.

- Community Parks: Meet the City's needs for more formal and highly programmed activities; amenities may include lighted sports fields, gymnasiums, art venues, and community facilities.

- Regional Parks: Greater than 40 acres in size; amenities include those of Community parks but on a larger scale that attract users from a wider area.

- Special Use Properties/Facilities: Provide more specific park and recreation facilities such as tennis courts or swimming pools.

The nearest parks to the proposed Mill Creek Promenade Specific Plan project site are as follows:

- Lytle Marsh Park, located at 27050 School Park Drive, is approximately 2.4 miles northwest of the project site. Lytle Marsh Park offers the following amenities: soccer fields with goal posts, picnic tables, two gazebos.

- Lazy Creek Park & Lazy Creek Recreation Center, 26480 Lazy Creek Road, is approximately 3.5 miles northwest of the project site. Lazy Creek Park offers the following amenities: basketball court (two half course), beach volleyball court, playground facilities, picnic tables with BBQ grills, restrooms, recreation center.

- Autumn Breeze Park, Autumn Lane & Corderro Lane, is approximately 1.3 miles northeast of the project site. Autumn Breeze Park offers the following amenities: playground facilities, picnic table, BBQ grill.

- Menifee South Tot Lot, Feather Creek & Eickhoff Drive, is approximately 1.0 miles east of the project site. Menifee South Tot Lot contains two play areas.

Open Space and Trails are discussed in the City of Menifee General Plan Draft EIR. Kabian County Park, next to the northwest City boundary offers about 639 acres of open space. The City also maintains ongoing efforts to create trails, which include the following: off-road bike trails, off-road neighborhood electric vehicle bike trails; on-street bike lanes; on-street bike lands and electric vehicle bike lanes; hiking/biking trails; collector/interconnected local (Class III bike routes); and, rural collector/interconnected local (Class III bike routes).

4.16.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

REC-1 Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.

REC-2 Include recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

4.16.5 METHODOLOGY

This subchapter evaluates the level of adverse impact to the recreational resources that is forecast to occur if the project is implemented as proposed. The level of significance is evaluated through the evaluation of the project against the locally adopted parkland ratio, and consistency with fee programs relevant to recreational resources.

4.16.6 ENVIRONMENTAL IMPACTS

REC-1 Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Although there are existing neighborhood, community, and regional parks in the vicinity of the project, the provision of extensive onsite park and recreation facilities from the inception of the

proposed development of the site will ensure that the existing facilities will not incur substantial physical deterioration because residents of the proposed Projects are expected to primarily visit on-site recreation facilities. The Fiscal and Economic Impact Study prepared for the proposed Project indicates that adequate recurring financial resources will be available to support the onsite public recreation facilities. The proposed Project complies with OSC-1.3 because it would develop recreation facilities within the project site that would be accessible to the newly constructed nearby residences.

The City of Menifee requires 5 acres of public open space per 1,000 residents; given that the project would result in population growth in the amount of 1,472 persons, it would require 7.36 acres of new park area to accommodate the new population growth. The proposed Project includes 5.27 acres of recreation area, and 2.76 acres of open space for a total of 8.03 acres of park, recreation, and open space areas. Based on the amount of recreational area and related facilities that will be incorporated into the proposed project, the project is not anticipated to cause any significant adverse effects on recreational demand by the proposed Project on other existing park and recreation facilities in the vicinity. However, the construction of the proposed recreational facilities, along with the entirety of the proposed Project, would require extensive grading and development activities that would have the potential to contribute to physical impacts evaluated in other sections of this DEIR. Impacts associated with specific resource issues, including where significant adverse impacts have been identified, are addressed within the appropriate section of this DEIR and summarized below.

Based on the amount of recreational area and related facilities that will be incorporated into the proposed Project, the project is not anticipated to cause any significant adverse effects on off-site recreational facilities in the vicinity. Impacts would be **less than significant**.

REC-2 Would the project include recreational facilities or requires the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?

The project includes the construction of recreational facilities within the Specific Plan development, as well as development of a trail network within the project site that will connect to the City of Menifee's existing Regional Trail and Community Trail system (Figure 4.16-1). As stated in the preceding section, Figure 3-7 outlines the tentative proposed park, recreation, and open space conservation locations. According to City Staff, the open space areas are not counted toward the parkland requirement. PA1 High Density Residential Recreation Area 1, anticipated recreational components may include shade trees, walkways, picnic areas, turf areas, basketball court, sand volleyball court, picnic pavilion, benches and BBQ areas. PA1 High Density Residential Recreation Area 2, anticipated recreational components may include a clubhouse, pool, tot lot, shade trees, walkways, picnic areas, and turf areas. PA1 High Density Residential Recreation Area 3, anticipated recreational components may include tot lots (2), shade trees, walkways, picnic areas, turf areas, and a community garden. PA2 High Density Residential Recreation Area, anticipated recreational components may include a pool, spa, clubhouse, shade trees, play areas, walkways, picnic areas with trellises, basketball half court, tennis court and turf areas. PA2 will provide a park accessible to residents of both PA1 and PA2. PA5 consists of approximately 2.76 acres along the Mill Creek drainage which traverses the site; the 2.76 acres is not counted towards developable area and will be maintained as a natural feature. Additionally, Figure 3-8 of the Project Description outlines the Non-Vehicular Circulation Plan, which shows the decomposed granite path, perimeter sidewalk, and interior

sidewalk planned within the project site. These paths will connect to the City of Menifee Regional Trail and Community Trail system (Figure 4.16-1).

As discussed above, the project is not anticipated to result in any impacts to City recreational resources. Further, in the context of the 58.51-acre project site, the 5.27 acres of recreation area that will require grading/construction, represents approximately 9% of the overall adverse impact attributable to the proposed Project for issues that are directly related to acreage, such as the air quality and GHG emissions associated with grading. Mitigation measures in Section 4.4, Air Quality, identify requirements that will reduce air quality construction impacts of the proposed Project, including those attributable to construction of the recreation facilities. The development of the parks on site would occur during Phase II of construction. According to the Air Quality and Global Climate Change Impact Analysis prepared for the Mill Creek Promenade Specific Plan Project by Kunzman Associates, during Phase II of construction, the pollutant emissions are not anticipated to exceed Southern California Air Quality Management District (SCAQMD) Thresholds for any of the pollutants (VOC, NOx, CO, SO2, PM10 or PM2.5). The Air Quality Analysis in Section 4.4 found that the total emissions for operation of Phase I plus construction of Phase II would exceed the SCAQMD threshold for NOx. The construction threshold of significance for NOx emissions is 100 pounds per day (lbs/day) and should Phase I operation and Phase II construction occur concurrently, the Project would emit 132.32 pounds of NOx per day when mitigation is included. However, if grading of the recreation facilities contributes ~15% of the NOx maximum daily emissions, grading of recreation areas would contribute ~19.85 pounds per day, which is well below the emissions threshold of significance. The Air Quality Analysis concluded that Phase II mitigated operational pollutant emissions would be below SCAQMD Thresholds for the pollutants (VOC, NOx, CO, SO2, PM10 or PM2.5). Also, GHG emissions were determined to be an unavoidable significant adverse impact of the project. Thus, the recreation facilities would contribute to, but would not in and of themselves cause the significant air quality or GHG impacts associated with the operation of Phase I and II of the proposed Project. If the proposed Project wasn't designed to include recreation facilities, it is likely that residents would drive to off-site recreation facilities more frequently, thereby increasing the air quality emissions attributable to vehicle trips and traffic generation associated with the Project.

Noise generated by construction of the recreation facilities would be treated with the same mitigation measures identified to reduce noise impacts from construction of the Project in the entirety in Section 4.13, Noise. The proposed recreational uses are located within the interior of the project site; however, offsite sensitive receptors are located to the north and northwest of the overall project site boundary. According to the Noise Impact Analysis, the Project's Operational Noise Contours (shown as Figure 6 within the Noise Impact Analysis, Appendix 7), the majority of the park locations within the project site would be operating at an acceptable noise level (<=60 decibels, dB[A]), though a small section would operate at a noise level between 60-65 dB(A), which is considered conditionally acceptable through the use of noise reduction requirements which the project will implement. Therefore, after completion of construction, noise levels anticipated from the on-site recreation facilities were found to be less than significant at both on and off-site residences.

Given that the proposed Project is not expected to result in significant adverse impacts related to the issues of agriculture, greenhouse gases or mineral resources without implementation of mitigation measures, it can be concluded that the recreational facilities included in the proposed Project would also result in no significant impact. Mitigation is identified in the appropriate sections of this DEIR to reduce potential impacts associated with biological resources, cultural

resource, geology and soils, hazards and hazardous materials, hydrology and water quality, public services, transportation and traffic, and utilities to a less than significant level. No mitigation specific to recreation facilities is identified in any of the above listed sections, and no recreation facility-related significant adverse impacts are expected to occur with implementation of the proposed Project. All of the applicable mitigation measures would apply to the recreation facilities proposed as part of the Project, but again, no measures are identified that are relevant specifically or differently with respect to the proposed recreation facilities. The proposed recreation facilities would have no adverse impact relative to population and housing or land use and planning.

No significant adverse impacts have been identified that are attributable specifically or exclusively to the proposed recreational facilities included in the proposed Project. Impacts would be **less than significant**.

4.16.7 CUMULATIVE IMPACTS

The proposed project would generate a population that is anticipated to exceed the capacity of existing local park and recreation facilities. The proposed project would provide active park and recreation facilities that would not meet the required 7.36 acres of parkland based on the population that would be generated by the Project. The Project would contribute a fair share contribution as the Project proposes to create 5.27 acres of park and recreation area. However, the 2.76 acres of open space (for a total of 8.03 acres of park and open space areas) is not considered by the City to count as active park and recreation area. Thus, the project would be required to pay Quimby fees in accordance with the City's new ordinance to offset the 2.11 acres of deficit onsite park area.

Cumulative impacts are discussed in detail in the analysis above and are briefly summarized as follows. The proposed project would exceed the applicable SCAQMD regional threshold for operational NOx emissions should Phase I operation and Phase II construction occur concurrently, even when mitigation is included, and as such, the proposed project as a whole would result in a cumulatively significant impact. The recreation facilities would contribute to, but would not in and of themselves cause the significant air quality impacts associated with construction or operation of the proposed Project. If the proposed project were not designed to include recreation facilities, it is likely that residents would drive to off-site recreation facilities more frequently, thereby increasing the air quality emissions attributable to vehicle trips and traffic generation associated with the Project.

The cumulative impacts associated with development of the Project would be a less than significant impact to Recreation resources, with implementation of onsite park and recreation facilities and payment of the mandatory Quimby fees.

4.16.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to recreational resources will occur as a result of the proposed project.

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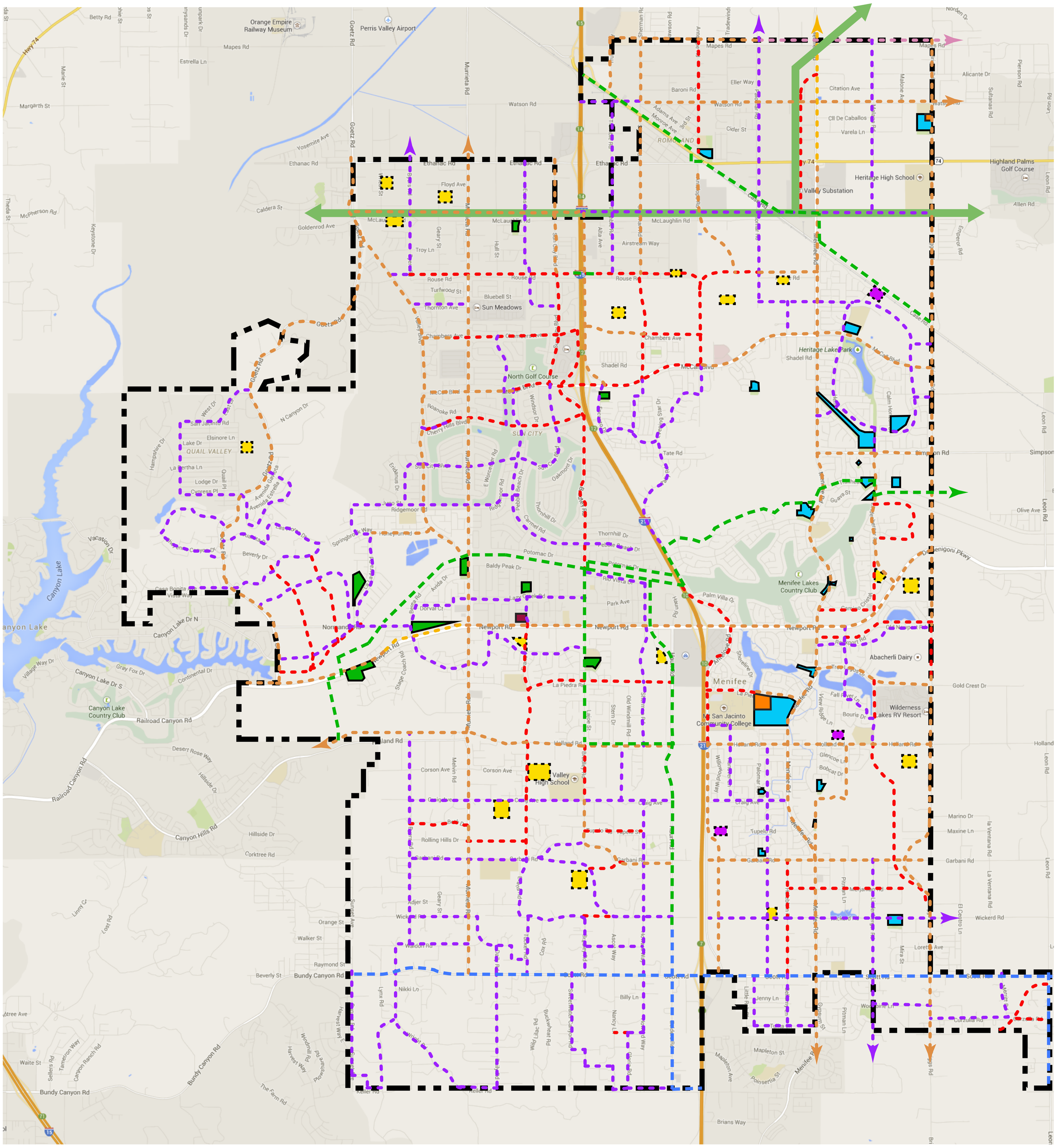

LEGEND

TRAILS

- Regional Trail - Class I
  (Includes C4 Subregional Route - Off-Road Bike Trail Class 1, C4 Community Off-Road Bike Trail, and Landscape Standards Regional Trail)
- Regional Bike Lane - Class II
  (Includes C4 Subregional - On-Street Bike Lane Class II)
- Community Bike Lane - Class II
  (Includes C4 Community On-Street NEV/Bike Lanes Class II, and Community On-Street Bike Lane, Class II)
- Community Bike Lane - Class III
  (Includes C4 Class III Bike Routes)
- Community Trail - Hiking, Biking & Equestrian
  (Includes C4 Community Hiking/Biking Trail Opportunity

TRAIL OPPORTUNITIES

- Public Utility Corridor

PARKS & FACILITIES

- City Parks
- City Facilities
- City Parks in Progress
- VWRPD Parks
- VWRPD Facilities
- VWRPD Parks in Progress

FIGURE 4.16-1

4.17 TRANSPORTATION / TRAFFIC

4.17.1 INTRODUCTION

This subchapter evaluates the environmental impacts to transportation and traffic from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The analysis described herein is based on the Mill Creek Promenade Traffic Impact Analysis, Revised January 18, 2019 and the City of Menifee General Plan.

In response to the Notice of Preparation, the following comments relating to transportation and traffic were received:

Comment Letter #2 from Mr. Franz Siep a local resident (e-mail, November 16, 2017):

- Compatibility with existing environmental setting at the site and introduction of noise and activities similar to the Scott Road and Newport Road on-off ramp congestion into neighborhood. Refer to Section 4.17-4, Potential Impacts for a discussion of traffic congestion issues caused by the proposed project.
- Visual effect of the view of the back sides of the "light industry" buildings that back up to existing neighborhoods. Introduction of urbanization into the existing rural and residential neighborhoods that exist in the vicinity of the proposed project.

Comment Letter #3 from Inland Empire Biking Alliance (Alliance, November 16, 2017):

- The Alliance seeking fulfillment of General Plan Goal C-2 through the Specific Plan and EIR through design and construction of the project. Biggest concern is to ensure traffic study for project addresses effects the project and associated mitigation measures would have on bicyclists and usability of bikes within the project and to locations in the area. Refer to Section 4.17-4, Potential Impacts for a discussion of alternative modes of transportation, including bicycles, caused by the proposed project.
- Measure and report on the bicyclist level-of-service (BLOS) and provide analysis of biking issues to ensure safe, accessible and attractive biking experience for the project area. Other than discussing bicycle lanes/access onsite and offsite this issue was not addressed.
- Concern about traffic safety at local intersections. Recommends inclusion of roundabouts because they are safer for than signalized intersections. The City does not provide a roundabout alternative at its intersections. Safe design of intersections affected by the proposed project is assumed based on meeting the City's roadway design standards.
- Concerned about roadway design and speeding and suggests lane widths that BLOS believes will be safer. The developer is required to follow City roadway design standards which the City has deemed safe.

- Concerned about overestimating trip generation and recommends alternatives to use of ITE's Trip Generation figures. The trip generation methodology is mandated by the City.

Comment Letter #7 from Ms. Emily Lee (e-mail November 27, 2017):

- The e-mail states that the primary concern is traffic. Requests that a traffic signal be placed at the corner of Garbani Road and Haun Road or alternatively the exit out of the Marsden community due to traffic on Haun. Refer to Section 4.17-4, Potential Impacts for a discussion of traffic impacts and signal warrants related to the proposed project.

In addition to the above written comments, the following oral comments were received at the project's Scoping Meeting, held November 28, 2017.

1. **John Camp (Menifee resident)**
   - Noise and traffic Refer to Section 4.17-4, Potential Impacts for a discussion of traffic impacts related to the proposed project.
   - Can currently hear every car on Haun if outside; noise is not as bad inside their home.
   - Haun cannot handle a 20, 30, 40-fold increase in traffic Refer to Section 4.17-4, Potential Impacts for a discussion of trip generation, traffic impacts and cumulative traffic issues related to the proposed project.
   - Need more traffic signals Refer to Section 4.17-4, Potential Impacts for a discussion of traffic impacts and signal warrants related to the proposed project.
   - Need to consider making streets in specific tracts private to stop through-traffic This is an issue that cannot be addressed in this document and should be referred to the City.
   - Need to consider non-traditional traffic solutions Mass transit, bicycle lanes and pedestrian paths are discussed in Section 4.17-4.

2. **Char Camp (Menifee resident)**
   - Concerned about more cars added to Haun Refer to Section 4.17-4, Potential Impacts for a discussion of trip generation, traffic impacts and cumulative traffic issues related to the proposed project.
   - Infrastructure needs to be completed before the new residents/new trips occur Refer to Sections 4.17-4 and 4.17-5 for a discussion of required circulation system infrastructure improvements
   - Currently hard to get out of their existing housing tract This is an issue that cannot be addressed in this document and should be referred to the City. Need to consider school traffic counts were obtained when school was in session.

3. **Mark Feger (Menifee resident)**
   - Safety issues on Sherman and Garbani Refer to Section 4.17-4, Potential Impacts, for a discussion of traffic impacts and signal warrants related to the proposed project.
   - School-related traffic leads to speeding This is an issue that cannot be addressed in this document and should be referred to the City.
   - Currently takes 35-40 minutes to get from Scott Road/High School to Mapleton
   - School traffic tries to take alternative/cut-through routes (Sherman → Tippulo → Clayman) This is an issue that cannot be addressed in this document and should be referred to the City.

- Pedestrian safety is compromised from cut-through traffic and speeding high school students This is an issue that cannot be addressed in this document and should be referred to the City.
- Impacts of project on high school traffic (more students?) Refer to Section 4.17-4, Potential Impacts, for a discussion of traffic impacts and trip generation related to the proposed project Refer also to the discussion about schools in Section 4.14.
- Law enforcement issues and impacts, need to increase law enforcement Refer to Section 4.14 for a discussion of law enforcement issues,
- Concerns about project access ?) Refer to Chapter 3 and Section 4.17-4, Potential Impacts, for a discussion of traffic impacts and access issued related to the proposed project
- Crossing Scott and Haun is currently a nightmare ?) Refer to Section 4.17-4, Potential Impacts, for a discussion of traffic impacts related to the proposed project
- The project's pedestrian and bicycle paths/amenities could lead to unsafe conditions, safety impacts relating to more trips and current traffic issues Refer to Section 4.17-4, Potential Impacts, for a discussion of traffic impacts and alternative modes of circulation related to the proposed project

4. Karen Smolinksi

- Wants a traffic signal at Garbani/Haun Refer to Section 4.17-4, Potential Impacts, for a discussion of traffic impacts and signal warrants related to the proposed project.
- Wants a traffic break/keep clear area to let current residents get out of their tract This is an issue that cannot be addressed in this document and should be referred to the City.

4.17.2 REGULATORY SETTING

Federal, State, and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

State

Assembly Bill 1358: The California Complete Streets Act

The California Complete Streets Act (AB 1358) of 2008 was signed into law on September 30, 2008. Beginning January 1, 2011, AB 1358 requires circulation elements to address the transportation system from a multimodal perspective. The bill states that streets, roads, and highways must "meet the needs of all users in a manner suitable to the rural, suburban, or urban context of the general plan." Essentially, this bill requires a circulation element to plan for all modes of transportation where appropriate, including walking, biking, car travel, and transit.

The Complete Streets Act also requires circulation elements to consider the multiple users of the transportation system, including children, adults, seniors, and the disabled. AB 1358 tasks the Governor's Office of Planning and Research (OPR) to release guidelines for compliance, which are so far undeveloped.

Sustainable Communities and Climate Protection Act

The Sustainable Communities and Climate Protection Act (SB 375) was signed into law on September 30, 2008. The SB 375 regulation provides incentives for cities and developers to bring housing and jobs closer together and to improve public transit. The goal behind SB 375 is to reduce automobile commuting trips and length of automobile trips, thus helping to meet the statewide targets for reducing greenhouse gas (GHG) emissions set by the California Global Warming Solutions Act of 2006 (AB 32). SB 375 requires each metropolitan planning organization to add a broader vision for growth, called a "sustainable communities strategy" (SCS), to its transportation plan. The SCS must lay out a plan to meet the region's transportation, housing, economic, and environmental needs in a way that enables the area to lower greenhouse gas emissions. The SCS should integrate transportation, land use, and housing policies to plan for achievement of the regional emissions target.

Senate Bill 743

On September 27, 2013, Senate Bill (SB) 743 was signed into law. The legislature found that with the adoption of the Sustainable Communities and Climate Protection Act of 2008 (SB 375), the state had signaled its commitment to encourage land use and transportation planning decisions and investments that reduce vehicle miles traveled (VMT) and thereby contribute to the reduction of greenhouse gas emissions, as required by AB 32. Additionally, AB 1358, described above, requires local governments to plan for a balanced, multimodal transportation network that meets the needs of all users.

SB 743 started a process that could fundamentally change transportation impact analysis as part of CEQA compliance. These changes will include the elimination of auto delay, LOS, and similar measures of vehicular capacity or traffic congestion as the basis for determining whether a project will have a significant impact on the environment in many parts of California (if not statewide). As part of the new CEQA Guidelines, the new criteria "shall promote the reduction of greenhouse gas emissions, the development of multimodal transportation networks, and a diversity of land uses" (Public Resources Code § 21099[b][1]). On January 20, 2016, the Governor's Office of Planning and Research released revisions to its proposed CEQA guidelines for the implementation of SB743. Final review and rulemaking for the new guidelines are targeted for early 2017. Once the guidelines are prepared and certified, "automobile delay, as described solely by level of service of similar measures of vehicular capacity or traffic congestion, shall not be considered a significant impact on the environment" (Public Resources Code § 21099[b][2]). Certification and implementation of the guidelines is expected to occur in 2019. Because these revised CEQA Guidelines have not yet taken effect, automobile delay based on level of service is still being utilized throughout the State to determine the traffic impacts of a proposed project. In addition, once certified by the Natural Resources Agency, the revised Guidelines will not take effect until July 1, 2020.

Department of Transportation

Caltrans, the California Department of Transportation, is charged with planning and maintaining state routes, highways, and freeways. Caltrans is the owner/operator for I-5 in the study area. Caltrans has developed transportation impact analysis guidelines for use when assessing state facilities, "Guide for the Preparation of Traffic Impact Studies."

Regional

Southern California Association of Governments

The Southern California Association of Governments' 2016 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) provides a regional transportation plan for six counties in Southern California: Orange, San Bernardino, Riverside, Los Angeles, Ventura, and Imperial. The primary goal of the regional transportation plan is to increase mobility for the region. With recent legislation, this plan also encompasses sustainability as a key principle in future development. Current and recent transportation plan goals generally focus on balanced transportation and land use planning that:

- Maximize mobility and accessibility for all people and goods in the region.
- Ensure travel safety and reliability for all people and goods in the region.
- Preserve and ensure a sustainable regional transportation system.
- Maximize the productivity of our transportation system.
- Protect the environment and health of residents by improving air quality and encouraging active transportation (e.g., bicycling and walking).
- Encourage land use and growth patterns that facilitate transit and active transportation.

Local

City of Menifee General Plan Circulation Element

The City's General Plan Circulation Element provides overall guidance for the City's responsibility to satisfy the local and subregional circulation needs while maintaining the City's quality of life. In addition, it coordinates the circulation system with future land use patterns and levels of buildout and addresses access and connectivity among the various neighborhoods and economic development districts.

The following General Plan Circulation Element goals and policies are relevant to the proposed project:

Circulation Element Goals

- C-1: Roadway System. A roadway network that meets the circulation needs of all residents, employees, and visitors to the City of Menifee.
- C-2: Bicycles and Pedestrians. A bikeway and community pedestrian network that facilitates and encourages nonmotorized travel throughout the City of Menifee.
- C-3: Public Transit. A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.
- C-4: Neighborhood Electric Vehicles / Gold Carts. Diversified local transportation options that include neighborhood electric vehicles and golf carts.
- C-5: Goods Movement. An efficient flow of goods through the city that maximizes economic benefits and minimizes negative impacts.
- C-6: Scenic Highways. Scenic highway corridors that are preserved and protected from change which would diminish the aesthetic value of lands adjacent to the designated routes.

Circulation Element Policies

- C-1.1: Require roadways to: ◦Comply with federal, state, and local design and safety standards; Meet the needs of multiple transportation modes and users; Be compatible

with the streetscape and surrounding land uses; and Be maintained in accordance with best practices.

- C-1.2: Require development to mitigate its traffic impacts and achieve a peak hour Level of Service (LOS) D or better at intersections, except at constrained intersections at close proximity to the I-215 where LOS E may be permitted.
- C-1.3: Work with Caltrans, RCTC, and others to identify, fund, and implement needed improvements to roadways identified in the citywide roadway network.
- C-1.4: Promote development of local street patterns that unify neighborhoods and work with neighboring jurisdictions to provide compatible roadway linkages at the city limits.
- C-1.5: Minimize idling times and vehicle miles traveled to conserve resources, protect air quality, and limit greenhouse gas emissions.
- C-2.1: Require on- and off-street pathways to: ◦Comply with federal, state, and local design and safety standards; ◦Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines; Be compatible with the streetscape and surrounding land uses; ◦Be maintained in accordance with best practices.
- C-2.2: Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel, and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.
- C-2.3: Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.
- C-2.4: Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.
- C-2.5: Work with the Western Riverside Council of Governments to implement the Non-Motorized Transportation Plan for Western Riverside County.
- C-3.1: Maintain a proactive working partnership with transit providers to ensure that adequate public transit service is available.
- C-3.2: Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.
- C-3.3: Provide additional development-related incentives to projects that promote transit use.
- C-3.4: Advocate expansion of Metrolink service to the area.
- C-3.5: Work with regional transit agencies to secure convenient feeder service from the Metrolink station to employment districts and transit nodes in Menifee.
- C-3.6: Require future community-wide facilities, such as libraries, schools, parks, and community centers, to be sited in transit-ready areas (can be served and made accessible by public transit). Conversely, plan (and coordinate with other transit agencies to plan) future transit routes to serve existing community facilities.
- C-4.1: Encourage the use of neighborhood electric vehicles and golf carts instead of automobiles for local trips.
- C-5.1: Designate and maintain a network of city truck routes that provides for the effective transport of goods while minimizing negative impacts on local circulation and noise-sensitive land uses.
- C-5.2: Work with regional and subregional transportation agencies to plan and implement goods movement strategies, including those that improve mobility, deliver goods efficiently, and minimize negative environmental impacts.
- C-5.3: Support efforts to reduce/eliminate the negative environmental impacts of goods movement.

In addition to the above policies, the General Plan also calls for a new interchange at I-215 and Garbani. At this time this capial improvement has not been scheduled for construction by Caltrans.

4.17.3 EXISTING CONDITIONS

The project site is currently vacant and no significant trips are being generated. Adjacent land uses include single-family detached residential dwelling units to the north, vacant/storage facility to the east, and vacant to the south and west.

4.17.3.1 Existing Roadway Network

Existing roadways within the study area include Bradley Road, Sherman Road, Haun Road, Antelope Road, Menifee Road, Newport Road, Holland Road, Craig Avenue/Linda Lee Drive, Tupelo Street, Garbani Road, and Scott Road. These are described as follows:

Bradley Road: This north-south two lane undivided to four lane divided roadway is classified as a Secondary (4 lanes, undivided) north of Newport Road and as a Major (4 lanes, divided) south of Newport Road on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Subregional Route – On-Street Bike Lanes (Class II) north of Holland Road, as a Community On-Street Neighborhood Electric Vehicle/Bike Lanes (Class II) between Holland Road and Craig Avenue, and as a Community On-Street Bike Lanes (Class II) south of Craig Avenue. It currently carries approximately 2,700 to 12,000 vehicles per day in the study area.

Sherman Road: This north-south two lane undivided roadway is classified as a Collector/Inter-connected Local (2 lanes) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Class III Bike Route. It currently carries approximately 2,400 vehicles per day in the study area.

Haun Road: This north-south two lane undivided to four lane divided roadway is not classified north of Newport Road and as a Major (4 lanes, divided) south of Newport Road on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community Off-Road Bike Trail (Class I) north of Wickerd Road and as a Subregional Route – On-Street Bike Lanes (Class II) south of Wickerd Road. It currently carries approximately 2,500 to 32,900 vehicles per day in the study area.

Antelope Road: This north-south two lane undivided to four lane divided roadway is classified as a Secondary (4 lanes, undivided) north of Newport Road and as a Major (4 lanes, divided) south of Newport Road on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community On-Street Neighborhood Electric Vehicle/Bike Lanes (Class II) north of Craig Avenue and as a Community On-Street Bike Lanes (Class II) south of Craig Avenue. It currently carries approximately 6,400 to 22,500 vehicles per day in the study area.

Menifee Road: This north-south two lane undivided to four lane divided roadway is classified as an Arterial (4 lanes, divided) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified

as a Community On-Street Bike Lanes (Class II). It currently carries approximately 12,000 to 13,200 vehicles per day in the study area.

Newport Road: This east-west four lane divided to six lane divided roadway is classified as an Urban Arterial (6 lanes, divided) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community On-Street Bike Lanes (Class II). It currently carries approximately 33,600 to 57,600 vehicles per day in the study area.

Holland Road: This east-west two lane undivided to four lane divided roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community On-Street Bike Lanes (Class II) south of Craig Avenue west of Sherman Road and east of Haun Road and as a Subregional Route – On-Street Bike Lanes (Class II) between Bradley Road and Haun Road. It currently carries approximately 100 to 10,800 vehicles per day in the study area.

Craig Avenue/Linda Lee Drive: This east-west two lane undivided roadway is classified as a Collector/Interconnected Local (2 lanes) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Class III Bike Route. It currently carries approximately 100 to 3,600 vehicles per day in the study area.

Tupelo Street: This east-west two lane undivided roadway is not classified on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community Hiking/Biking Trail Opportunity. It currently carries approximately 2,600 vehicles per day in the study area.

Garbani Road: This east-west two lane undivided to three lane undivided roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Community On-Street Bike Lanes (Class II). It currently carries approximately 2,500 vehicles per day in the study area.

Scott Road: This east-west two lane undivided to four lane divided roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element. This roadway is identified for future improvements to increase multi-modal access and is classified as a Subregional Route – On-Street Bike Lanes (Class II). It currently carries approximately 14,300 to 35,200 vehicles per day in the study area.

Figure 3 of the TIA identifies the Existing roadway conditions for study roadways. The Existing number of through lanes for roadways and the intersection controls are identified.

4.17.3.2 Study Area

Pursuant to discussions with the City of Menifee Transportation Department Staff, the study area for the proposed project has been defined as including the following:

Study Intersections	Jurisdiction
Bradley Road (NS) at:	
Newport Road (EW) - #1	City of Menifee
Holland Road (EW) - #2	City of Menifee
Craig Avenue/Linda Lee Drive (EW) - #3	City of Menifee
Sherman Road (NS) at:	
Garbani Road (EW) - #4	City of Menifee
Multi-Family Residential Access (EW) - #5	City of Menifee
Single-Family Residential Access (EW) - #6	City of Menifee
Multi-Family Residential Access (NS) at:	
Garbani Road (EW) - #7	City of Menifee
Commercial Access (NS) at:	
Garbani Road (EW) - #8	City of Menifee
Haun Road (NS) at:	
Newport Road (EW) - #9	City of Menifee
Holland Road (EW) - #10	City of Menifee
Garbani Road (EW) - #11	City of Menifee
North Project Access (EW) - #12	City of Menifee
Central Project Access (EW) - #13	City of Menifee
South Project Access (EW) - #14	City of Menifee
Scott Road (EW) - #15	City of Menifee
I-215 Freeway SB Ramps (NS) at:	
Newport Road (EW) - #16	California Dept. of Transportation
Scott Road (EW) - #17	California Dept. of Transportation
I-215 Freeway NB Ramps (NS) at:	
Newport Road (EW) - #18	California Dept. of Transportation
Scott Road (EW) - #19	California Dept. of Transportation
Antelope Road (NS) at:	
Newport Road (EW) - #20	City of Menifee
Holland Road (EW) - #21	City of Menifee
Scott Road (EW) - #22	Cities of Menifee/Murrieta
Menifee Road (NS) at:	
Newport Road (EW) - #23	City of Menifee
Hanover Lane (NS) at:	
Holland Road (EW) - #24 (With Holland Road Overpass Scenario Only	City of Menifee

The study intersections currently operate at acceptable Levels of Service during the peak hours for Existing traffic conditions, except for the following study intersection that currently operates at an unacceptable Level of Service during the peak hours:

Haun Road (NS) at:
Garbani Road (EW) - #11

The peak hour volume traffic signal warrant is currently satisfied at the following study intersections for Existing traffic conditions:

Bradly Road (NS) at:
Craig Avenue/Linda Lee Drive (EW) - #3

Haun Road (NS) at:
Holland Road (EW) - #10
Garbani Road (EW) - #11

4.17.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

TRAF-1 Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).

TRAF-2 Result in inadequate parking capacity.

TRAF-3 Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways.

TRAF-4 Substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment).

TRAF-5 Cause an effect upon, or a need for new or altered maintenance of roads.

TRAF-6 Cause an effect upon circulation during the project's construction.

TRAF-7 Result in inadequate emergency access or access to nearby uses.

TRAF-8 Conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks).

TRAF-9 Conflicts with bike trail plans or may create safety hazards related to bike trails.

4.17.5 METHODOLOGY

This section documents the methodologies and assumptions used to perform this traffic assessment. The following section has been edited to present fundamental concepts. For detailed discussions of each issue, please refer to the TIA in Appendix 9 of Volume 2, Technical Appendices.

Level of Service

Traffic operations of roadway facilities are described using the term "Level of Service" (LOS). LOS is a qualitative description of traffic flow based on several factors such as speed, travel time, delay, and freedom to maneuver. Six levels are typically defined ranging from LOS A, representing completely free-flow conditions, to LOS F, representing breakdown in flow resulting in stop-and-go conditions. LOS E represents operations at or near capacity, an unstable level where vehicles are operating with the minimum spacing for maintaining uniform flow.

Intersection Capacity Analysis

The definitions of LOS for interrupted traffic flow (flow restrained by the existence of traffic signals and other traffic control devices) differ slightly depending on the type of traffic control. The LOS is typically dependent on the quality of traffic flow at the intersections along a roadway. The *Highway Capacity Manual* (HCM) methodology expresses the LOS at an intersection in terms of delay time for the various intersection approaches. The HCM uses different procedures depending on the type of intersection control.

Table 4.17-1
SIGNALIZED INTERSECTION DESCRIPTION OF LOS

Description	Average Control Delay (Seconds), V/C ≤ 1.0	Level of Service, V/C ≤ 1.0	Level of Service, V/C > 1.0
Operations with very low delay occurring with favorable progression and/or short cycle length.	0 to 10.00	A	F
Operations with low delay occurring with good progression and/or short cycle lengths.	10.01 to 20.00	B	F
Operations with average delays resulting from fair progression and/or longer cycle lengths. Individual cycle failures begin to appear.	20.01 to 35.00	C	F
Operations with longer delays due to a combination of unfavorable progression, long cycle lengths, or high V/C ratios. Many vehicles stop and individual cycle failures are noticeable.	35.01 to 55.00	D	F
Operations with high delay values indicating poor progression, long cycle lengths, and high V/C ratios. Individual cycle failures are frequent occurrences. This is considered to be the limit of acceptable delay.	55.01 to 80.00	E	F
Operation with delays unacceptable to most drivers occurring due to over saturation, poor progression, or very long cycle lengths	80.01 and up	F	F

Source: HCM 2010, Chapter 18

Signalized Intersections

County of Riverside, City of Menifee

Both the County of Riverside and the City of Menifee require signalized intersection operations analysis based on the methodology described in Chapter 18 and Chapter 31 of the HCM 2010. Intersection LOS operations are based on an intersection's average control delay. Control delay includes initial deceleration delay, queue move-up time, stopped delay, and final

acceleration delay. For signalized intersections LOS is directly related to the average control delay per vehicle and is correlated to a LOS designation as described in Table 4.17-1.

Unsignalized Intersections

The County and City of Menifee require the operations of unsignalized intersections be evaluated using the methodology described in Chapter 19, Chapter 20, and Chapter 32 of the HCM 2010. The LOS rating is based on the weighted average control delay expressed in seconds per vehicle. See Table 4.17-2.

Table 4.17-2
UNSIGNALIZED INTERSECTION DESCRIPTION OF LOS

Description	Average Control Delay Per Vehicle (Seconds)	Level of Service, V/C ≤ 1.0	Level of Service, V/C > 1.0
Little or no delays.	0 to 10.00	A	F
Short traffic delays.	10.01 to 15.00	B	F
Average traffic delays.	15.01 to 25.00	C	F
Long traffic delays.	25.01 to 35.00	D	F
Very long traffic delays.	35.01 to 50.00	E	F
Extreme traffic delays with intersection capacity exceeded.	> 50.00	F	F

Source: HCM 2010, Chapter 19 and Chapter 20

At two-way or side-street stop-controlled intersections, LOS is calculated for each controlled movement and for the left turn movement from the major street, as well as for the intersection as a whole. For approaches composed of a single lane, the delay is computed as the average of all movements in that lane. For all-way stop controlled intersections, LOS is computed for the intersection as a whole.

Minimum Level of Service (LOS)

Per Policy C-1.2 of the City of Menifee General Plan, a Level of Service (LOS) D or better at intersections is required, except at constrained intersections within close proximity to the I-215 Freeway, where LOS E may be permitted.

4.17.6 ENVIRONMENTAL IMPACTS

TRAF-1 Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).

Background Traffic

To assess background traffic conditions, existing traffic volumes are combined with ambient growth and other development trips. The opening year for analysis purposes in this report is 2020 which accounts for Phase 1. The buildout year for analysis purposes in this report is 2022. To account for ambient growth on roadways, Opening Year (2020) traffic volumes have been calculated based on a 2.0 percent annual growth rate of existing traffic volumes over a two year period. Year 2022 traffic volumes have been calculated based on a 2.0 percent annual growth rate of existing traffic volumes over a four year period.

Potential developments within the study area are included in the analysis if they are not currently built, they are approved or in progress, their approval has not expired, and they would contribute trips to the study intersections.

The other development list was provided by the City of Menifee Planning Department staff including approved traffic studies for some of the projects. Trip generation and distributions from these traffic studies were used whenever applicable. The trip generation for projects that were partially built and operational were reduced by the approximate amount that has been built out thus far. While it is unlikely that all these projects will be built and operational by Opening Year (2020) and Year 2022, all approved projects anticipated to contribute trips to the study roadway network were included in this analysis. To remain consistent with recently approved traffic studies in the area, and to conservatively portray future impacts without understating potential impacts, an absorption rate of 60% was utilized.

Based on the identified trip generation and distributions, other development average daily traffic volumes have been calculated and shown on Figure 28 of the TIA. Figures 29 and 30 (of the TIA) show the other development AM and PM peak hour intersection turning movement volumes, respectively.

Future Traffic

To assess future traffic conditions, existing traffic volumes are combined with ambient growth, other development trips, and project trips. The opening year for analysis purposes in this report is 2020 and reflects Existing Plus Ambient Growth Plus Project traffic conditions. The buildout year for analysis purposes in this report is 2022 and reflects Existing Plus Ambient Growth Plus Project Plus Cumulative traffic conditions.

The I-215 Freeway at Scott Road interchange is scheduled for opening in Year 2022 according to the Riverside County Transportation Department. The lane geometrics for this project were utilized in this analysis for the interchange as well as the intersections of Haun Road at Scott Road and Antelope Road at Scott Road.

The Existing Plus Ambient Growth Plus Project Plus Cumulative traffic scenario is analyzed without and with the Holland Road Overpass (across the I-215 Freeway). For Without Holland Road Overpass Conditions, existing traffic volumes are combined with ambient growth, other development trips, and project trips. For With Holland Road Overpass conditions, the City of Menifee Transportation Department staff provided the *Final Traffic Operation Analysis Report for Holland Road/I-215 Bridge Overcrossing Project* prepared by Iteris (September 23, 2014). This report analyzed the construction of a new four lane overcrossing at Holland Road that will span over the I-215 Freeway and Antelope Road. The Opening Year for purposes of this

analysis is 2017 and the future year scenario is 2040. Existing traffic volumes were taken in 2014. The report analyzed each scenario with and without the overpass.

The traffic forecasts from Iteris were prepared through the use of the City of Menifee travel demand model, which was developed as a focused model of the Riverside County Transportation Analysis Model. Opening Year (2017) traffic volumes utilized in this report were interpolated linearly.

To determine Year 2022 AM and PM peak hour turning movement volumes at the study intersections, Year 2022 volumes were linearly interpolated from the Year 2017 and Year 2040 with Holland Road Overpass intersection volumes. This provided the AM and PM peak hour intersection turning movement volumes for the Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) scenario. The Riverside County Transportation Analysis Model incorporates future growth including ambient growth and other development growth. Therefore, other development trips were not added to these volumes as double counting would occur and the volumes would be highly overinflated and not accurate. The linearly interpolated traffic volumes for Year 2022 without the Holland Road Overpass were compared to Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) traffic volumes for consistency.

The aforementioned analysis did not include the intersections on Bradley Road nor the intersections of Sherman Road at Garbani Road or Haun Road at Garbani Road. All other study intersections for this traffic impact analysis were included in the Iteris analysis. It is not anticipated that the Holland Road Overpass project will have a major effect on the traffic volumes on Bradley Road and may potentially reduce the traffic volumes at these intersections. Therefore, the Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) is a “worse case” analysis and the Bradley Road intersections were not included in the “With Holland Road Overpass” scenario due to this examination in conjunction with the lack of data available for these intersections.

The intersection of Haun Road at Garbani Road was not included in the analysis conducted by Iteris. To determine the AM and PM peak hour intersection turning movement volumes at this intersection, the Year 2040 inbound and outbound peak hour volumes on the south leg of the Haun Road and Holland Road intersection and the north leg of the Haun Road and Scott Road intersection for without and with the Holland Road Overpass project were compared to determine inbound and outbound factors to be applied to existing traffic counts. The existing turning movement volumes at the intersection of Haun Road at Garbani Road were then adjusted based on these factors to reflect the construction of the Holland Road Overpass. The intersection of Sherman Road at Garbani Road and all project access points were then adjusted to reflect the turning movement volumes at the intersection of Haun Road at Garbani Road. An annual growth rate of 2 percent was applied for four years at these intersections for Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) traffic conditions.

The roadway segments for the “With Holland Road Overpass” scenario were also factored for Year 2020 based on the aforementioned methodology. The roadway segment volumes shown include the roadway segments for which data is available via the *Final Traffic Operation Analysis Report for Holland Road/I-215 Bridge Overcrossing Project* prepared by Iteris (September 23, 2014).

Average Daily Traffic

For **Existing Plus Project** traffic conditions, existing traffic volumes are combined with project trips. For **Existing Plus Ambient Growth** traffic conditions, existing traffic volumes are combined with ambient growth. For **Existing Plus Ambient Growth Plus Project** traffic conditions, existing traffic volumes are combined with ambient growth and project trips. For **Existing Plus Ambient Growth Plus Cumulative (Without Holland Road Overpass)** traffic conditions, existing traffic volumes are combined with ambient growth and other development trips. For **Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass)** traffic conditions, existing traffic volumes are combined with ambient growth, other development trips, and project trips. In addition, **Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass)** and **Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass)** were also considered.

Roadway Segment Level of Service

Existing Plus Project

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Project traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

Haun Road, from Holland Road to Garbani Road
Haun Road, from Garbani Road to Scott Road
Scott Road, from west of Haun Road to Haun Road
Scott Road, from I-215 Freeway to Antelope Road

However, these study roadway segments are projected to operate at acceptable Levels of Service for Existing Plus Project traffic conditions, with improvements for the Existing Plus Project condition. One of the questions asked by the residents was what the impact on Haun Road between Garbani Road and Holland Road at the school located along this roadway segment. As noted above Haun will not operate at acceptable levels and will require improvements. These improvements are designed to maintain an acceptable level of service on Haun between Garbani and Holland. The following mitigation measure shall be implemented to ensure that adequate traffic flow can be maintained in Haun adjacent to the school. The widening of this segment from two to four lanes will ensure adequate lanes to support school traffic, but the developer shall confer with the School District to determine if additional widening can be installed to better protect school traffic outside of peak hours.

Existing Plus Ambient Growth

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

Scott Road, from west of Haun Road to Haun Road
Scott Road, from I-215 Freeway to Antelope Road

Existing Plus Ambient Growth Plus Project

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth Plus Project traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

Haun Road, from Holland Road to Garbani Road
Haun Road, from Garbani Road to Scott Road
Scott Road, from west of Haun Road to Haun Road
Scott Road, from I-215 Freeway to Antelope Road

The study roadway segments are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project traffic conditions, with improvements.

Existing Plus Ambient Growth Plus Cumulative (Without Holland Road Overpass)

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth Plus Cumulative (Without Holland Road Overpass) traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

Haun Road, from La Piedra Road to Holland Road
Haun Road, from Holland Road to Garbani Road
Haun Road, from Garbani Road to Scott Road
Scott Road, from west of Haun Road to Haun Road
Scott Road, from I-215 Freeway to Antelope Road
Newport Road, from west of Bradley Road to Bradley Road
Newport Road, from Bradley Road to Haun Road

Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass)

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

Haun Road, from La Piedra Road to Holland Road
Haun Road, from Holland Road to Garbani Road
Haun Road, from Garbani Road to Scott Road
Scott Road, from west of Haun Road to Haun Road
Scott Road, from Haun Road to I-215 Freeway
Scott Road, from I-215 Freeway to Antelope Road
Newport Road, from west of Bradley Road to Bradley Road
Newport Road, from Bradley Road to Haun Road

The study roadway segments are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) traffic conditions, with improvements.

Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass)

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass) traffic conditions.

Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass)

The study roadway segments are projected to operate within acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) traffic conditions, except for the following study roadway segments that are projected to operate at unacceptable Levels of Service:

- Haun Road, from La Piedra Road to Holland Road
- Haun Road, from Holland Road to Garbani Road

The study roadway segments are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) traffic conditions, with improvements.

Intersection Delay

Existing Plus Project

For Existing Plus Project traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Bradley Road (NS) at:
- Craig Avenue/Linda Lee Drive (EW) - #3

Haun Road (NS) at:
- Holland Road (EW) - #10
- Garbani Road (EW) - #11

The study intersections are projected to operate at acceptable Levels of Service for Existing Plus Project traffic conditions, with improvements.

Existing Plus Ambient Growth

For Existing Plus Ambient Growth traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Haun Road (NS) at:
- Garbani Road (EW) - #11

Existing Plus Ambient Growth Plus Project

For Existing Plus Ambient Growth Plus Project traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Bradley Road (NS) at:
- Craig Avenue/Linda Lee Drive (EW) - #3

Haun Road (NS) at:
- Holland Road (EW) - #10
- Garbani Road (EW) - #11

The study intersections are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project traffic conditions, with improvements.

Existing Plus Ambient Growth Plus Cumulative (Without Holland Road Overpass)

For Existing Plus Ambient Growth Plus Cumulative (Without Holland Road Overpass) traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Bradley Road (NS) at:
- Holland Road (EW) - #2

Haun Road (NS) at:
- Newport Road (EW) - #9 Holland Road (EW) - #10
- Garbani Road (EW) - #11 Scott Road (EW) - #15

Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass)

For Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Bradley Road (NS) at:
- Holland Road (EW) - #2
- Craig Avenue/Linda Lee Drive (EW) - #3

Sherman Road (NS) at:
- Garbani Road (EW) - #4

Haun Road (NS) at:
- Newport Road (EW) - #9
- Holland Road (EW) - #10
- Garbani Road (EW) - #11
- Scott Road (EW) - #15

The study intersections are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Road Overpass) traffic conditions, with improvements.

Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass)

For Existing Plus Ambient Growth Plus Cumulative (With Holland Road Overpass) traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Haun Road (NS) at:
- Holland Road (EW) - #10
- Garbani Road (EW) - #11

Hanover Lane (NS) at:
- Holland Road (EW) - #24

Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass)

For Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) traffic conditions, the study intersections are projected to operate at acceptable Levels of Service during the peak hours, except for the following study intersections that are projected to operate at unacceptable Levels of Service during the peak hours, without improvements:

Haun Road (NS) at:
- Holland Road (EW) - #10
- Garbani Road (EW) - #11

Hanover Lane (NS) at:
- Holland Road (EW) - #24

The study intersections are projected to operate at acceptable Levels of Service for Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Road Overpass) traffic conditions, with improvements.

Improvements and Mitigation Measures

Given the above analysis, which determined that some roadway segments and intersections would be project to operate at unacceptable Levels of Service with implementation of the proposed project, the following mitigation measures have been identified.

Roadway Segment Mitigation

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Project** traffic conditions:

Haun Road, from Holland Road to Garbani Road
- Widen from two to four travel lanes

Haun Road, from Garbani Road to Scott Road
- Widen from two to four travel lanes

Scott Road, from west of Haun Road to Haun Road
- Widen from two to four travel lanes

Scott Road, from I-215 Freeway to Antelope Road
- Widen from three to six travel lanes

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Ambient Growth Plus Project** traffic conditions:

Haun Road, from Holland Road to Garbani Road
- Widen from two to four travel lanes

Haun Road, from Garbani Road to Scott Road
- Widen from two to four travel lanes

Scott Road, from west of Haun Road to Haun Road
- Widen from two to four travel lanes

Scott Road, from I-215 Freeway to Antelope Road
- Widen from three to six travel lanes

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Overpass)** traffic conditions:

Haun Road, from La Piedra Road to Garbani Road
- Widen from three to four travel lanes

Haun Road, from Holland Road to Garbani Road
- Widen from two to four travel lanes

Haun Road, from Garbani Road to Scott Road
- Widen from two to four travel lanes

Scott Road, from west of Haun Road to Haun Road
- Widen from two to four travel lanes

Scott Road, from Haun Road to I-215 Freeway
- Widen from four to six travel lanes

Scott Road, from I-215 Freeway to Antelope Road
- Widen from four to six travel lanes

Newport Road, from west of Bradley Road to Bradley Road
- Widen from four to six lanes

Newport Road, from Bradley Road to Haun Road
- Widen from six to eight lanes

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Overpass)** traffic conditions:

Haun Road, from La Piedra Road to Garbani Road
- Widen from three to four travel lanes

Haun Road, from Holland Road to Garbani Road
- Widen from two to four travel lanes

Intersection Mitigation

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for Existing Plus Project traffic conditions:

Bradley Road (NS) at:
Craig Avenue / Linda Lee Drive (EW) - #3
- Install traffic signal

Haun Road (NS) at:
Holland Road (EW) - #10
- Install traffic signal

Garbani Road (EW) - #11
- Construct westbound left turn lane
- Install traffic signal

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Ambient Growth Plus Project** traffic conditions:

Bradley Road (NS) at:
Craig Avenue / Linda Lee Drive (EW) - #3
- Install traffic signal

Haun Road (NS) at:
Holland Road (EW) - #10
- Install traffic signal

Garbani Road (EW) - #11
- Construct westbound left turn lane
- Install traffic signal

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Ambient Growth Plus Project Plus Cumulative (Without Holland Overpass)** traffic conditions:

Bradley Road (NS) at:

Holland Road (EW) - #2

- Construct northbound right turn lane

Craig Avenue / Linda Lee Drive (EW) - #3

- Install traffic signal

Sherman Road (NS) at:

Garbani Road (EW) - #4

- Construct southbound left turn lane

Haun Road (NS) at:

Newport Road (EW) - #9

- Restripe southbound shared through/right turn lane to right turn lane
- Install southbound right turn overlap
- Install eastbound right turn overlap
- Construct additional westbound right turn lane with overlap

Holland Road (EW) - #10

- Install traffic signal

Garbani Road (EW) - #11

- Restripe southbound right turn lane to shared through/right turn lane
- Construct westbound left turn lane
- Install traffic signal

Scott Road (EW) - #15

- Construct additional southbound left turn lane
- Install westbound right turn overlap

The following improvements are recommended to mitigate the impact of the project on off-site traffic circulation for **Existing Plus Ambient Growth Plus Project Plus Cumulative (With Holland Overpass)** traffic conditions:

Haun Road (NS) at:

Holland Road (EW) - #10

- Construct northbound right turn lane
- Construct westbound left turn lane
- Construct additional westbound through lane
- Construct westbound right turn lane
- Install traffic signal

Garbani Road (EW) - #11

- Restripe southbound right turn lane to shared through/right turn lane
- Install traffic signal

Hanover Lane (NS) at:

Holland Road (EW) - #24

- Install traffic signal

Per the City of Menifee Traffic Impact Study guidelines, a direct significant impact occurs if project traffic results in change in Level of Service from acceptable to deficient, and a cumulative significant impact occurs if the project exceeds 50 peak hour trips at an intersection or roadway segment operating at a deficient Level of Service without the project. The significance criteria has been analyzed comparing **Existing Plus Project** traffic conditions to Existing traffic condition, as this is a fair representation in the change in Volume-to-Capacity and Level of Service for with and without project traffic conditions.

The results for this significant impact criteria are shown in Table 4.17-3 for roadway segments and Table 4.17-4 for intersections. Table 4.17-3 exhibits the recommended mitigation measures and includes the fair share analysis for roadway segments. Table 4.17-4 exhibits the recommended mitigation measures and includes the fair share analysis for intersections. This includes recommended mitigation measures that are not project-specific (such as construction of project adjacent roadways and project access points) and project-specific including when the significant impact is cumulative or direct.

The project's pro-rata share traffic contribution has also been calculated for the **Existing Plus Ambient Growth Plus Project Plus Cumulative (without and with Holland Road Overpass)** traffic scenario at the impacted intersections. The pro rata contribution has been calculated based on the project peak hour traffic contributed to the improvement location relative to the total new peak hour Existing Plus Ambient Growth Plus Project Plus Cumulative traffic volume.

Given the above, **Mitigation Measure 4.17-1** has been identified:

> ***Mitigation Measure 4.17-1:***
> *Roadway Improvements. The following roadway improvement measures shall be implemented by the project developer. Refer to Figure 56 of the TIA for a depiction of these required roadway improvement measures.*
>
> *On-Site: On-site improvements and improvements adjacent to the site will be required in conjunction with the proposed development to ensure adequate circulation within the project itself (refer to Figure 56 of the TIA).*
>
> - *Construct Sherman Road from Garbani Road to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This north-south roadway is classified as a Collector/Interconnected Local (2 lanes) on the City of Menifee General Plan Circulation Element.*
>
> - *Construct Garbani Road from Sherman Road to Haun Road at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This east-west roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element.*

Table 4.17-3
Recommended Roadway Segment Mitigation Measures and Project Fair Share Contribution

		Recommended Mitigation Measures by Scenario								Roadway Segment Volumes								
						Without Holland Overpass		With Holland Overpass			Without Holland Overpass				With Holland Overpass			
Roadway Segment	Recommended Mitigation Measure	Existing Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Existing	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips[3]
Haun Road:																		
La Piedra to Holland Road	Widen from three to four travel lanes					X	Cumulative	X	Direct	15,628	26,738	11,110	3,642	32.8%	27,524	11,896	2,888	24.3%
Holland Road to Garbani Road	Widen from two to four travel lanes	X	Direct	X	Direct	X	Cumulative	X	Direct	10,560	23,283	12,723	4,180	32.9%	14,950	4,390	4,579	104.3%
Garbani Road to Scott Road	Widen from two to four travel lanes	X	Direct	X	Direct	X	Cumulative			12,301	26,867	14,566	5,585	38.3%				
Scott Road:																		
West of Haun Road to Haun Road	Widen from two to four travel lanes	X	Cumulative	X	Cumulative	X	Cumulative			14,297	19,970	5,673	494	8.7%				
Haun Road to I215 Freeway	Widen from three/four to six travel lanes					X	Direct			23,858	38,428	14,570	2,843	19.5%				
I215 Freeway to Antelope Road	Widen from four to six travel lanes	X	Cumulative	X	Cumulative	X	Cumulative			35,206	44,203	8,997	1,024	11.4%				
Newport Road:																		
West of Bradley Road to Bradley Road	Widen from four to six travel lanes					X	Cumulative			34,394	48,795	14,401	922	6.4%				
Bradley Road to Haun Road	Widen from six to eight travel lanes					X	Cumulative			43,798	62,649	18,851	686	3.6%				

Notes:

(1) See Tables 6 to 9 and Table 14 of the traffic impact analysis.

(2) Per the City of Menifee Traffic Impact Study Guidelines, a direct significant impact occurs if project traffic results in change in Level of Service from acceptable to deficient, and a cumulative significant impact occurs if project traffic exceeds 50 peak hour trips at an intersection or roadway segment operating at a deficient Level of Service without the project. The significance criteria has been analyzed by comparing without project to with project traffic conditions.

(3) The project percentage of new trips is overestimated since the Holland Road Overpass would redirect traffic volumes within the roadway network and the existing traffic volumes do not reflect this redistribution.

Table 4.17-4
Recommended Intersection Mitigation Measures and Project Fair Share Contribution

		Recommended Mitigation Measures by Scenario								Intersection Volumes									
						Without Holland Overpass		With Holland Overpass				Without Holland Overpass				With Holland Overpass			
Intersection	Recommended Mitigation Measure	Existing Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Peak Hour	Existing	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips[3]
Bradley Road (NS) at:																			
Holland Road (EW) #2	Construct NB Right Turn Lane					X	Cumulative			Morning	2,200	2,635	435	107	24.6%				
										Evening	1,297	1,965	668	220	32.9%				
Craig Avenue / Linda Lee Drive (EW) #3	Install Traffic Signal	X	Direct	X	Direct	X	Direct												
Sherman Road (NS) at:																			
Garbani Road (EW) #4	Construct NB Shared Left/Through/Right Turn Lane	X		X		X	Direct	X											
	Construct SB Left Turn Lane					X													
MultiFamily Residential Access (EW) #5	Construct NB Shared Through/Right Turn Lane	X		X		X		X											
	Construct SB Shared Left/Through Lane	X		X		X		X											
	Constrct WB Shared Left/Right Turn Lane	X		X		X		X											
SingleFamily Residential Access (EW) #6	Construct NB Shared Through/Right Turn Lane	X		X		X		X											
	Construct SB Shared Left/Through Lane	X		X		X		X											
	Constrct WB Shared Left/Right Turn Lane	X		X		X		X											
MultiFamily Residential Access																			
(NS) at: Garbani Road (EW)	Construct NB Shared Left/Right Turn Lane	X		X		X		X											
#7	Construct WB Left Turn Lane	X		X		X		X											
Commercial Access (NS) at:																			
Garbani Road (EW) #8	Construct NB Right Turn Lane	X		X		X		X											

		Recommended Mitigation Measures by Scenario								Intersection Volumes									
						Without Holland Overpass		With Holland Overpass				Without Holland Overpass				With Holland Overpass			
Intersection	Recommended Mitigation Measure	Existing Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Existing Plus Ambient Growth Plus Project Plus Cumulative[1]	Significant Impact[2]	Peak Hour	Existing	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips	Existing Plus Ambient Growth Plus Project Plus Cumulative	New Trips	Project Trips	Project % of New Trips[3]
Haun Road (NS) at:																			
Newport Road (NS) #9	Restripe SB Shared Through/Right turn Lane to Right Turn Lane					X	Cumulative												
	Install SB Right Turn Overlap					X													
	Install EB Right Turn Overlap					X				Morning	4,806	5,870	1,064	171	16.1%				
	Construct Additional WB Right Turn Lane with Overlap					X				Evening	5,720	8,752	3,032	322	10.6%				
Holland Road (EW) #10	Construct NB Right Turn Lane		Direct		Direct		Cumulative	X	Cumulative										
	Construct WB Left Turn Lane							X											
	Construct Additional WB Through Lane							X											
	Construct WB Right Turn Lane							X		Morning	1,371	2,036	665	182	27.4%				
	Install Traffic Signal	X		X		X		X		Evening	1,422	2,757	1,335	336	25.2%				
Garbani Road (EW) #11	Restripe SB Right Turn Lane to Shared Through/Right Turn Lane		Cumulative		Cumulative	X	Cumulative	X	Cumulative										
	Construct WB Left Turn Lane	X		X		X				Morning	1,304	2,052	748	311	41.6%	2,349	1,045	326	31.2%
	Install Traffic Signal	X		X		X		X		Evening	1,009	2,535	1,526	610	40.0%	2,456	1,447	647	44.7%
North Project Access (EW) #12	Construct NB Left Turn Lane	**X**		**X**		**X**		**X**											
	Construct Additional SB Shared Through/Right Turn Lane	**X**		**X**		**X**		**X**											
	Construct EB Shared Left/Right Turn Lane	**X**		**X**		**X**		**X**											
	Install Traffic Signal	**X**		**X**		**X**		**X**											
Central Project Access (EW) #13	Construct NB Left Turn Lane	**X**		**X**		**X**		**X**											
	Construct Additional SB Shared Through/Right Turn Lane	**X**		**X**		**X**		**X**											
	Construct EB Left Turn Lane	**X**		**X**		**X**		**X**											
	Construct EB Right Turn Lane	**X**		**X**		**X**		**X**											
	Install Traffic Signal	**X**		**X**		**X**		**X**											
South Project Access (EW) #14	Construct EB Right Turn Lane	**X**		**X**		**X**		**X**											
Scott Road (EW) #15	Construct Additional SB Left Turn Lane					X	Cumulative			Morning	2,148	3,227	1,079	171	15.8%				
	Install WB Right Turn Overlap					X				Evening	1,954	3,517	1,563	304	19.4%				
Hanover Lane (NS) at:																			
Holland Road (EW) #24	Install Traffic Signal							X	Cumulative										

Notes:

(1) See Tables 10 to 13 and Table 15 of the traffic impact analysis; X = Non projectspecific improvement; **X** = projectspecific improvement

(2) Per the City of Menifee Traffic Impact Study Guidelines, a direct significant impact occurs if project traffic results in change in Level of Service from acceptable to deficient, and a cumulative significant impact occurs if project traffic exceeds 50 peak hour trips at an intersection or roadway segment operating at a deficient Level of Service without the project. The significance criteria has been analyzed by comparing without project to with project traffic conditions.

(3) The project percentage of new trips is overestimated since the Holland Road Overpass would redirect traffic volumes within the roadway network and the existing traffic volumes do not reflect this redistribution.

- *Construct Haun Road from Sherman Road to the south project boundary at its ultimate half-section width including landscaping and parkway improvements in conjunction with development. This north-south roadway is classified as a Major (4 lanes, divided) on the City of Menifee General Plan Circulation Element.*

- *The project site should provide sufficient parking spaces to meet City of Menifee parking code requirements in order to service on-site parking demand.*

- *On-site traffic signing/striping should be implemented in conjunction with detailed construction plans for the project site.*

- *Sight distance at the project accesses shall comply with standard California Department of Transportation and City of Menifee sight distance standards. The final grading, landscaping, and street improvement plans shall demonstrate that sight distance standards are met. Such plans must be reviewed and approved as consistent with this measure prior to issuance of grading permits.*

Off-Site: As is the case for any roadway design, the City of Menifee should periodically review traffic operations in the vicinity of the project once the project is constructed to assure that the traffic operations are satisfactory.

Participate in specified City development fees to fund local roadway improvements that will be required as a result of the growth that development creates. The Western Riverside Council of Governments administers the Transportation Uniform Mitigation Fee (TUMF) for regional transportation improvements.

Based on the analysis in the TIA and this subchapter of the draft EIR, **Mitigation Measure 4.17-1** is sufficient to reduce project impacts to the area circulation system to less than significant with mitigation. However, because offsite improvements are addressed through development fees and fair share funding, there is inherent uncertainty of the timing of those improvements. As a result, project transportation and traffic impacts are determined to be **significant and unavoidable**.

TRAF-2 Would the project result in inadequate parking capacity?

The proposed project includes adequate parking capacity for each of the individual uses located within the Mill Creek promenade specific plan area. Parking spaces are provided for the retail, commercial and office space uses, and the business park industrial space usage including, the standalone sit-down restaurant. Adequate parking is provided for each of the individual residential units including the single-family townhomes and the detached single-family residences. All parking is provided in accordance with the City of Menifee parking requirements

for each of the uses that will be implemented at the project site. The detailed site plan and specific plan parking requirements submitted to the City identifies these parking requirements. Based on implementing the parking design Incorporated into the specific plan, the proposed project will not have an adverse impact regarding parking capacity at the project site. Impacts would be **less than significant**.

TRAF-3 Would the project exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated road or highways?

As discussed above under Impact TRAF-1, none of the intersections or roadways impacted by the proposed project will exceed level of service standards established by the city or the county. The impact under this issue category is therefore **less than significant or less than cumulatively considerable with mitigation**.

TRAF-4 Would the project substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?

As presently proposed, all offsite roadway improvements directly or indirectly supported by the proposed project will be installed in accordance with the City's design standards. The internal roadways and project access-ways will be installed and designed in accordance with Specific Plan design standards. To further ensure that project access is appropriately designed and provided both during construction and operation, the following mitigation measures have been identified:

Mitigation Measure 4.17-2:
Site Access. The following site access measures shall be implemented by the project developer.

- *Access to the commercial component of the project is proposed to be provided via full access to Haun Road at the north and central accesses, restricted access (right turns in/out only) at the south access on Haun Road, and restricted access (right turns in/out only) to Garbani Road.*
- *Access to the multi-family residential component of the project is proposed to be provided via full access to Sherman Road and Garbani Road.*
- *Access to the restaurant and industrial components of the project is proposed to be provided via full access to Haun Road.*
- *Access to the single-family residential component of the Mill Creek Promenade project is proposed to be provided via full access to Sherman Road and Haun Road.*

Mitigation Measure 4.17-3:
Access During Construction. As part of the construction management transportation plan the developer shall identify the specific actions that will be implemented to ensure that access to the site and surrounding area are maintained to all properties during construction. This can include rerouting of local traffic, provision

> *of escorts, or other means of ensuring access. These actions shall be reviewed and approved by the city of Menifee prior to implementation of construction.*

There are no existing hazardous design roadway features that will be impacted on the surrounding circulation system. Further, the circulation system improvements that will be installed by the proposed project or supported with fair share funding will resolve some of some of the local citizen concerns expressed on NOP and Scoping meeting comments regarding current inadequacies in the circulation system along Garbani Road and Sherman and Haun Roads immediately north of Garbani. In addition, the uses proposed within the specific plan are consistent with both the General Plan land use designations and the local existing community. Therefore, the proposed project will not result in incompatible uses on the local circulation system.

In addition, to address queueing concerns associated with the project's site design, a turn pocket queuing analysis was conducted at the study area project access intersections for the ultimate scenario (Existing Plus Ambient Growth Plus Project Plus Cumulative – without and with Holland Road Overpass). To provide a conservative estimate, the 95th percentile queue was used to calculate required storage lengths.

Typically when an exclusive left turn lane is required, a minimum of 2 passenger cars should be provided at 25 feet per vehicle (50 feet minimum storage length). Where possible, the recommended minimum pocket length used on roadways should be 100 feet where the speed is 30 miles per hour and 150 feet for arterials with speeds of 40 miles per hour or more. The recommended maximum single turn storage length shall be 300 feet; therefore, dual left turn lanes should be used when over 300 feet of storage is required or when necessary to provide acceptable levels of service at the intersection. For local streets and driveways, smaller storage lengths are permitted when volumes permit.

The northbound left turn lane at the Haun Road and North Project Access intersection has a recommended minimum storage length of 50 feet. The northbound left turn lane at the Haun Road and Central Project Access intersection has a recommended minimum storage length of 75 feet. To account for areawide growth on Haun Road and in the general vicinity of the project, it is recommended that both these northbound left turn lanes provide for a minimum of 150 foot left turn pockets. With the distance between Garbani Road and the North Project Access being approximately 637 feet, the distance of the North Project Access and Central Project Access being approximately 708 feet, and the distance from the Central Project Access to the south project boundary being greater than 150 feet, these left turn pockets have sufficient distance to be provided at these lengths on Haun Road.

The project driveways on Haun Road have a recommended minimum storage length of 25 to 225 feet for outbound vehicles. The South Project Access appears to have sufficient drive aisle storage length. The North Project Access has a recommended minimum storage length of 225 feet and the current configuration does not appear to meet this demand. It should be noted that this intersection was analyzed as a single shared outbound left/right turn lane even though the design has separate left and right turn lanes. Although the design has separate left and right turn lanes, the inbound travel lanes merge from two lanes to one lane immediately upon entry to the project site and the one outbound travel lanes merges into two travel lanes close to the intersection. Therefore, the two outbound travel lanes and two inbound travel lanes essentially

function as one travel lane for purposes of queuing. With two travel lanes the approximate minimum storage length would be 150 feet.

The Central Project Access allows for motorists to travel northwest or southwest upon entry (Y-intersection) to navigate the project site. The recommended minimum storage length is 225 feet for the eastbound left turn lane for vehicles leaving the project site. Queueing issues may occur for inbound motorists traveling southwest at the Y-intersection if vehicles are being stored in the eastbound outbound turn lanes within this Y-intersection. Therefore, it is recommended that the intersection be signalized and coordinated with overlap phasing with the Haun Road and Central Project Access intersection to prevent outbound vehicles from blocking the intersection as inbound vehicles are entering the project site. This would alleviate the possibility of inbound vehicles stopping at the intersection waiting to make their turning movement and establishing a queue behind the vehicles that interferes with the Haun Road travel lanes. Therefore the following mitigation measure has been identified:

> ***Mitigation Measure 4.17-4:***
> *The "Y" intersection located near the Central Project Access intersection shall be signalized and coordinated with overlap phasing with the Haun Road and Central Project Access intersection to prevent outbound vehicles from blocking the intersections as inbound vehicles are entering the project site.*

Given the above, any impacts relating to design hazards, either during construction or operation of the project, will be **less than significant with mitigation**.

TRAF-5 Would the project cause an effect upon, or a need for new or altered maintenance of roads?

The proposed project will be constructing new roads in accordance with City of Menifee design requirements. The new roadways include Sherman south of Garbani, Haun Road south of Garbani, and improvements to Garbani as well. The project will also directly or indirectly (through fair share contributions) make improvements to roadways and intersections as identified in the text preceding this analysis and in the TIA. Therefore, the City will require future maintenance on these roadway improvements. However, all new improvements will be installed to meet the City's roadway design requirements which will minimize the need for maintenance in the near-term. Over the longer-term, maintenance will be supported by ongoing property tax, gasoline taxes and sales taxes generated by project occupancy and operational activities in the commercial and industrial areas. Based on analysis and findings in the project fiscal impact analysis (Appendix 8 of Volume 2, Technical Appendices), adequate funds will be generated to cover the long-term maintenance costs for the project- related roadways. Thus, mitigation is not required to ensure that these new roadways can be maintained in a safe and functional status over the long-term. The impact under this issue category is considered **less than significant**.

TRAF-6 Would the project cause an effect upon circulation during the project's construction?

Project construction activities may potentially result in temporary and transient traffic deficiencies related to: construction employee commutes; import of construction materials in soils; and transport and use of heavy construction equipment. The developer will be required to develop and implement a city-approved construction traffic management plan addressing

potential construction-related traffic detours and disruptions. The construction traffic management plan (CTMP) will ensure that construction traffic what access the project site during off-peak hours; and that construction traffic would be routed to the best access roads that travel through, or proximate too, since the land uses. Further, all construction staging and parking will be located on the 58.5 acre project site and will not overlap on two adjacent roadways. This eliminates any potential conflict with traffic on the adjacent circulation system from construction staging and construction employee parking activities. The requirement to implement a safety-approved CTMP is a standard condition of approval and no specific mitigation measures required to ensure that's the plan we'll be prepared and implemented under the City's oversight.

Further, to ensure that adequate access is provided to both the site and the surrounding area during construction, **Mitigation Measure 4.17-3** has been identified, above. This measure will require specific actions, including, but not limited to, rerouting of local traffic, provision of escorts, or other means of ensuring access during the construction phase.

Therefore, impacts relating to traffic circulation during the construction phase would be **less than significant with mitigation**.

TRAF-7 Would the project result in inadequate emergency access or access to nearby uses?

As discussed in the preceding section, the proposed project will construct roadways within and surrounding the project site to their ultimate or half-width paved sections. As a result, both routine and emergency access will be enhanced once the project site is developed. However during roadway construction there will be when adequate routine access an emergency access may be diminished. As part of the City construction review process, the developer shall include measures to ensure routine access and emergency access to occupied parcels of land in the vicinity of the project site is maintained at all times. **Mitigation Measure 4.17-3**, identified above, would ensure that adequate routine and emergency access is maintained during all construction activities at the site. With inclusion of this measure, potential access impacts (routine and emergency) can be maintained during construction and the project's impact on access will be controlled to a **less than significant with mitigation**.

TRAF-8 Would the project conflict with adopted policies supporting alternative transportation (e.g. bus turnouts, bicycle racks)?

The project area is currently not served by alternative transportation facilities or systems. The nearest pedestrian facilities are located adjacent to the residential subdivision to the north of the project site and the nearest bus services are provided by the Riverside Transit Agency (RTA). The nearest RTA route is Route 61 which is located on Antelope Road and connects at Scott and Antelope. This is about one half mile to the east of the project site. All three of the adjacent roadways do not have trails or bicycle routes available at present but are designed to incorporate bicycle routes and a major trail moving north and south on Haun Road. The proposed development includes pedestrian access throughout the project area and bike routes along the major roadways including Sherman, Garbani, and Haun Road. Thus, the proposed project incorporates alternative modes of transportation, including bicycle and pedestrian facilities, for use by the existing and future residents of the subdivision and surrounding area. However, **Mitigation Measure 4.17-5** is incorporated that requires the developer to coordinate extension of a bus route to the project area and provide a bus turn out/stop to support access to the regional transportation system.

Mitigation Measure 4.17-5:
Mass Transit Measure. The project developer shall enter into discussions with the Riverside Transit Authority (RTA) about rerouting the existing bus service to extend service from the intersection of Antelope/Scott Road west to Haun. This effort shall begin after completion of Phase 1 and prior to implementation of Phase 2 of the proposed project. If service is extended, the site developer shall coordinate and participate in fair share funding for the installation of a bus shelter and turnout at the intersection of Haun and Garbani Roads.

With the implementation the project site design and the mitigation measure identified above, the project will be fully supported of alternative modes of transportation. Thus, project impact in that category will be **less than significant with mitigation**.

TRAF-9 Would the project conflict with bike trail plans or may create safety hazards related to bike trails?

The project incorporates bike trails including a regional bike trail along Haun Road. The project also includes other bike trails as part of new road sections that will be built by the proposed project. Internal bike and pedestrian trails are also provided for residents and visitors to the project site. Thus, the proposed project will be consistent with this requirement for safe bike trails. No adverse impact to bike trails, either directly or indirectly or onsite or offsite, will result from implementing the proposed project. Impacts would be **less than significant**.

4.17.7 CUMULATIVE IMPACTS

The proposed project is required to pay its fair share for all the circulation system improvements other than those identified for direct project implementation. With the implementation of the project's proportional fair share payments, the analysis described above there would be no cumulatively considerable adverse environmental effects on the circulation system. Thus, traffic impacts associated with the proposed project will be less than cumulatively considerable.

4.17.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, implementing the proposed project will generate a substantial number of new trips that are forecast to require modifications to the area and local circulation systems. The evaluation of project trips and those trips generated by the cumulative projects identified in the project area, indicates that with implementation of the proposed circulation system improvements the project will not cause a significant adverse impact to the circulation system. With implementation of the identified offsite roadway improvements, the long-term, project specific and cumulative circulation system impacts will not be significant if these improvements are completed prior to the traffic is actually generated. However, given the uncertain nature of the timing of all improvements which are beyond the control of the project developer, an unavoidable significant adverse transportation impact may result from implementation of the proposed project. Thus, project transportation/traffic impacts are found to **be significant and unavoidable**.

4.18 TRIBAL CULTURAL RESOURCES

4.18.1 INTRODUCTION

This subchapter evaluates the environmental impacts to tribal cultural resources from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

Historical/Archaeological Resources Survey Report, Rancho Bonito Project, CRM TECH, February 19, 2016 revised September 1, 2016 and *Historical/Archaeological Resources Survey Report, Millcreek Promenade Project*, CRM TECH, May 13, 2016 prepared for the project were used in the evaluation presented in this subchapter. In addition, this analysis relies upon comments received from the Native American tribes that responded to the Notice of Preparation, and comments received through the consultation process initiated under AB 52 and SB 18.

In response to the Notice of Preparation, comments were received from the Pechanga Band of Luiseno Indians and the Soboba Band of Luiseño Indians in response to the Notice of Preparation (NOP). The Tribes requested updated archaeological evaluations in line with current standards and requested the opportunity to participate in the updated evaluations as well as an opportunity to monitor ground-disturbing activities on native soil. These same tribes and the Rincon Tribe asked to consult on the project.

4.18.2 REGULATORY SETTING

Federal, State, and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Archaeological Resources Protection Act

The Archaeological Resources Protection Act of 1979 regulates the protection of archaeological resources and sites which are on Federal lands and Indian lands.

Native American Graves Protection and Repatriation Act

The Native American Graves Protection and Repatriation Act (NAGPRA) is a federal law passed in 1990 that provides a process for museums and Federal agencies to return certain Native American cultural items, such as human remains, funerary objects, sacred objects, or objects of cultural patrimony, to lineal descendants, and culturally affiliated Indian tribes.

State

Public Resources Code

Archaeological resources are protected pursuant to a wide variety of state policies and regulations enumerated under the California Public Resources Code. In addition, cultural resources are recognized as a non-renewable resource and therefore receive protection under the California Public Resources Code and CEQA.

- California Public Resources Code 5097.9–5097.991 provides protection to Native American historical and cultural resources, and sacred sites and identifies the powers and duties of the Native American Heritage Commission (NAHC). It also requires notification to descendants of discoveries of Native American human remains and provides for treatment and disposition of human remains and associated grave goods.

- California Public Resources Code 5097.9 states that no public agency or private party on public property shall "interfere with the free expression or exercise of Native American Religion." The code further states that:

> No such agency or party [shall] cause severe or irreparable damage to any Native American sanctified cemetery, place of worship, religious or ceremonial site, or sacred shrine…except on a clear and convincing showing that the public interest and necessity so require. County and city lands are exempt from this provision, except for parklands larger than 100 acres.

Health and Safety Code

The discovery of human remains is regulated per California Health and Safety Code Section 7050.5, which states that:

> In the event of discovery or recognition of any human remains in any location other than a dedicated cemetery, there shall be no further excavation…until the coroner…has determined…that the remains are not subject to… provisions of law concerning investigation of the circumstances, manner and cause of any death, and the recommendations concerning the treatment and disposition of the human remains have been made to the person responsible…. The coroner shall make his or her determination within two working days from the time the person responsible for the excavation, or his or her authorized representative, notifies the coroner of the discovery or recognition of the human remains. If the coroner determines that the remains are not subject to his or her authority and…has reason to believe that they are those of a Native American, he or she shall contact, by telephone within 24 hours, the Native American Heritage Commission.

Senate Bill 18

Prior to the enactment of Senate Bill 18 (SB 18; California Government Code Sections 65352.3 et seq.) related to traditional tribal cultural places (TTCP) in 2004, state law provided limited protection for Native American prehistoric, archaeological, cultural, spiritual, and ceremonial places. These places may include sanctified cemeteries, religious, ceremonial sites, shrines,

burial grounds, prehistoric ruins, archaeological or historic sites, Native American rock art inscriptions, or features of Native American historic, cultural, and sacred sites.

SB 18 placed new requirements upon local governments for developments within or near TTCP. SB 18 requires local jurisdictions to provide opportunities for involvement of California Native Americans tribes in the land planning process for the purpose of preserving traditional tribal cultural places. The Final Tribal Guidelines recommends that the NAHC provide written information as soon as possible but no later than 30 days to inform the lead agency if the proposed project is determined to be in proximity to a TTCP and another 90 days for tribes to respond to if they want to consult with the local government to determine whether the project would have an adverse impact on the TTCP. There is no statutory limit on the consultation duration. Forty-five days before the action is publicly considered by the local government council, the local government refers action to agencies, following the CEQA public review time frame. The CEQA public distribution list may include tribes listed by the NAHC who have requested consultation or it may not. If the NAHC, the tribe, and interested parties agree upon the mitigation measures necessary for the proposed project, it would be included in the project's EIR. If both the lead agency and the tribe agree that adequate mitigation or preservation measures cannot be taken, then neither party is obligated to take action.

SB 18 requires a city or county to consult with the NAHC and any appropriate Native American tribe prior to the adoption, revision, amendment, or update of a city's or county's general plan. While SB 18 does not specifically mention consultation or notice requirements for adoption or amendment of specific plans, the Final Tribal Guidelines advises that SB 18 requirements extend to specific plans as well, because state planning law requires local governments to use the same process for amendment or adoption of specific plans as general plans (defined in Government Code § 65453). In addition, SB 18 provides a new definition of TTCP that requires a traditional association of the site with Native American traditional beliefs, cultural practices, or ceremonies or the site must be shown to actually have been used for activities related to traditional beliefs, cultural practices, or ceremonies. Previously, the site was defined to require only an association with traditional beliefs, practices, lifeways, and ceremonial activities. In addition, SB 18 law amended Civil Code § 815.3 and added California Native American tribes to the list of entities that can acquire and hold conservation easements for the purpose of protecting their cultural places.

Assembly Bill 52

The Native American Historic Resource Protection Act (AB 52) took effect July 1, 2015, and incorporates tribal consultation and analysis of impacts to tribal cultural resources (TCR) into the CEQA process. It requires TCRs to be analyzed like any other CEQA topic and establishes a consultation process for lead agencies and California tribes. Projects that require a Notice of Preparation of an EIR or Notice of Intent to adopt a ND or MND on or after July 1st are subject to AB 52. A significant impact on a TCR is considered a significant environmental impact, requiring feasible mitigation measures.

TCRs must have certain characteristics:

1) Sites, features, places, cultural landscapes (must be geographically defined), sacred places, and objects with cultural value to a California Native American tribe that are either included or determined to be eligible for inclusion in the California Register of

Historic Resources or included in a local register of historical resources. (PRC § 21074(a)(1))

2) The lead agency, supported by substantial evidence, chooses to treat the resource as a TCR. (PRC § 21074(a)(2))

The first category requires that the TCR qualify as a historical resource according to PRC Section 5024.1. The second category gives the lead agency discretion to qualify that resource—under the conditions that it support its determination with substantial evidence and consider the resource's significance to a California tribe. The following is a brief outline of the process (PRC §§ 21080.3.1–3.3).

1) A California Native American tribe asks agencies in the geographic area with which it is traditionally and culturally affiliated to be notified about projects. Tribes must ask in writing.

2) Within 14 days of deciding to undertake a project or determining that a project application is complete, the lead agency must provide formal written notification to all tribes who have requested it.

3) A tribe must respond within 30 days of receiving the notification if it wishes to engage in consultation.

4) The lead agency must initiate consultation within 30 days of receiving the request from the tribe.

5) Consultation concludes when both parties have agreed on measures to mitigate or avoid a significant effect to a TCR, OR a party, after a reasonable effort in good faith, decides that mutual agreement cannot be reached.

6) Regardless of the outcome of consultation, the CEQA document must disclose significant impacts on TCRs and discuss feasible alternatives or mitigation that avoid or lessen the impact.

4.18.3 EXISTING CONDITIONS

The purpose of the CRM TECH cultural resources studies completed for the project was to provide the City with the necessary information and analysis to determine whether the Project would cause substantial adverse changes to any "historical resources," as defined by CEQA and associated regulations that may exist in or around the Project area. In order to identify and evaluate such resources, CRM TECH conducted an historical/archaeological resources records search, pursued historical background research, contacted Native American representatives, and carried out a field survey. CRM TECH notified the nearby Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians of the upcoming archaeological fieldwork in writing and invited their participation. Both tribes subsequently assigned Native American monitors to accompany CRM TECH personnel during the field survey. CRM TECH also sent written requests to the designated spokespersons of the Pechanga Band and the Soboba Band to solicit their comments on potential cultural resources concerns over the proposed project. As of this time, no response has been received from either tribe.

These studies are a part of the environmental review process for the proposed development of the Mill Creek Promenade property for mixed use development, as required by the lead agency for the project, namely the City, in compliance with the California Environmental Quality Act (CEQA). The purpose of the study is to provide the City with the necessary information and analysis to determine whether the proposed project would cause substantial adverse changes to any "historical resources" or "tribal cultural resources," as defined by CEQA, that may exist within the project area.

In order to identify such resources, CRM TECH conducted a historical/archaeological resources records search, historical background research on the property, consultation with nearby Native American groups, and field inspections of selected areas within the project boundaries

Based on the study results summarized above, CRM TECH recommends to the City of Menifee a finding that the proposed project will not cause a substantial adverse change to any known "historical resources" or "tribal cultural resources." However, in light of the demonstrated sensitivity of the project area for buried archaeological remains from both the prehistoric and the historic periods, CRM TECH further recommends that all earth-moving operations associated with the project be monitored by a qualified archaeologist. Under this condition, the proposed development of the Mill Creek Promenade may be cleared to proceed in compliance with CEQA provisions on cultural resources. Conditions of Approval will require these measures to be implemented during project construction.

The Pechanga, Soboba and Rincon Tribes responded to the City's consultation requests. (However, consistent with NAHC's recommendations and previously established consultation protocol, CRM TECH contacted a total of 29 tribal representatives in the region inviting them to comment and/or consult). The Pechanga, Soboba Tribes and Rincon Tribes requested continued participation with this project's CEQA process; concerns over accidental exposure of subsurface cultural resources and proper management of such resources; concerns over exposure of human remains and proper management; and presence of Native American monitors during ground disturbing activities. Through incorporation of the City's standard Conditions of Approval for this project (refer to Subchapter 4.6), the requests of the tribes will be met by the project and City.

4.18.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

TCR-1 Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resourced determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in

subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.18.5 METHODOLOGY

This subchapter evaluates the level of adverse impact to the tribal cultural resources that is forecast to occur if the project is implemented as proposed. In order to identify potential resources, CRM TECH conducted an historical/archaeological resources records search, pursued historic background research, contacted Native American representatives, and carried out an intensive-level field survey.

4.18.6 ENVIRONMENTAL IMPACTS

TCR-1 Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

ii) A resourced determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

According to the consultation with the NAHC, the Project site is not identified as containing any sacred sites. Further, neither the Pechanga nor Soboba have identified any tribal cultural resource sites on the project site. But they have expressed concerns about inadvertent exposure of such resources. Based on this input from the NAHC and the tribes, implementation of the proposed Project has a low potential to adversely impact religious or sacred uses. The City's COAs for cultural resources are identified in the Cultural Resources Subchapter, 4.5. These COAs fully address the concerns listed above.

According to the findings in the cultural resources study (Appendix 3 of Volume 2), the proposed Project has a low potential to alter or destroy an historic site; or cause a substantial adverse change in the significance of a historical resource as defined in California Code of Regulations, Section 15064.5. Based on the research results summarized above, no historical or archaeological resources occur within the project site, but a low potential exists to expose subsurface resources. Standard Conditions of Approval have been identified to address such accidental discovery and participation by the tribes during ground disturbing activities that address concerns expressed by the Native American comment letters. Through incorporation of the City's standard Conditions of Approval for this project (refer to Subchapter 4.6), the requests of the tribes will be met by the project and City.

4.18.7 CUMULATIVE IMPACTS

As determined above, the project can proceed without causing any unavoidable significant adverse impacts to tribal cultural resources. Because the implementation of the proposed project is not forecast to cause any direct, significant adverse impact to any significant cultural resources with implementation of identified mitigation measures, the proposed project has no potential to make a cumulatively considerable contribution to tribal cultural resource impacts in the project area or Riverside County in general. Any tribal cultural resources on the project site that would be adversely impacted by the proposed project are not anticipated to contain any significant tribal cultural values that could be added to impacts from other projects in a manner that could be considered cumulatively considerable.

4.18.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to tribal cultural resources will occur as a result of the proposed project.

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4.19 UTILITIES AND SERVICE SYSTEMS

4.19.1 INTRODUCTION

This subchapter evaluates the environmental impacts to utilities and service systems from implementation of the proposed project. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The following references were used in preparing this subchapter of the DEIR.

- California Gas & Electric Utilities, California Gas Report-Southern California Gas Company, 2006
- CalRecycle, Estimated Solid Waste Generation Rates website, Accessed March 27, 2018: https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Commercial
- CalRecycle, Facility/Site Summary Details: El Sobrante Landfill (33-AA-0217) website, Accessed March 27, 2018: http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0217/Detail/
- CalRecycle Facility/Site Summary Details: Badlands Sanitary Landfill (33-AA-0006), Accessed March 27, 2018: http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0006/Detail/
- City of Menifee, City of Menifee General Plan Draft EIR, September 2013
- City of Menifee, City of Menifee General Plan, February 2014
- Eastern Municipal Water District, 2015 Urban Water Management Plan, June 2016
- Eastern Municipal Water District, Sewer System Management Plan, December 2016
- Eastern Municipal Water District, Eastern Municipal Water District Agency Profile, March 2018. https://www.emwd.org/home/showdocument?id=47
- Eastern Municipal Water District, EMWD's Water Efficient Guidelines for New Development, July 19, 2013
- Eastern Municipal Water District, Draft Water Supply Assessment Report, Millcreek Promenade, April 9, 2018
- Metropolitan Water District, 2015 Regional Urban Water Management Plan, June 2016
- Rancho California Water District, Rancho California Water District Water Facilities Master Plan, December 2015
- SoCalGas, Natural Gas Pipeline Map website, Accessed March 26, 2018: http://socalgas.maps.arcgis.com/apps/webappviewer/index.html?id=aaebac8286ea4e4b8e425e47771b8138
- SoCalGas, Company Profile website, Accessed March 26, 2018: https://www.socalgas.com/about-us/company-profile
- Southern California Edison, Power Sources 2009-2013 website, Accessed on March 23, 2018 https://newsroom.edison.com/gallery/file?&fid=5408c48afe058b7a72075813
- Southern California Edison, Valley South Subtransmission Project: Powering the Region for the 21st Century, September 2014

- Southern California Edison, Projects in Progress, Valley South Subtransmission Project website, Accessed on March 26, 2018 at https://www.sce.com/wps/portal/home/about-us/reliability/upgrading-transmission/valley-south/!ut/p/b1/hdCxDoIwEAbgp2GlpwUEt6KmlBgJYiJ0MWCwYJASQHh9wbhoFG_7L98_3CGOQsTLuMtF3OayjIsxc-M0MylxWACMUt8AtvdmpmmtGNFhANEA4McQ-Nc_Iv5BDpoOzJ4vMLUZPlB9Gqxd-AM07QUsChvH9UbgY2DYh11ACAYwXmDiChdxUcjk-ZGIlAk2BeJ1eknrtFbv9bDO2rZqlgoo0Pe9KqQURaqe5U2Bb5VMNi0K3yWqbiHk7KoX3ZY8AFz8Q68!/dl4/d5/L2dBISEvZ0FBIS9nQSEh/?from=valleysouth#accordionGrp1-4-hash/accordionGrp1-3-hash
- Waste Management, El Sobrante Landfill Fact Sheet pdf web page, Accessed March 27, 2018: https://www.wmsolutions.com/pdf/factsheet/El_Sobrante_Landfill.pdf

No comments were received pertaining to utilities and service systems in response to the Notice of Preparation.

4.19.2 REGULATORY SETTING

State and local laws, regulations, plans, or guidelines that are applicable to the proposed project are summarized below.

Federal

Federal Clean Water Act

In 1972, the Federal Water Pollution Control Act (Clean Water Act) was amended to prohibit the discharge of pollutants to waters of the United States unless the discharge is in compliance with a National Pollutant Discharge Elimination System (NPDES) permit. The Clean Water Act focused on tracking point sources, primarily from wastewater treatment facilities and industrial waste dischargers, and required implementation of control measures to minimize pollutant discharges. The Clean Water Act was amended again in 1987, adding Section 402(p), to provide a framework for regulating municipal and industrial stormwater discharges. In November 1990, the U.S. Environmental Protection Agency (USEPA) published final regula¬tions that establish application requirements for specific categories of industries, including construction Projects that encompass greater than or equal to five acres of land. The Phase II Rule became final in December 1999, expanding regulated construction sites to those greater than or equal to one acre.

The regulations require that stormwater and non-stormwater runoff associated with construction activity, which discharges either directly to surface waters or indirectly through municipal separate storm sewer systems (MS4s), must be regulated by an NPDES permit.

State

California Water Supply Laws

In regard to water supply, California Water Code sections 10910–10915 (commonly referred to as SB 610 according to the enacting legislation) require the preparation of a Water Supply Assessment (WSA) for certain projects, generally including those having a water demand equivalent to a project with 500 dwelling units or more. (Water Code § 10912(a)) Under SB 610,

at the time the lead agency determines a project is subject to CEQA, the agency must identify the public water system that will provide water service to the project and request the water provider to prepare a WSA for the project. (Water Code § 10910(b)) As indicated above, the proposed Project is within EMWD's service territory and, therefore, will be served by EMWD. In accordance with SB 610, EMWD has prepared a draft WSA for the project, which will be adopted once finalized. The project's approved WSA is incorporated herein by reference and included as Appendix 10a in Volume 2, Technical Appendices.

In preparing a WSA, if the projected water demand associated with the proposed Project was accounted for in the most recently adopted urban water management plan, the public water system may incorporate information from that plan into the WSA. (Water Code § 10910(c)(2)) EMWD has confirmed that the projected demand from the Proposed Project exceeds the limits of the demand accounted for in EMWD's 2015 UWMP, which was adopted in June 2016. With respect to water supplies, the project will be required to fund conservation to offset demand not considered in the 2015 UWMP. The land use considered for the 58.5-acre project area in the 2015 UWMP demand projection was business park/light industrial, which would have an estimated annual demand of 144.3 AF. Since the estimated annual demand for the Proposed Project is 182.3 acre-feet (AF), the project will be required to fund conservation to offset the 38.0 AF demand not considered in the 2015 UWMP. Thus, relevant information from the 2015 UWMP was incorporated into the WSA.

In accordance with Water Code Section 10910 (d)-(f), the WSA shall:

1. Identify any existing water supply entitlements, water rights, or water service contracts relevant to the identified water supply for the Proposed Project, and provide a description of the quantities of water received in prior years by the public water system under existing water supply entitlements, water rights, or water service contracts;

2. If no water has been received in prior years by the public water system, identify other public water systems of water service contract holders that receive a water supply or have existing water supply entitlements, water rights or water service contracts to the same source of water as the public water system; and

3. If groundwater is included in the proposed supply, identify the groundwater basin or basins from which the Proposed Project will be supplied and include any applicable documentation of adjudicated rights to pump. If the basin is not adjudicated, regardless of whether the basin has been identified as overdrafted, provide a detailed description and analysis of the amount and location of groundwater pumped by the public water system for the past five years from any groundwater basin from which the Proposed Project will be supplied; and provide a detailed description and analysis of the amount and location of groundwater from the basin or basins from which the Proposed Project will be supplied to meet the projected water demand associated with the Proposed Project.

Generally, a WSA must include an analysis of whether the total projected water supplies available to the water provider during normal, single-dry, and multiple-dry years over the next 20-year period is sufficient to meet the projected water demand associated with the project, in addition to existing and planned future uses. (Water Code § 10910(c)) Upon the water provider's adoption of the WSA, the WSA must be forwarded to the lead agency and incorporated into the CEQA document being prepared for the project. (Water Code § 10911)

As discussed in greater detail above and below, the project WSA concludes that the total water supplies available to EMWD over the next 20-year period are sufficient to serve the projected water demand of the proposed Project, in addition to existing and planned future uses, in accordance with the standards set forth by SB 610.

Similar to the aforementioned requirements of SB 610, California Government Code Section 66473.7 (commonly referred to as SB 221 according to the enacting legislation) generally requires the legislative body of a city, county or local agency to include as a condition in any tentative tract map or development agreement that includes a subdivision (defined as a residential development containing 500 or more dwelling units) a requirement that a sufficient water supply is or will be available to serve the subdivision. (Govt. Code § 66473.7) The availability of a sufficient water supply must be based on a Written Verification (WV) from the public water system that will provide water service to the proposed Project. (Id.) As with the standard provided by SB 610, a "sufficient water supply" under SB 221 is the total water supplies available to the water provider during normal, single-dry, and multiple-dry years within a 20-year projection that will meet the projected demand of the proposed subdivision, in addition to existing and planned future uses, including agricultural and industrial uses. (Govt. Code §66473.7) The water provider's verification must be based on substantial evidence such as water supply contracts, capital outlay programs, and regulatory permits and approvals regarding the water provider's right to and capability of delivering the project supply. (Govt. Code §66473.7) Notably, when the WV is prepared for the project, SB 221 allows for that verification to be based in large part on the project WSA prepared and adopted by EMWD pursuant to SB 610. (Govt. Code §66473.7)

The Water Conservation Act of 2009, Senate Bill 7x-7, set a requirement for water agencies to reduce the per capita water use by the year 2020. The overall goal is to reach a statewide reduction in per capita urban water use of 20 percent by December 31, 2020, with an intermediate 10 percent reduction by December 31, 2015. Demand reduction can be achieved through both conservation and the use of recycled water as a potable demand offset.

California Code of Regulations – Energy Efficiency Standards

California Code of Regulations Title 24, Part 6, California's Energy Efficiency Standards for Residential and Nonresidential Buildings was established in 1978 in response to a legislative mandate to reduce California's energy consumption. The standards are updated periodically to allow consideration and possible incorporation of new energy efficiency technologies and methods. New standards were adopted by the Commission in 2008 as mandated by Assembly Bill 970 to reduce California's electricity demand. The new standards went go into effect on August 1, 2009. The standards (along with standards for energy efficient appliances) have saved more than $206 billion in electricity and natural gas costs since 1978. Single family homes built to the 2016 standards will use about 28 percent less energy for lighting, heating, cooling, ventilation, and water heating than those built to the 2013 standards. In 30 years, California will have saved enough energy to power 2.2 million homes, reducing the need to build 12 additional power plants[1].

[1]http://www.energy.ca.gov/title24/2016standards/rulemaking/documents/2016_Building_Energy_Efficiency_Standards_FAQ.pdf

California Code of Regulations – Appliance Efficiency Regulations

Title 20, California Code of Regulations, Sections 1601-1608: 2006 Appliance Efficiency Regulations dated December 2006, were adopted by the California Energy Commission on Oct 11, 2006, and approved by the California Office of Administrative Law on Dec 14, 2006. These Appliance Efficiency Regulations replace all previous versions of the regulations. The 2006 Appliance Efficiency Regulations include standards for both federally-regulated appliances and non-federally-regulated appliances. Twenty-one categories of appliances are included in the scope of these regulations. The standards within these regulations apply to appliances that are sold or offered for sale in California, except those sold wholesale in California for final retail sale outside the state and those designed and sold exclusively for use in recreational vehicles or other mobile equipment.

Senate Bill 1305

SB 1305, the Power Source Disclosure requires retail suppliers of electricity to disclose to consumers "accurate, reliable, and simple to understand information on the sources of energy that are being used ..." (Public Utilities Code Section 398.1 (b)).

The Energy Commission promotes statewide energy efficiency by setting and updating California's building and appliance energy efficiency standards. These standards are helping California achieve its goal of having all newly constructed low-rise residential buildings be zero-net energy (ZNE) by 2020 and all new commercial buildings be ZNE by 2030. The Energy Commission also supports the state's landmark 33 percent Renewables Portfolio Standard (RPS) by certifying renewable power plants and verifying the renewable electricity used to comply with the standard, and by enforcing RPS compliance for the state's publicly owned utilities.

2008 Scoping Plan, California Air Resources Board

The Scoping Plan was originally approved in 2008. In 2011, the Functional Equivalent Document for the Scoping Plan was amended. The Scoping Plan was re-approved by the Air Resources Board August 24, 2011, including the Final Supplement to the Functional Equivalent Document (FED), posted below. The Scoping Plan provides the outline for actions to reduce California's GHG emissions.

California Public Utilities Commission

The California Public Utilities Commission (CPUC) regulates investor-owned electric and natural gas utilities operating in California. The California Energy Commission is the state's primary energy policy and planning agency.

California Integrated Waste Management Act

The California Integrated Waste Management Act of 1989 (AB 939) redefined solid waste management in terms of both objectives and planning responsibilities for local jurisdictions and the state. The act was adopted in an effort to reduce the volume and toxicity of solid waste that is landfilled and incinerated by requiring local governments to prepare and implement plans to improve the management of waste resources. AB 939 required each of the cities and unincorporated portions of the counties to divert a minimum of 25 percent of the solid waste

landfilled by 1995 and 50% by the year 2000. To attain goals for reductions in disposal, AB 939 established a planning hierarchy utilizing new integrated solid waste management practices. These practices include source reduction, recycling and composting, and environmentally safe landfill disposal and transformation.

Other State Laws Relating to Solid Waste

Other state statutes pertaining to solid waste include compliance with the California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials within a development project for commercial, institutional, marina, and residential buildings with 5 units or more. To meet this state requirement, Riverside County Waste Management Department requires that, prior to construction of any commercial or industrial facilities, clearance from the Waste Management Department is needed to verify compliance with AB 1327 in terms of installation of recycling access areas at these facilities.

The Countywide Integrated Waste Management Plan (CIWMP) was prepared in accordance with state requirements as stipulated in AB 939. The CIWMP is comprised of the Countywide Summary Plan; the Countywide Siting Element; and the Source Reduction and Recycling Elements, Household Hazardous Waste Elements, and Non-disposal Facility Elements for Riverside County and each of the cities in Riverside County. The Riverside County Waste Management Department administers recycling programs available to County residents that are normally advertised through mass media, such as newspapers, radio, television, and billboards. The Riverside County Waste Management Department and the Riverside County Department of Health Services implement programs that address source reduction and household hazardous wastes, which serve to reduce the solid waste stream going into landfills. The proposed Project is located within the jurisdiction of these agencies to receive public information and participate in these programs.

Effective Jan. 1, 2011, California's Green Building Standards Code (CALGreen) requires the diversion of at least 50 percent of the construction waste generated during most "new construction" projects (CALGreen Sections 4.408 and 5.408). Subsequent amendments have expanded upon what types of construction are covered. In all jurisdictions, including those without a Construction and Debris (C&D) ordinance requiring the diversion of 50 percent of construction waste, the owners/builder of construction projects within the covered occupancies are be required to divert 50 percent of the construction waste materials generated during the project. The 50 percent C&D diversion rate can be met through three methods: 1) develop and submit a waste management plan to the jurisdiction's enforcement agency which identifies materials and facilities to be used and document diversion, 2) use a waste management company, approved by the enforcing agency, that can document 50 percent diversion, or 3) use the disposal reduction alternative, as appropriate for the type of project. If the waste management plan option is used, the plan should be developed before construction begins, and project managers should use the project's planning phase to estimate materials that will be generated and identify diversion strategies for those materials. All covered projects should be able to divert 50 percent non-hazardous waste.

CALGreen code 5.408.4 Excavated Soil and Land Clearing Debris requires that 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing be reused or recycled. For a phased project, such material may be stockpiled on site until the storage site is developed.

Local

Eastern Municipal Water District Policies

EMWD will be the water service provider for the proposed Project. EMWD is a public agency and retail water service provider, organized and operating as a municipal water district pursuant to the Municipal Water District Law, Water Code section 71000 et seq. As such, EMWD is vested with broad statutory powers to provide water service and regulate water supply related issues within its service territory. Pursuant to that authority, EMWD adopted Ordinance 72.22 on January 3, 2007. Ordinance 72.22 was superseded by Ordinance 72.24 which became effective March 1, 2009. This ordinance discourages water waste by all customers; establishes penalties for commercial, industrial, institutional customers in non-compliance with runoff and/or irrigation requirements; and implements a tiered penalty structure for dedicated landscape meters for non-compliance with their water budget. A Procedural Guide for Procuring Landscape Irrigation Water was created and is required as a part of conditions that need to be followed prior to the issuance of landscape irrigation meters. The Procedural Guide applies to all new landscaping for public agency projects and private development projects. EMWD also implements an aggressive water use efficiency program, which is estimated to have resulted thus far in overall water savings of 28,000 AF of water when compared to pre-drought consumption figures.

Components of EMWD's water use efficiency program include:

- Commercial-Industrial-Institutional hardware incentive program: Spray valves, water-brooms, waterless urinals, conductivity controllers (moisture sensors), and X-ray processors.

- California Friendly Model Home Program: This offers financial incentives for builders to install water efficient landscaping, fixtures and appliances in new model homes, demonstrating significant water savings for homeowners.

- Residential rebates are available for water efficient landscaping improvements including for soil moisture sensor systems, rain barrels and turf removal. Outdoor conservation and water efficiency kits are also available to qualifying residential customers.

- Commercial-Industrial-Institutional Incentives and Rebates: Customers with more than 3,000 square feet of landscaping and state mandated water budgets are offered incentives and rebates for the latest irrigation technologies.

- SoCalWaterSmart.com offers a variety of rebates for commercial water savings devices.

- EMWD currently has a Commercial and Multi-Family Drip Rebate Program.

- Grant Funding Opportunities: Develop and finance innovative conservation programs using the latest technologies available.

- California Friendly Workshops: Is offered to more than 3,200 participants. Topics include California Friendly plants, composting and green waste recycling, landscape watering and fertilizing, and basic irrigation.

- Protector del Agua (PDA): Six (4-hour) landscape water management classes are provided to landscape maintenance staffs. PDA begins with basic irrigation principles of soil-plant-water relationships and concludes with irrigation scheduling.

- School classroom presentations, facilities tours and educational resources: Made available to 116,000 students in 10 school districts within EMWD's 555-square mile service area.

EMWD implemented a tiered rate billing structure for residential and landscape customers in April 2009. Customers are provided an allocation for reasonable water use and are required to pay a higher rate for water use over their allocated limit. Water savings by existing customers has been lower than was estimated prior to implementation. EMWD has lowered the water budget allocation for new development installed after January 1, 2011. Non-functional turf is prohibited.

City of Menifee General Plan

The following are applicable goals policies from the City of Menifee General Plan related to utilities and service systems:

Open Space & Conservation Policies

- OSC-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.
- OSC-7.2: Encourage water conservation as a means of preserving water resources.
- OSC-7.3: Coordinate with the Eastern Municipal Water District to educate the public on the benefits of water conservation and promote strategies residents and businesses can employ to reduce their water usage.
- OSC-7.4: Encourage the use of reclaimed water for the irrigation of parks, golf courses, public landscaped areas, and other feasible applications as service becomes available from the Eastern Municipal Water District.
- OSC-7.5: Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.
- OSC-7.6: Work with the Eastern Municipal Water District to maintain adopted levels of service standards for sewer service systems.
- OSC-7.7: Maintain and improve existing level of sewer service by improving infrastructure and repairing existing deficiencies.
- OSC-7.8: Protect groundwater quality by decommissioning existing septic systems and establishing connections to sanitary sewer infrastructure.
- OSC-7.9: Ensure that high quality potable water resources continue to be available by managing stormwater runoff, wellhead protection, and other sources of pollutants.
- OSC-7.10: Preserve natural floodplains, including Salt Creek, Ethanac Wash, Paloma Wash, and Warm Springs Creek, to facilitate water percolation, replenishment of the natural aquifer, proper drainage, and prevention of flood damage.

Land Use Goals

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

Land Use Policies

- LU-3.1: Work with utility providers in the planning, designing, and siting of distribution and support facilities to comply with the standards of the General Plan and Development Code.
- LU-3.2: Work with utility provides to increase service capacity as demand increases.
- LU-3.3: Coordinate public infrastructure improvements through the city's Capital Improvement Program.
- LU-3.4: Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.
- 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.

The following are applicable policies from the City of Menifee General Plan related to electricity and natural gas:

Services Policies

- S-1.3: Encourage the City's utility service providers to identify sections of their distribution networks that are old and/or in areas susceptible to earthquake-induced ground deformation, and to repair, replace, or strengthen the sections as necessary.

Open Space & Conservation Policies

- OSC-4.1: Apply energy efficiency and conservation practices in land use, transportation demand management, and subdivision and building design.
- OSC-4.2: Evaluate public and private efforts to develop and operate alternative systems of energy production, including solar, wind, and fuel cell. OSC-4.3: Advocate for cost-effective and reliable production and delivery of electrical power to residents and businesses throughout the community.

Land Use Policies

- LU-3.1 : Work with utility providers in the planning, designing, and siting of distribution and support facilities to comply with the standards of the General Plan and Development Code.
- LU-3.2: Work with utility provides to increase service capacity as demand increases.
- LU-3.4: Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.
- 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.

Economic Development Policies

- ED-1.4: Provide sufficient infrastructure to serve the full buildout of the City.

Natural gas service would be in accordance with SoCalGas' policy and extension rules on file with the California Public Utilities Commission at the time of contractual arrangements are made for this project.

Electricity service would be in accordance with SCE's policy and extension rules on file with the California Public Utilities Commission at the time of contractual arrangements are made for this project.

The following policy from the City of Menifee General Plan is related to solid waste:

Open Space & Conservation Policy:

- OSC-9.5: Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

4.19.3 EXISTING CONDITIONS

4.19.3.1 Water

Water service will be provided by the Eastern Municipal Water District (EMWD). EMWD serves an area of 540 square miles of Western Riverside County, including the project site.

EMWD is a public water agency, formed in 1950 by popular vote pursuant to the California Municipal Water District Law. In 1951, EMWD was annexed into the service area of the Metropolitan Water District of Southern California (MWD) and is one of MWD's member agencies. Initially, EMWD's primary role was to deliver imported water to supplement local groundwater to serve mostly agricultural demand. Over time, EMWD's services have expanded to include delivery of treated imported water for domestic use, ground water production, groundwater basin management, desalination, water filtration, wastewater collection and treatment, and regional recycled water service for agricultural and non-potable domestic applications. Presently, EMWD has four sources of water supply: potable groundwater, desalted groundwater, recycled water, and imported water from MWD.

EMWD's service area currently encompasses 555 square miles with an estimated retail population of 546,146 persons and a wholesale population of 215,075 persons. EMWD is a wholesale potable provider to the following agencies:

- City of Hemet Water Department
- City of Perris Water System
- City of San Jacinto Water Department
- Lake Hemet Municipal Water District (LHMWD)
- Nuevo Water Company
- Rancho California Water District (RCWD)

The EMWD Board of Directors adopted an updated Urban Water Management Plan (2015 UWMP) in June of 2016. This plan details EMWD's demand projections and provides information regarding EMWD"s supply. EMWD's 2015 UWMP relies heavily on information and assurances included in the 2015 MWD Regional Urban Water Management Plan (2015 RUWMP) when determining supply reliability.

The majority of EMWD's supplies are imported water purchased through MWD from the State Water Project (SWP) and the Colorado River Aqueduct (CRA). Imported water is delivered to EMWD either as potable water treated by MWD, or as raw water that EMWD can either treat at one of its two local filtration plants or deliver as raw water for non-potable uses.

EMWD's local supplies include groundwater, desalinated groundwater, and recycled water. Groundwater is pumped from the Hemet/San Jacinto and West San Jacinto areas of the San

Jacinto Groundwater Basin. Groundwater in portions of the West San Jacinto Basin is high in salinity and requires desalination for potable use. EMWD owns and operates two desalination plants that convert brackish groundwater from the West San Jacinto Basin into potable water. EMWD also owns, operates, and maintains its own recycled water system that consists of four Regional Water Reclamation Facilities and several storage ponds spread throughout EMWD's service area that are all connected through the recycled water system. As of 2014, EMWD has used 100 percent of the recycled water it produces.

The 2015 populations for EMWD and its sub agencies were primarily estimated using data from the 2014 American Community Survey at the Census tract level. An overlay of the Census tracts and the respective agency service areas in GIS was used to attribute populations to each agency. Projections for the remainder of the planning period (2020-2040) were prepared based on EMWD's proposed development projects and land uses within EMWD's borders as well as current demographic information such as household size. Table 4.19-1 shows EMWD's current and projected retail population. As shown in Table 4.19-1, the population in EMWD's service area is forecast to increase by more than 71% by 2040.

Table 4.19-1
CURRENT AND PROJECTED POPULATION

	2015	2020	2025	2030	2035	2040
Water Service Area Population[1,2]	546,146	617,100	699,800	784,100	864,200	939,100

1) Retail population for 2015 was estimated using a SWRCB reporting method using 2010 Census data and the American Community Survey for 2014. Department of Water Resources (DWR) pre-approved EMWD's methodology for estimating population.
2) Retail population projections for 2020-2040 were estimated using EMWD's Database of Proposed Projects and the 2015 State Water Resources Control Board (SWRCB) estimated population. DWR pre-approved EMWD's methodology for estimating population.
Source: EMWD's 2015 UWMP

As previously stated, EMWD has four sources of water supply: imported water purchased from MWD, local potable groundwater, local desalted groundwater and recycled water. The total retail water supply broken down into water source for planning years from 2015 to 2040 are outlined in Table 4.19-2 below. Imported water accounts for approximately 45.8 percent, groundwater accounts for approximately 12.4 percent, desalinated groundwater accounts for approximately 5.9 percent, and recycled water accounts for approximately 35.9% of EMWD's overall water supply.

Table 4.19-2
TOTAL RETAIL WATER SUPPLY (acre-feet per year)

Supply	2015	2020	2025	2030	2035	2040
Retail						
Imported Water	56,397	81,197	89,097	100,497	111,597	122,097
Groundwater	15,252	12,303	12,303	12,303	12,303	12,303
Desalinated Groundwater	7,288	7,000	10,100	10,100	10,100	10,100
Recycled Water	44,150	45,245	48,334	50,017	51,800	53,300
Total Retail Supply	**123,087**	**145,745**	**159,834**	**172,917**	**185,800**	**197,800**

Source: EMWD 2015 UWMP

EMWD plans to meet increases in projected demands through a combination of local supply development and ongoing water conservation. Future supply projects include: continuing full utilization of recycled water, expansion of the desalter program, increasing local groundwater banking, and developing additional regional water transfers and exchanges. Reasonably available volumes from local supply development were incorporated into EMWD's supply projections, and are presented in Table 4.19-2 above. New development will be required to help fund new water supply sources.

EMWD is one of the 26 member agencies that make up MWD. The statutory relationship between MWD and its member agencies establishes the scope of EMWD's entitlements from MWD. There are no set limits on supply quantities to member agencies and MWD has provided evidence in the 2015 RUWMP that its supplies will meet member agency demands during normal, historic single-dry and historic multiple-dry years within a 20-year projection.

During unprecedented shortage events, the MWD Water Supply Allocation Plan (WSAP) is implemented, requiring a reduction in demand by member agencies. Member agencies are allocated a portion of their anticipated demand, taking into account member agency population growth and investments in local resources. Water supply is not limited under the allocation plan, but water use above a member agency's allocation is charged at a much higher rate. The WSAP was approved by Metropolitan's Board in February 2008 and has since been implemented three times, most recently in April 2015. In 2014 the governor declared the State of California to be in a state of emergency due to drought. MWD did not allocate member agency supplies for 2014, but used stored water to meet demand and encouraged conservation and doubled funding for southern California water use efficiency.

EMWD relies on MWD to provide the majority of its potable water supply and a small percent of its non-potable water supply. The majority of EMWD's potable water is supplied in the northern part of EMWD by the Mills MWD Water Treatment Facility and in the southeastern portion of EMWD by the MWD Lake Skinner Water Treatment Facility. Untreated water from MWD is treated at EMWD's Perris and Hemet Microfiltration Plants for use as a potable source of water. As stated previously, EMWD will increase its reliance on MWD for imported water to meet much of the future demand caused by new development. EMWD will supplement imported sources with an increase in desalination of brackish groundwater, recycled water use and water use efficiency. EMWD has two existing desalination facilities recovering poor quality groundwater and a third desalter is in the final stages of design.

The proposed Project would be served by imported water of one of three categories: (1) treated imported water directly from the MWD, (2) untreated imported water from MWD subsequently treated by EMWD, or (3) untreated imported water treated by EMWD and recharged in the basin for later withdrawal. Water supply for the proposed Project would not include native groundwater.

EMWD's primary retail customers can be divided into residential, commercial, industrial, institutional and landscape sectors. Given the projected increase in population, water use by customer type will increase as shown in Table 4.19-3.

Table 4.19-3
RETAIL POTABLE WATER DELIVERIES BY CUSTOMER TYPE AND AMOUNT IN AFY
ACTUAL AND PROJECTED WATER USE[1]

Year	Units	SF	MF	Comm	Ind	Inst/Gov	Land[2]	Agr Potable	Agr Raw[3]	Losses[4,5]	Total
2005	# of accounts	114,100	1,000	1,500	100	40	1,500	200	-	-	**118,440**
	Actual (AFY)	62,300	5,500	3,900	400	2,900	7,500	2,400	100	9,677	**94,677**
2010	# of accounts	129,400	4,300	2,100	100	500	2,200	100	-	-	**138,700**
	Actual (AFY)	54,000	6,100	4,200	400	2,300	8,900	1,800	500	8,200	**86,400**
2015	# of accounts	136,200	4,300	2,600	200	500	2,800	700	-	-	**138,700**
	Actual (AFY)	45,735	5,830	4,603	270	2,083	7,735	1,924	941 raw + 682 brackish GW[6]	4,183	**78,937[7]**
2020	# of accounts	154,300	4,900	3,000	200	600	2,200	700	-	-	**147,300**
	Projected Deliveries (AFY)	64,800	8,300	6,500	400	3,000	7,500	1,900	1,000	7,100	**100,500**
2025	# of accounts	173,600	5,500	3,000	200	700	2,200	700	-	-	**186,200**
	Projected Deliveries (AFY)	72,900	9,300	7,300	400	3,300	7,500	1,900	1,000	7,900	**111,500**
2030	# of accounts	193,200	6,100	3,700	200	800	2,200	700	-	-	**206,900**
	Projected Deliveries (AFY)	81,100	10,300	8,100	500	3,700	7,500	1,900	1,000	8,800	**122,900**
2035	# of accounts	212,00	6,800	4,100	200	900	2,200	700	-	-	**226,900**
	Projected Deliveries (AFY)	89,000	11,400	8,900	500	4,100	7,500	1,900	1,000	9,700	**134,000**
2040	# of accounts	230,500	7,300	4,400	200	900	2,100	700	-	-	**246,200**
	Projected Deliveries (AFY)	96,800	12,300	9,700	600	4,100	7,500	1,900	1,000	10,500	**144,500**

1) Passive water savings due to the restrictions outlined in the Administrative Code are included in the demand projections for EMWD's retail service area
2) Landscape accounts are projected to remain constant/decrease over time due to anticipated conversion to recycled water
3) The total number of Agricultural Customers are accounted for under "Agr Potable"
4) Losses do not account for any specific customer amount
5) Projections for losses in the table include system losses (real and apparent) and unbilled, authorized consumption.
6) In 2015, brackish groundwater was used to supplement the recycled water system due to higher than average agricultural demands.
7) Total reflect inclusion of 1,507 AF of drinking water used for temporary construction meters, etc. and 3,444 AF of drinking water used by unbilled, authorized consumption

Source: EMWD 2015 UWMP

In addition to retail customers, EMWD provides wholesale water to other agencies. Actual and projected sales are provided in Table 4.19-4.

Table 4.19-4
WHOLESALE WATER TO OTHER AGENCIES 2005-2040

Water Distributed	Actual Sales (AF)			Projected Sales (AF)				
	2005	2010	2015	2020	2025	2030	2035	2040
City of Hemet	100	0	0 DW	0	0	0	0	0
City of Perris	1,900	1,700	1,542 DW	1,800	1,900	2,000	2,100	2,200
City of San Jacinto	0	0	0 DW	0	0	0	0	0
Nuevo Water Company	800	600	247 DW	400	500	600	600	700
Murrieta Water Company	100	1,600	728	2,500	3,900	5,200	6,500	7,900
Rancho California Water District	26,300	21,900	14,940	33,600	35,200	36,900	38,600	40,200
Lake Hemet MWD[1]	100	1,300	4,311	4,700	5,100	5,500	5,900	6,300
Hemet - San Jacinto Basin Plan Water Master[-2]	0	0	0	7,500	7,500	7,500	7,500	7,500
Total	**29,300**	**27,100**	**21,768**	**50,500**	**54,100**	**57,700**	**61,200**	**64,800**

1) Deliveries to Lake Hemet Municipal Water District may be in the form of recharge managed through the Hemet/San Jacinto Water Management Plan.
2) Groundwater recharge will occur under the Hemet/San Jacinto Water Management Plan.

In addition to potable and raw water demands, EMWD also uses recycled water for beneficial uses such as municipal, industrial, landscape, agricultural and environmental use. Total current and projected retail and wholesale recycled water demands are summarized in Table 4.19-5 and Table 4.19-6, respectively, along with retail and wholesale total potable and raw water use.

Table 4.19-5
RETAIL TOTAL WATER DEMANDS (AFY)

	2015	2020	2025	2030	2035	2040
Potable and Raw Water	78,937	100,500	111,500	122,900	134,000	144,500
Recycled Water	44,150	45,245	48,334	50,017	51,800	53,300
Total Water Demand	**123,087**	**145,745**	**159,834**	**172,917**	**185,800**	**197,800**

Table 4.19-6
WHOLESALE TOTAL WATER DEMANDS (AFY)

	2015	2020	2025	2030	2035	2040
Potable and Raw Water	21,768	50,500	54,100	57,700	61,200	64,800
Recycled Water	1,235	1,656	4,766	5,183	5,600	5,600
Total Water Demand	**23,003**	**52,156**	**58,866**	**62,883**	**66,800**	**70,400**

EMWD's 2015 UWMP discusses the supply reliability for EMWD during dry years. The supply for dry years is driven by demand. Demand increases slightly during dry years, primarily due to increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation measures as dry periods are extended. Table 4.19-7 shows the Retail Normal Year versus a Single Dry Year comparison in AFY, while Table 4.19-8 shows the Wholesale Normal Year versus a Single Dry Year comparison in AFY. The single-dry year represents the year with the lowest water supply available to the agency. EMWD's single-dry year is represented using 1977 hydrologic conditions. EMWD's Water Supply Strategic Plan (2016) conducted a study to analyze potential changes in demand due to dry, hot conditions. The study estimated up to a 14 percent increase in retail water demand could occur under these conditions.

Table 4.19-7
RETAIL NORMAL YEAR VERSUS A SINGLE DRY YEAR COMPARISON IN AFY

	Planning Year	Supply Totals	Demand Totals	Difference
Normal Year	2020	145,745	145,745	0
	2025	159,834	159,834	0
	2030	172,917	172,917	0
	2035	185,800	185,800	0
	2040	197,800	197,800	0
Dry Year	2020	166,300	166,300	0
	2025	182,400	182,400	0
	2030	197,400	197,400	0
	2035	212,000	212,000	0
	2040	225,700	225,700	0

Table 4.19-8
WHOLESALE NORMAL YEAR VERSUS A SINGLE DRY YEAR COMPARISON IN AFY

	Planning Year	Supply Totals	Demand Totals	Difference
Normal Year	2020	52,156	52,156	0
	2025	58,866	58,866	0
	2030	62,833	62,833	0
	2035	66,800	66,800	0
	2040	70,400	70,400	0
Dry Year	2020	58,500	58,500	0
	2025	66,200	66,200	0
	2030	70,700	70,700	0
	2035	75,200	75,200	0
	2040	79,300	79,300	0

Table 4.19-7 and Table 4.19-8 demonstrate that EMWD will have sufficient supplies to meet both retail and wholesale demands from 2020 to 2040 under single-dry year conditions, despite an increase in demands. As stated previously, it is anticipated that the majority of water for future development will be supplied by imported water from MWD recognizing the conditions of approval outlined in the WSA. MWD does not place imported water limits on a member agency, but predicts the future water demand based on regional growth information. MWD stated in its

2015 RUWMP that MWD would have the ability to meet all member agencies projected supplemental demand through 2040 even under repeat of historic drought scenarios.

In January 2016, EMWD updated its Water Shortage Contingency Plan (WSCP). In the case of shortage, EMWD will reduce demand using significant penalties for wasteful water. EMWD's WSCP details the plan for demand reduction for several stages of shortage through a 50 percent of greater reduction. Additional information about contingency planning is included in Chapter 8 of EMWD's 2015 UWMP. The most recent modification included additional restriction on water use in Stage 4c of the WSCP. In 2015 and 2016, EMWD implemented Stage 4 of its WSCP to meet the requirements of the SWRCB Emergency Regulation. The required reduction did not reflect EMWD's supply reliability. Stage 4 occurs when up to 50% of the supply of water is reduced; the condition is Mandatory Outdoor Reduction. At this stage efforts will be focused on mandatory reduction of outdoor water use. MWD is supplementing EMWD and other member agencies' water supply from their storage, and therefore, conservation is required to prevent limiting water allocations if the drought continues. Current actions are consistent with EMWD contingency planning.

4.19.3.2 Wastewater

There is no wastewater generated on the proposed Project site under existing conditions. Implementation of the proposed Project would require installation of a system to collect wastewater for treatment at a centralized system. Since EMWD is the regional wastewater collection and treatment agency for the project area, the future onsite wastewater will be delivered to an existing EMWD Wastewater Treatment Facility.

EMWD operates four water reclamation facilities (Moreno Valley, Perris Valley, Hemet-San Jacinto Valley and Temecula Valley) and treats some 48.6 million gallons of wastewater daily (MGD).

EMWD will provide sewer service to the project; their wastewater collection system includes over 1,800 miles of sewer lines, 50 sewage lift stations, and 4 operational regional water reclamation facilities (RWRF), which have a combined capacity of 81,800 AFY. According to EMWD's Agency Profile, dated March 2018, EMWD treated an average of 43 MGD during the 2016/2017 fiscal year.

Table 4.19-9
EMWD WASTEWATER TREATMENT FACILITIES

Treatment Plant	Typical Daily Flow (MGD)	Current Capacity (MGD)	Ultimate Expansion (MGD)
Moreno Valley RWRF	11.2	16	41
Perris Valley RWRF	13.8	22	100
Hemet/San Jacinto RWRF	6.0	14	27
Temecula Valley RWRF	14.0	18	28

Source: EMWD Agency Profile, March 2018

EMWD currently serves the project area with a sewer main that is located within Haun Road adjacent to the Project, and a sewer main along both Garbani Road and Haun Road. As shown in Exhibit 10b of Chapter 3 of this Draft EIR, the project will connect to existing 18" PVC sewer

at two locations (south and north of the drainage channel within the project site) along Haun Road. The project will construct an 8" sewer main throughout the site to serve the proposed new uses of the Mill Creek Specific Plan. The proposed off-site sewer facilities must be installed prior to occupation of development on the proposed Project site. Sewer flows generated by the project will ultimately be treated and disposed of by EMWD's existing Perris Valley Regional Water Reclamation Facility (RWRF). Perris Valley RWRF currently receives sewage from ~120-square-mile area that includes Perris, Sun City, Romoland, Homeland, and a portion of Moreno Valley. The Perris Valley RWRF facility is sited on approximately 228 acres just west of Interstate 215 and south of Highway 74, in the City of Perris (approximately 10 miles north of the project site).

The EMWD expanded the capacity of the Perris Valley RWRF's to 22 MGD on April 2, 2014. Solids from the Perris Valley RWRF are currently removed and sent to Arizona for use as agricultural fertilizer. Wastewater at this facility is treated to tertiary levels of treatment, and the recycled water is sold to customers within the District for irrigation of golf courses, parks, agriculture, public landscaping, school fields and industrial processes. According to EMWD's 2015 UWMP, in 2015 the Perris Valley RWRF treated 12,876 AF of wastewater; 9,646 AF of recycled water was generated as a result. In 2015, EMWD generated total of 34,001 AF of recycled water, all of which was utilized within its service area.

4.19.3.3 Recycled Water

EMWD operates and maintains four regional water reclamation facilities. These facilities treat water collected in EMWD's wastewater system for use as recycled water. As indicated above, EMWD sold 34,001 AF of recycled water in 2015 to customers within its service area. In 2015, EMWD produced 45,385 AF of recycled water for distribution to retail and wholesale customers throughout its service area. System losses such as storage pond evaporation and incidental recharge accounted for 11,384 AF of this quantity, and the remainder was available as a supply. The majority of recycled water sold is used for agricultural irrigation. A portion of the water sold for agriculture is used in lieu of groundwater, preserving the groundwater basin and improving water supply reliability. In addition to meeting agricultural demand, recycled water sales to municipal customers are increasing rapidly as residential and urban development replaces irrigated farmland. Additionally, landscape irrigation is an emerging market. Per the EMWD Recycled Water System information sheet, recycled water had grown to account for 35 percent of the EMWD overall water supply portfolio by 2017. EMWD has used 100 percent of its recycled water supply for beneficial use in its 555-square mile service area, four out of the last five years (2013-2018). EMWD has more than 400 recycled water customers, 24 active pumping facilities, and more than 200 miles of recycled water pipeline as of the 2016/17 Fiscal Year.

The project may utilize recycled water provided by EMWD where feasible. Examples include irrigation for the community and neighborhood parks as well as for public area landscaping along roadways. A recycled water line exists approximately 1.2 miles north of the project on Haun Road. Construction of the on and off-site facilities needed to serve the project with recycled water are a part of the project and will allow for the project to reduce its demand for potable water supply in the future as more and more recycled water becomes available. In addition, mitigation presented below requires reductions of potable water use and requires use of recycled water for irrigation through implementation of future development standards for the project. This could include use for residential landscaped areas, where adequate quality of water can be supplied. To provide recycled water, EMWD will require proof of permits through

Regional Board and California Department of Public Health, as appropriate, from the entity responsible for the landscape maintenance and irrigation where the water is used (e.g., park district, transportation department, owners association).

4.19.3.4 Electricity

Southern California Edison Company (SCE) is the primary distribution provider for electricity in the project area. SCE provides service to customers within a 50,000 square mile area of central, coastal, and southern California, including the City of Menifee. CE is upgrading and expanding its electricity-distribution network of more than the 700 substations, 104,000 miles of circuits, and 1.5 million poles that provide electricity to nearly 14 million Californians. SCE electricity transmission lines connect the City of Menifee with power sources from Northern California, Arizona, and southern California. A transmission corridor traverses east to west through Riverside County and serves the SCE Valley Substation located at the intersection of Menifee Road and Highway 74.

The Valley South Subtransmission Project is the SCE project that has been proposed to upgrade the existing electrical infrastructure in the Project area and improve overall electrical reliability. SCE has submitted its Permit-to-Construct application to the California Public Utilities Commission. The project is currently in the regulatory review process . The Valley South Subtransmission Project would add electric capacity to serve long-term forecasted electrical demand requirements in Menifee, Murrieta, Temecula, Wildomar, and portions of unincor¬porated communities of southwestern Riverside County, including the proposed Project site. SCE's existing electrical infrastructure serves the project area. According to the Valley South Subtransmission Project: Powering the Region for the 21st Century the project would install new 115 kV subtransmission line and equipment modifications at the Valley substation located just east of the 215 Freeway in the City of Menifee. SCE has initiated the application process for the Subtransmission Project and anticipates that construction could begin in late-2017 and be completed by late-2019, however, as of 2018, the project construction has not yet begun.

The SCE power mix in 2013 was 22% eligible renewable, 6% coal, 4% large hydroelectric, 28% natural gas, 6% nuclear and 34% unspecified sources of power. "Unspecified sources of power" refers to electricity from transactions that are not traceable to specific generation sources.'

According to the City of Menifee General Plan EIR, the net increase in electricity demands due to General Plan Build out is well within the total estimated electricity consumption in SCE's service area.

4.17.3.5 Natural Gas

Southern California Gas Company (SoCalGas) is a gas-only utility that serves residential, commercial, and industrial customers and provides gas for enhanced oil recovery and electricity production. SoCalGas serves 12 counties: Fresno, Imperial, Kern, King, Los Angeles, Orange, Santa Barbara, San Bernardino, San Luis Obispo, Tulare, Ventura, and Riverside. Natural gas is a "fossil fuel," indicating that it comes from the ground, similar to other hydrocarbons such as coal or oil. SCGC purchases natural gas from several bordering states. Interstate pipelines serve California. Most of the major natural gas transmission pipelines in the City of Menifee are owned and operated by SoCalGas. The Public Utilities Commission (PUC) regulates SoCalGas,

who is the default provider required by law, for natural gas delivery to the County. SoCalGas has capacity and resources to deliver gas except in certain situations that are noted in State law. As development occurs, SoCalGas will continue to extend its services to accommodate development and supply necessary gas lines. SoCalGas is continuously expanding its network of gas pipelines to meet the needs of new commercial and residential developments in Southern California.

The SoCalGas Gas Transmission Interactive Pipeline – Riverside website , identifies locations of Transmission Lines, large diameter pipelines that operate at pressures above 200 psi and transport gas from supply points to the gas distribution system, and High Pressure Distribution Lines, pipelines that operate at pressures above 60 psi and deliver gas in smaller volumes to the lower pressure distribution system. According to the SoCalGas Gas Transmission Interactive Pipeline – Riverside, The closest Transmission Line to the Project site runs generally north-south in the vicinity of El Centro Road approximately 2 miles to the east of the Project site. The closest High Pressure Distribution Lines are located approximately 2 miles southeast of the Project site at the intersection of Menifee Road and Scott Road; approximately 2 miles to the north of the Project site at the intersection of Haun Road and Newport Road, and approximately 2.5 miles south of the Project Site at the intersection of Keller Road and I-215. The City of Menifee General Plan EIR states that the estimated net increase in natural gas demands due to General Plan buildout is about 1.21 billion kBTU per year, or 1.17 billion cubic feet per year. Estimated natural gas consumption by General Plan buildout would be well within forecast Gas Company natural gas supplies, and General Plan buildout would not require the Gas Company to acquire new or expanded natural gas supplies.

4.17.3.6 Solid Waste

The City of Menifee receives solid waste management services from Waste Management of the Inland Empire (WM). WM is the City's franchise hauler for refuse, recycling and green waste materials. Menifee residents are provided with 3 96-gallon carts; 1 for regular trash, 1 for green waste, and 1 for commingled recyclables. All trash, green waste and recyclables are collected on the same service day once a week. If the project is implemented as proposed, it will result in development of an urban/suburban specific plan area with mixed uses that will replace the existing vacant land. The increase in population due to this proposed change in land use will increase generation of solid waste and generate demand for disposal capacity at County landfills. The potential significance of this increase in generation and demand for solid waste disposal capacity is evaluated in the following text and the mitigation measures that need to be incorporated to reduce or control impacts to a less than significant impact level are identified for implementation.

The dry land farming that has occurred historically on the site would have produced minimal waste that would have been conveyed by the farmer, owner or contractor to a local landfill that accepts refuse from individuals.

The project site is located approximately 19 miles southeast of the El Sobrante Landfill, which is located east of Interstate 15 and Temescal Canyon Road to the south of the City of Corona and Cajalco Road at 10910 Dawson Canyon Road. The landfill is owned and operated by USA Waste of California, a subsidiary of Waste Management, Inc., and encompasses 1,322 acres, of which 645 acres are permitted for landfill operation. According to Solid Waste Facility Permit (SWFP) # AA-33-0217 issued on 09/09/2009, the El Sobrante Landfill has a total disposal capacity of approximately 209.91 million cubic yards and can receive up to 16,054 tons per day

(TPD) of refuse. According to CalRecycle, the remaining capacity is 184,930,000 tons[2], and the estimated closure date is 01/01/2045, in approximately 27 years. According to Waste Management's Fact Sheet about the El Sobrante Landfill, the facility currently processes 2 million tons annually[3].

The project site is located approximately 19 miles south of the Badlands Landfill, which is located in the City of Moreno Valley at 31125 Ironwood Avenue and can be accessed from State Highway 60 at Theodore Avenue. The Badlands Landfill is a regional municipal solid waste landfill that is owned and operated by Riverside County. The existing landfill encompasses 1,168.3 acres, of which 150 acres are permitted for refuse disposal and another 96 acres are designated for existing and planned ancillary facilities and activities. The landfill is currently permitted to receive 4,000 TPD and had an estimated total capacity of approximately 34,400,000 cubic yards (CY). As of January 1, 2015, the landfill has a remaining capacity of 15,748,799 CY. The Badlands Landfill is projected to reach capacity, at the earliest time, in 2022. During 2013, the Badlands Landfill accepted a daily average volume of 1,980 tons and a period total of approximately 607,977 tons. Further landfill expansion potential exists at the Badlands Landfill site.

Utilizing the Environmental Protection Agency's *Estimating 2003 Building-Related Construction and Demolition Materials Amounts* report from March 2009[4], the table below (Table 4.19-10) estimates the construction related solid waste generation for the proposed Mill Creek Promenade Specific Plan Project.

Table 4.19-10
ESTIMATED CONSTRUCTION-RELATED SOLID WASTE GENERATION

Proposed Land Use	Size (SF)	Generation Factor (lbs per SF)	Total Construction Waste Generated Annually (tons)
Residential	648,740[1]	4.39	1423.98
Non-Residential	150,266	4.34	326.57
TOTAL PROJECTED CONSTRUCTION WASTE			**1,750.55**
Disposal Facility		**Disposal Capacity (tons/year)[2]**	**Percent of Yearly Intake[3]**
Badlands Landfill		1,460,000	0.060
El Sobrante Landfill		5,859,710	0.015
TOTAL		**7,319,710**	**0.075**

[1]Assumes an average residential dwelling unit size of 1,6300 SF (398 proposed units x 1,630 SF); excludes garage square footage
[2] Daily Disposal capacity multiplied by 365 days per year (Source: CalRecycle)
[3] Assumes 2 years for construction: (Total Construction Waste Generated/1 years of construction/Disposal Facility Capacity) x 100
Source: EPA, *Estimating 2003 Building-Related Construction and Demolition Materials Amounts,* March 2009

The City of Menifee General Plan Draft EIR estimates solid waste generation rates within the City for Residential, Commercial Non-Retail, Commercial Retail, Heavy Industrial, and Light Industrial/Light Manufacturing land uses. CalRecycle estimates solid waste generation rates

[2] http://www.calrecycle.ca.gov/SWFacilities/Directory/33-AA-0217/Detail/
[3] https://www.wmsolutions.com/pdf/factsheet/El_Sobrante_Landfill.pdf
[4] https://www.epa.gov/sites/production/files/2017-09/documents/estimating2003buildingrelatedcanddmaterialsamounts.pdf

based on previous environmental documents on their website[5] for restaurant uses. For Residential uses, the estimated solid waste generation rate is 10 lbs. per household per day; for Commercial Non-Retail uses, the estimated solid waste generation rate is 0.013 lbs. per 1 SF per day; for Commercial Retail uses, the estimated solid waste generation rate is 0.006 lbs. per 1 SF per day; for Restaurant uses, the estimated solid waste generation rate is 0.005 lbs. per 1 SF per day; and the estimated solid waste generation rate for Business Park/Industrial use is 0.0142 lbs. per 1 SF per day. Utilizing these solid waste generation rates, the 398 proposed residential dwelling units would generate approximately 1.99 TPD or 726.25 tons/year; the 20,640 SF of proposed Commercial Non-Retail uses would generate approximately 0.13 TPD or 49 tons/year; the 89,200 SF of Commercial Retail uses would generate approximately 0.27 TPD or 98 tons/year; the 7,368 SF of Restaurant uses would generate approximately 0.018 TPD or 6.72 tons/year; and finally, the Business Park/Industrial uses would generate approximately 0.24 TPD or 86 tons/year. The total annual waste disposal expected for the entirety of the project can be estimated at approximately 965.97 tons per year.

4.19.4 THRESHOLDS OF SIGNIFICANCE

According to Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

UTIL-1 Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.

UTIL-2 Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.

UTIL-3 Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the Lead Agency shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et. seq. (SB 610), and the requirements of Government Code Section 66473.7 (SB 221).

UTIL-4 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

UTIL-5 Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.

UTIL-6 Comply with federal, state, and local statutes and regulations related to solid waste.

UTIL-7 Adversely affect the existing electricity and natural gas systems within the project area (NOTE: The City of Menifee General Plan EIR states that “No specific CEQA thresholds apply to electricity, natural gas, or telecommunications”.)

[5] https://www2.calrecycle.ca.gov/WasteCharacterization/General/Rates#Commercial

4.19.5 METHODOLOGY

This subchapter evaluates the level of adverse impact to the utilities and service systems that is forecast to occur if the project is implemented as proposed. In order to identify potential resources, the proposed project was compared against existing service levels, project service levels, of utilities provided at the project site.

4.19.6 ENVIRONMENTAL IMPACTS

UTIL-1 Would the project exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

The issue of water quality and Regional Board treatment requirements is addressed in the Hydrology Section under issue of the DEIR. The proposed Project will develop on site sewer lines to connect to EMWD's existing sewer system, as shown on Exhibit 10b. Wastewater from the project site will be delivered to the Perris Valley RWRF. Wastewater generated from the type of development proposed by the Mill Creek Promenade Specific Plan rarely contains constituents that would cause a wastewater treatment plant to exceed Regional Board requirements as established in a Wastewater Discharge Regulation (WDR). No adverse impact from generation of wastewater onsite is forecast to result from project implementation. As described the under Hydrology and Water Quality section of this DEIR, the proposed Project is implementing storm water quality controls that will meet the MS4 requirements of the Regional Board, County, and City.

UTIL-2 Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Water Facilities

Water Treatment Facilities

The proposed Mill Creek Specific Plan includes attached townhome high density residential units, single family detached high density residential homes, commercial/retail, office, restaurant, open space, and business park development within a 58.51-acre site. The land use considered for the 58.51-acre project area in the 2015 UWMP demand projection was business park/light industrial, which would have an estimated annual demand of 144.3 AF. However, the WSA estimates that the annual water demand for the Proposed Project is 182.3 AF, which is an excess of 38.0 AF beyond the demand that was projected in the 2015 UWMP. The underlying land use of the project is Economic Development Corridor (EDC); however, the project consists of the creation of a Specific Plan, and will include Commercial uses, Business Park uses, High Density Residential uses, and Open Space and Circulation uses. The estimate of annual demand for this project is shown below in Table 4.19-11 below.

Table 4.19-11
PROJECT DEMAND ESTIMATE

Land Use Category	Base Unit	Project Size	Flow Factor (GPD/ unit)	Average Day Demand (GPD)	Annual Demand (MG)	Annual Demand (AFY)
High Density Residential	Dwelling Unit	398	310	123,380	45.06	138.30
Commercial Retail	Acre	15.02	2,200	33,044	12.07	37.04
Open Space	Acre	3.33	0	0	0	0
Business Park	Acre	2.83	2,200	6,204	2.27	6.95
			TOTAL:	**162,628 GPD**	**59.40 MGY**	**182.29 AFY**

GPD = Gallons Per Day; MG = Million Gallons; MGY = Million Gallons Per Year; ADY = Acre Feet per Year; DU = Dwelling Unit

The demand for this project is estimated based on average annual demand from similar land use and is for supply planning only. As stated above, the water demand for the proposed Project is 38.0 AF beyond the demand that was projected in the 2015 UWMP. EMWD relies on MWD to meet the needs of its growing population. MWD stated in the 2015 UWMP – MWD that with the addition of all water supplies, existing and planned, MWD has the ability to meet all of its member agencies' projected supplemental demand through 2040, even under a repeat of historic multiple-year drought scenarios.

Based on present information and the assurance that MWD is engaged in identifying solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies, EMWD has determined that it will be able to provide adequate water supplies to meet the potable water demand for this project as part of its existing and future demands.

Actual water use will be reduced through conservation and the use of recycled water. EMWD policy recognizes recycled water as the preferred source of supply for all non-potable water demands, including irrigation of recreation areas, greenbelts, open space common areas, commercial landscaping, and supply for aesthetic impoundment or other water features. According to the District's policies, the project may be conditioned to construct a recycled water system separately from the potable water system. The system will need to be constructed to recycled water standards. The project may also be condition to construct off-site recycled water facilities. EMWD will make a final determination on requirements for recycled water use and facilities during the plan of service phase of the project.

This project will be required to meet the requirements of EMWD's water use efficiency ordinance(s) in place at the time of construction, which will offset demand for water resources. The proposed Project will require the construction of new water supply lines within the project site, which will provide potable water to the site once developed. Recycled water supply lines are not available in the immediate vicinity of the project site and will require new recycled water pipeline offsite to enable recycled water to be distributed to the project site. Fundamentally, most water facilities can be installed without causing any significant adverse environmental effects, with the implementation of **Mitigation Measures 4.19-1** and **4.19-2**, including avoidance and compensation measures. However, as individual EMWD water facilities are proposed in the future, these facilities will require site specific CEQA evaluation at the time development occurs. Based on the ability to implement mitigation for such facilities in the future, the finding in

this document is that such facilities can be installed without causing significant adverse environmental effects. Because these are recommendations by EMWD, the following mitigation measures shall be implemented for this project.

Mitigation Measure 4.19-1:
The applicant shall implement EMWD's Indoor Guidelines and Recommendations as outlined in the EMWD Water Efficient Guidelines for New Development report, including, but not limited to the following:

- *1.0 gallon per flush (GPF) Toilets;*
- *0.5 gallon per minute (GPM) maximum flow rate aerators Bathroom Faucets;*
- *1.8 GPM maximum flow rate Kitchen Faucets;*
- *1.5-1.75 GPM maximum flow rate at 80 pounds per square inch (PSI);*
- *If installed by the developer/builder, clothing washers shall be ENERGY STAR rated, which currently has a maximum volume allowance of 15 gallons per load, or a water factor of 4.0 or less;*
- *If installed by the developer/builder, dishwashers shall be ENERGY STAR qualified and not use more than 5.8 gallons per cycle.*
- *Where the hot water source is more than 10 feet from a fixture, the potable water distribution system shall convey hot water using one of the following methods:*
    - *A central manifold plumbing system with parallel piping configuration ("home-run system") is installed using the smallest diameter piping allowed by the California Plumbing Code or an approved alternate; or,*
    - *The plumbing system design incorporates the use of an on-demand controlled circulation pump; or,*
    - *A gravity-based hot water recirculation system; or,*
    - *A timer-based hot water recirculation system. Other methods approved by the enforcing agency.*

Mitigation Measure 4.19-2:
Landscaping on site shall be developed to require less than 70% of evapotranspiration water budget allocation as defined by EMWD.

With the incorporation of these mitigation measures, impacts associated with the need for water treatment facilities will be less than significant.

Potable Water

With respect to water supply, as discussed previously, potable water for the proposed Project would be sourced from MWD imported water. From a facilities perspective, the proposed Project would be conditioned to construct on-site water facilities needed to distribute water

throughout the project area. Prior to construction, the developer should contact EMWD staff to develop a Plan of Service for the proposed Project and determine if any revisions are required to the master plan. As shown in Exhibit 10a, an existing potable water pipelines are located within Haun Road and Garbani Road adjacent to the project site, and the project will connect to one existing 12" PVC water pipeline within Haun Road, and three existing 18" PVC water pipelines within Garbani Road.

Recycled Water

EMWD policy recognizes recycled water as the preferred source of supply for all non-potable water demands, including irrigation of recreation areas, green-belts, open space common areas, commercial landscaping, and supply for aesthetic impoundment or other water features.

The proposed Project is near an existing recycled water line located within Haun Road approximately 1.2 miles north of the project on Haun Road. Construction of the on and off-site facilities needed to serve the project with recycled water are a part of the project and will allow for the project to reduce its demand for potable water supply in the future as more and more recycled water becomes available. According to EMWD policy, the Project will be conditioned to construct a recycled water system physically separated from the potable water system. The system will need to be constructed to recycled water standards. The project may also be conditioned to construct off-site recycled water facilities. EMWD will make a final determination on requirements for recycled water use and facilities during the design phase of the project. The landscape areas in this Project will be designed to use recycled water to the greatest extent possible. The proposed Project is committed to utilizing recycled water to the extent feasible.

Construction of the on-site facilities needed to serve the project with recycled water are a part of the project and will allow for the project to reduce its demand for potable water supply in the future as more and more recycled water becomes available. In addition, mitigation presented above requires reductions of potable water use and requires use of recycled water for irrigation through implementation of future development standards for the project. Additionally, in the WSA EMWD indicated that it would make the final determination on requirements for recycled water use and facilities in the Plan of Service that will be developed for the proposed Project. This could include use for residential landscaped areas or for the area designated for open space on site, where adequate quality of water can be supplied. To provide recycled water, EMWD will require proof of permits through Regional Board and California Department of Public Health, as appropriate, from the entity responsible for the landscape maintenance and irrigation where the water is used (e.g., park district, transportation department, owners association).

Conclusion

Based on present information and the assurance that MWD is engaged in identifying solutions that, when combined with the rest of its supply portfolio, will ensure a reliable long-term water supply for its member agencies, EMWD is anticipated to be able to provide adequate water supply to meet the potable water demand for the project in addition to existing and future demands.

The WSA is not a commitment to serve the project but a review of EMWD supplies based on present information available. The lead agency for the project is responsible to evaluate the adequacy of the water supply assessment and make the ultimate decision of the sufficiency of the water supply. In the event that the lead agency determines adequate water supply exists for

this project, the developer of this project is required to meet with EMWD staff to develop a Plan of Service. The Plan of Service will detail water, wastewater and recycled water requirements to serve the project. An agreement developed prior to construction will determine what additional funding is required in order to reduce existing customer demand on imported supplies. Reduced demand on imported supplies may occur through increased efficiency or conservation at existing water user locations or through the expansion of local supplies through increase desalination or other methods. The reduction of existing customer demand on imported water supplies would free up allocated imported water to be used to serve this project under multiple dry year conditions. The amount of additional funding required will be determined by the EMWD and may be a component of connection fees or a separate charge. As an example, the estimated cost of desalinated water is currently between $1,400 and $1,700 per AF and is expected to increase over time. If there is a change in the circumstances detailed in the WSA, EMWD will address the changes in the Plan of Service for the project. Modifications at the Plan of Service stage could reduce the amount of water available to serve this project.

The Project proponent is responsible for keeping EMWD informed about progress in the planning and development of the Project so that a review can be completed. The Project applicant shall notify EMWD on the status of this project, and the lead agency shall request a review and update of this WSA every three (3) years until the Project starts construction. The WSA shall be subject to cancellation by a written Cancellation Notice to the lead agency if the Project applicant fails to provide an update of this Project every three years. Details about the extent of recycled water use will be included in the Plan of Service for the project. Based on the available information contained within EMWD's 2015 UWMP and outlined in the analysis above, the proposed Project can be served water by EMWD without causing a significant adverse impact. Impacts would be less than significant with the incorporation of mitigation.

Wastewater Treatment Facilities

The project is located within the EMWD and has historically been a rural residential and agricultural area served by the Sun City RWRF, the Perris Valley RWRF and private septic systems. The site has historically been used to support dry farming activities. There is no evidence of any existing subsurface septic tank/leach line systems on the site. Development of the Project would result in the increase in production of residential and nonresidential wastewater as compared with existing conditions.

The project will connect to an existing sewer line at two locations within Haun Road. The project would install sewer lines, as depicted in Exhibit 13 of the Project Description. Wastewater flows generated by the Project would ultimately be treated and recycled/disposed of by EMWD's existing Perris Valley RWRF. As of March of 2018, Perris Valley RWRF treated nearly 14 MGD of wastewater and had a treatment capacity of 22 MGD. If the entire 182.3 AFY of water demand estimated by the analysis presented above were conveyed to the wastewater system, the proposed Project would generate up to about 0.1626 MGD of wastewater. The actual quantity of wastewater generated would be much less than the total water demand. If an estimated 70% of the Project's water demand would be used for exterior water (landscaping, etc.), only the remaining 30% would contribute to wastewater generation, creating about 0.0488 MGD of wastewater from the proposed Project. Regardless, even if the entire water demand of the proposed Project were converted to wastewater, the newly expanded Perris Valley facility currently operates with 8 MGD of excess capacity and would have adequate capacity to treat all of the wastewater from the proposed Project. Project related sewer facilities may result in short-term construction related impacts which have been addressed throughout this DEIR. Potential

adverse short-term impacts associated with wastewater line installation may include air quality, GHG, noise and traffic/transportation impacts. Mitigation has been incorporated to the relevant sections of this DEIR to reduce the short-term impacts of construction activities to the extent feasible. The proposed Project is expected to have a less than significant impact on environment with respect to the construction of new wastewater treatment facilities and related facilities with implementation of proposed mitigation measures identified in the applicable section of this DEIR (AQ, GHG, noise and traffic/transportation).

UTIL-3 Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed? In making this determination, the Lead Agency shall consider whether the project is subject to the water supply assessment requirements of Water Code Section 10910, et. seq. (SB 610), and the requirements of Government Code Section 66473.7 (SB 221)?

Please refer to the analysis discussed under Impact UTIL-2, above. Based upon the information provided in the review and analysis above, the lead agency has determined that adequate water supply is available to serve the project. As such, the project proponent is required to meet with EMWD staff to develop a Plan of Service. The Plan of Service will detail water, wastewater and recycled water requirements to serve the project. The agreement must be developed prior to construction and will determine what additional funding is required to reduce existing customer demand on imported supplies. As stated previously, the reduction of existing customer demand on imported water supplies will free up allocated imported water to be used to serve this project under multiple dry year conditions. The amount of additional funding required will be determined by the EMWD and may be a component of connection fees or a separate charge. As an example, if increased desalination is determined to be required, the estimated cost of desalinated water is currently between $1,400 and $1,700 per AF, and the cost is expected to increase over time. Modifications at the Plan of Service stage could reduce the amount of water available to serve this project. Compliance with **Mitigation Measures 4.19-1 and 4.19-2**, described above, will ensure that the Plan of Service, along with all other EMWD Guidelines for New Development, are implemented. With incorporation of these measures, impacts will be less than significant.

UTIL-4 Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.

As stated above, the newly expanded 22 MGD Perris Valley facility is currently processing ~14 MGD and would have adequate capacity to treat the maximum 0.1626 MGD of wastewater generated from the proposed Project even if the entire 182.3 AFY of water demand estimated in the analysis above were converted to wastewater. No significant adverse impact to wastewater treatment services or capacity is anticipated with implementation of the proposed Project. Impacts would be less than significant.

UTIL-5 Would the project be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs; and

UTIL-6 Would the project comply with federal, state, and local statutes and regulations related to solid waste?

According to the 2008 Statewide Waste Characterization Study, referenced on the California Department of Resources Recycling and Recovery (CalRecycle) website, C&D materials account for 29 percent of the waste stream. Many of these materials can be reused or recycled, thus prolonging our supply of natural resources and potentially saving money in the process. The Study found that the 10 most prevalent material types of the commercial self-hauled waste stream by weight were lumber, asphalt roofing, gypsum board, and other ferrous metal that are readily recyclable and, together, account for about 39 percent of this waste stream.

In accordance with CALGreen code 5.408.4, 100 percent of trees, stumps, rocks and associated vegetation and soils resulting primarily from land clearing must be reused or recycled. As this is a mandatory requirement, no mitigation is required to ensure compliance.

Based on the fact that no demolition is required as part of the proposed Project, construction waste reduction/diversion would be the focus of recycling/reuse. Because of increased construction recycling efforts resulting from CalGreen and other regulations, opportunities for construction recycling are becoming easier to find. The County of San Bernardino Construction & Demolition Waste Recycling Guide & Directory lists construction recyclers located throughout Southern California including wood recyclers located in Romoland, Murrieta and Lake Elsinore; asphalt, concrete and rock recyclers located in Romoland and Hemet.

There are also general construction materials recyclers, such as one in Palm Desert that accepts a wide range of construction and demolition debris materials: asphalt, concrete, drywall, gravel, reusable/deconstructed material, pallets, sand, soil, and wood. Or another recycler in Mira Loma which accepts asphalt including broken asphalt and concrete, brick, clean concrete and concrete with rebar, drywall, metal, other reusable/decon¬structed material, and roofing.

Other construction debris recycling/reuse strategies could include on-site crushing and reuse of concrete/asphalt. Unused or slightly damaged construction materials and fixtures can be donated to a non-profit, such as Habitat for Humanity ReStore, with various locations including Riverside, which accepts appliances, doors, windows, light fixtures, cabinets, furniture, paint, tools, new carpet, tile, and hardware.

Based on the available above construction waste generation rates provided in Table 4.19-11, the proposed Project would generate less than 1% of the maximum daily landfill capacity of either the El Sobrante Landfill or the Badlands Landfill. Additionally, Public Resources Code 41780 requires every city and county to divert from landfills at least 50% of the waste generated within their jurisdiction. Because the Project will be regulated by waste reduction and diversion from landfill programs the proposed Project would not result in a substantial increase in demand for local solid waste disposal facilities and regional landfill capacity.

Operational Waste

Residential waste disposal rates are discussed under environmental setting above, as calculated based on solid waste generation rates outlined in the City of Menifee General Plane Draft EIR. The total annual waste disposal expected for the residential portion of the Project can be estimated at 726.25 tons per year. The total annual waste disposal expected for the non-residential (Commercial and Business Park uses) can be estimated at 239.72 tons per year, for a total annual operational solid waste generation of 965.97 tons per year for the entirety of the Mill Creek Promenade Specific Plan.

Based on assumptions outline above, the proposed Project would contribute approximately 18.57 tons per week at build-out. If all solid waste from the project went to one landfill or the other, the solid waste generated by the proposed Project would contribute 0.46 percent of the Badlands Landfill daily capacity (once per week), or 0.12 percent of the El Sobrante Landfill daily capacity (once per week).

The City of Menifee works with Waste Management to educate residents within the City about what items should be disposed of in what bin (Trash, Green Waste, or Recycling), which promotes responsible household disposal practices. Additionally, the Riverside County Waste Management Department and the Riverside County Department of Health Services implement programs that address source reduction and household hazardous wastes, which serve to reduce the solid waste stream going into landfills. The proposed Project is located within the jurisdiction of these agencies to receive public information and participate in these programs.

Given the limited contribution of solid waste anticipated to be generated by the proposed Project, development of the project site will not substantially contribute to the exceedance of the permitted capacity of the designated landfills on an annual basis. Also, considering the project's future residents' participation in the source reduction and household hazardous waste programs offered by the County, the solid waste stream generated by the project may be reduced over time. Project-specific operational impacts to the existing landfills are expected to be less than significant.

Because further reductions in the waste stream can reduce not only landfill impacts, but also reduce hauling trips to the landfills which reduce traffic, air, noise, and greenhouse gas (GHG) emissions, mitigation is provided to require green waste composting to reduce this source of waste in the waste stream. Also, mitigation is provided to ensure that the California Solid Waste Reuse and Recycling Act of 1991 is implemented to provide recycling collection facilities.

Although impacts associated with solid waste are determined to be less than significant, the following mitigation measures have nonetheless been identified to further reduce the project's already less than significant impacts:

> ***Mitigation Measure 4.19-3:***
> *The project proponent shall recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, metal, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete a Waste Recycle Plan (WRP) to ensure compliance. The WRP must identify materials that will be generated by construction and development, the project amounts, the measures/methods that will be taken to recycle, reuse and/or reduce the amount of materials, the facilities and/or hauler that will utilized, and the targeted recycling or reduction rate. During Project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and another for recycling of construction materials. Additional bins are encouraged to be used for further source separation of construction materials. Accurate record keeping (receipts) for recycling of construction materials and solid waste disposal must be kept. The WRP must be*

submitted and approved by the City of Menifee and provided to the Department of Building and Safety prior to the issuance of building permits. Evidence of Project compliance (receipts) with the approved WRP must be presented to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.

Mitigation Measure 4.19-4:
To assure compliance with the California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials at specific types of development, prior to issuance of Building Permits the applicant shall submit a Recyclable Collection and Loading Area plot plan to the City of Menifee for review and approval. The plot plan shall conform to the AB 1327 requirements to recycling access areas. Recyclables Collection and Loading Area shall be installed prior to final building inspections in compliance with the approved and stamped plot plan.

UTIL-7 Adversely affect the existing electricity and natural gas systems within the project area (NOTE: The City of Menifee General Plan EIR states that "No specific CEQA thresholds apply to electricity, natural gas, or telecommunications".)

Electricity

It is anticipated that electrical power for the proposed project would be provided by the existing lines in Haun Road. All new distribution lines will be constructed as underground facilities concurrently with project development by phase. Thus, construction impacts of new electrical facilities needed on site are included in the analyses of construction impacts throughout the DEIR. Impacts to the surrounding environment from the construction of onsite electrical facilities and offsite components that will be installed as part of the Project are considered to be less than significant.

The proposed project will generate additional demand for electricity. Peak demand will generally happen during the summer months. Using the Electricity Demand projections within the City of Menifee General Plan Draft EIR, the proposed Project's estimated daily demand for electricity is forecast to be about 12,686 kw per day. To further reduce electricity demand **Mitigation Measure 4.19-5** and **4.19-6** are provided below to reduce overall energy consumption. These measures would increase energy efficiency, thereby reducing electricity demand.

Mitigation Measure 4.19-5:
Prior to the issuance of building permits, the Project proponent shall submit energy usage calculations to the Planning Division showing that the Project is designed to achieve 20% efficiency beyond the incumbent California Building Code Title 24 requirements. Examples of measures that reduce energy consumption include, but are not limited to, the following (it being understood that the items listed below are not all required and merely present

examples; the list is not all-inclusive and other features that reduce energy consumption also are acceptable):

- *Increase in insulation such that heat transfer and thermal bridging is minimized;*
- *Limit air leakage through the structure and/or within the heating and cooling distribution system;*
- *Use of energy-efficient space heating and cooling equipment;*
- *Installation of electrical hook-ups at loading dock areas;*
- *Installation of dual-paned or other energy efficient windows;*
- *Use of interior and exterior energy efficient lighting that exceeds then incumbent California Title 24 Energy Efficiency performance standards;*
- *Installation of automatic devices to turn off lights where they are not needed;*
- *Application of a paint and surface color palette that emphasizes light and off-white colors that reflect heat away from buildings;*
- *Design of buildings with "cool roofs" using products certified by the Cool Roof Rating Council, and/or exposed roof surfaces using light and off-white colors;*
- *Design of buildings to accommodate photo-voltaic solar electricity systems or the installation of photo-voltaic solar electricity systems; and*
- *Installation of ENERGY STAR-qualified energy-efficient appliances, heating and cooling systems, office equipment, and/or lighting products.*

Mitigation Measure 4.19-6:
Final site plans and development plans shall be conditioned to require that all electrical service lines (excluding transmission lines) serving development within the project will be installed underground. This includes existing service facilities that may have to be relocated temporarily during grading.

In addition, extensive mitigation has been identified in Section 4.4 Air Quality that will reduce the energy demand of the proposed Project. Mitigation Measures 4.4-14 through 4.4-20 are designed to increase the water and energy efficiency of the buildings such that the per capita electrical demand of the proposed uses that make up the project would be substantially lower than in conventionally built multi-use developments. The project would increase use of electricity within SCE's service area, particularly the demand for electricity to light, heat, and air condition residential and commercial development. SCE currently is in the application process for planned upgrades to the electrical infrastructure that serves the greater Project area. The infrastructure project is designed to provide sufficient electrical capacity and reliability for existing and planned development in the area. SCE is aware that there are currently planned, or in process, additional developments in the Project area which will require power. As development of the Project and/or surrounding developments occurs, even more circuits may be necessary.

Overall electrical consumption will increase as a result of the proposed Project and cumulative development in the vicinity. SCE has established that additional transmission capacity will be necessary to provide the power and power grid necessary to support future growth in the Project vicinity. SCE has initiated the process to expand transmission in the general Project area, and potential impacts associated with construction of possible future transmission facilities will be planned and evaluated under CEQA by SCE. The proponent has obtained a will serve letter from SCE. A copy is provided in Appendix 10b in Volume 2, Technical Appendices.

Based on the information provided above, sufficient power and distribution capabilities exist or are expected to exist to provide the proposed Project with electrical service. Impacts would be less than significant.

Natural Gas

It is anticipated that natural gas for the proposed Project would be provided by the existing lines either at the intersection of Menifee Road and Scott Road, at El Centro Road east of the project site, or at Haun Road and Newport Road. According to the 2006 California Gas Report, residential and wholesale gas requirements are expected to increase to approximately nine percent between 2006 and 2025 as population in SoCalGas service area continues to grow. Commercial markets are expected to show modest customer gains, but this assumed a growing economy which does not exist at present. Over the past three years, California natural gas utilities, interstate pipelines, and instate natural gas storage facilities have had an increase in demand. More projects have been proposed and some are currently under construction to add additional pipelines, expand existing pipelines, add new facilities, or to upgrade. SoCalGas has aggressively implemented energy efficiency goals and associated programs to reduce the anticipated increase in demand for natural gas. They are projected to reduce this demand 19% by 2025. Energy saving programs such as stricter building and appliance standards and energy efficiency programs are expected to help reduce the demand on natural gas.

SoCalGas's Company Profile states that it provides clean, safe and reliable energy to 21.6 million consumers through 5.9 million meters in more than 500 communities . The estimated population of 1,472 new residents proposed by the project would constitute an increase in customer base of 0.0068 percent. The residential base has increased in the last ten years, so the Project would actually constitute an even smaller percentage. The proposed Project has received a will serve letter from SoCalGas Company. A copy is provided Appendix 10c in Volume 2, Technical Appendices.

New gas main extensions will be required to serve the propose Project. All new distribution lines will be constructed concurrently with Project development by phase. Thus, construction of new and replacement gas lines needed on site is addressed in the analyses of construction impacts throughout the DEIR. Therefore, impacts to the surrounding environment from the construction of on-site natural gas facilities are considered to be less than significant.

4.19.7 CUMULATIVE IMPACTS

Water and Wastewater

As identified in the information presented in this section, EMWD has an aggressive program for reducing water demand throughout its service system and for replacing demand on imported supplies with recycled and desalted water. EMWD water efficiency requirements are more

stringent for new development than for existing development. The WSA provided for the Project is not a guarantee of water rights or service, but it identifies the process for securing water and wastewater service and minimum standards with which the Project must comply. The analysis presented above detailing the water demand for the proposed Project based on the Draft WSA prepared by EMWD concluded that the project would result in a 182.3 AFY demand, which is an increase of 38 AFY beyond the demand that was projected in the 2015 UWMP for the project site. Since the estimated annual demand for the Proposed Project is 182.3 acre-feet (AF), the project will be required to fund conservation to offset the 38.0 AF demand not considered in the 2015 UWMP. The offset fee payment will be used to help fund planned water supply option listed in the 2015 UWMP.

All substantial development proposed within the EMWD must undergo a similar WSA planning process that will identify water demand and offset requirements. The stringent water conservation requirements placed on new development combined with tiered water rates will reduce the cumulative impact of new development. EMWD requires development that would demand more water than has been planned for to offset the additional demand by providing funds to replace existing higher water use fixtures with low water conserving water fixtures. This "buy down" water conservation measure results in excess demand being fully offset.

Because EMWD has the authority to identify the cost of the water offset, EMWD will have sufficient funds to provide the infrastructure to meet this forecast cumulative demand. Also, the Perris Valley RWRF has been designed such that it could be expanded to treat up to 100 MGD of wastewater if demand grew to require such capacity. Based on the analysis in this DEIR and the referenced documentation, the water, wastewater and recycled water management systems are capable of meeting the cumulative demand for these systems. Thus, the proposed Project will not cause cumulatively considerable significant adverse impacts on these systems.

Electricity and Natural Gas

Development proposed at the Project site would result in a permanent and continued use of electricity and natural gas resources. As stated in the City of Menifee General Plan Draft EIR under Utilities and Service System, Electricity (page 5.17-17), sufficient power and distribution capabilities exist to provide electrical services to the proposed Project, but additional transmission capacity will be necessary to provide power to support the current and future cumulative growth in the vicinity. According to the Traffic Impact Analysis prepared for the Project, approved developments in the general vicinity allow for about 9,489 dwelling units. The proposed Project constitutes about 4.19 percent of the total proposed development within the cumulatively proposed Projects, which represents a relatively small, but still cumulatively considerable amount. The proposed Project would contribute considerably to the cumulative need for expansion of Valley South Subtransmission Project. SCE has initiated the process add transmission capacity for the general Project area.

As stated in the 2006 California Gas Report, SoCalGas projects that cumulative gas demand for residential meters will increase at an average annual rate of 1.3 percent from 2006 to 2025. When all market sectors are taken into account, average annual demand for natural gas is projected to occur at a rate of 0.15 percent over the same time period. For residential customers, use per meter is forecasted to decline due to the expected energy savings from higher building and appliance standards and energy efficiency programs, such as those required in the project.

However, demand will be influenced by growth. By 2025, residential demand is expected to reach 279 Billion cubic feet (Bcf), an increase of 25 Bcf from 2005. Commercial and industrial market segments are also projected to decrease due to the California Public Utilities Commission authorized energy efficiency programs. Since the project would: constitute only approximately 0.0068 percent of the 21.6 million SoCalGas customers as of 2018 and the proposed Project has been required to install Energy Star-rated models of appliances and would be served by existing and planned service and transmission lines within and around the project area, this project's cumulative energy impacts are concluded to a less than significant cumulative impact.

Solid Waste

Project impacts to landfill capacity from construction and demolition debris were found to be less than significant based on the information and analysis provided above. Mitigation measures address construction debris recycling and reuse to achieve a reduction in waste beyond the State requirement of a 50 percent reduction by weight. Implementation of this measure would reduce the construction waste from the proposed Project at a higher level than required by the reduce the construction waste from the proposed Project at a higher level than required by the State. Therefore, because the proposed Project will comply with City Conditions of Approval and will exceed those requirements with implementation of mitigation measures outlined above, the project increment of construction-related solid waste for cumulative projects in the area will be less than significant. Compared to landfill capacity, the project increment will represent less than 0.1 percent of total annual permitted landfill capacity during construction. Cumulative impacts to landfill capacity will be less than significant due to the project construction debris representing a less than substantial cumulative increment with mitigation.

The proposed Project would contribute approximately 18.57 tons of solid waste per week at build-out. If all solid waste from the project went to one landfill or the other, the solid waste generated by the proposed Project would contribute 0.46 percent of the Badlands Landfill daily capacity (once per week), or 0.12 percent of the El Sobrante Landfill daily capacity (once per week). Based on the small contribution of the proposed Project to the landfill capacity, this Project, even in conjunction with other projects within the area, will not contribute to cumulatively significant impacts to landfill capacity such that all landfills exceed their capacity. As noted above, the proposed Project's contribution to cumulative demand for landfill capacity is less than 0.1 percent of annual capacity landfill during both construction and future build-out of the project. Therefore, due to available capacity and implementation of the above mitigation measures, which provide for recycling on site to reduce project operational waste, cumulative impacts to the existing landfills resulting from waste generated by the project during operation are considered less than significant.

4.19.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to energy, utilities, or service systems will occur as a result of the proposed project.

4.20 WILDFIRE

4.20.1 INTRODUCTION

This subchapter evaluates the environmental impacts under the new environmental issue of "Wildfire." The rationale for inclusion of this topic is not just the recent spate of severe wildfires, but to elevate the risk of wildfire to that of other major hazards, such as an active fault line or a flood hazard and the risk that society and future residents attracted to such areas incur from allowing humans to occupy areas with "high" risk. These issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The following analysis is based on the City of Menifee General Plan, General Plan EIR and maps published by Cal Fire regarding severity of exposure to wildfire risk, as well as a careful field review of the project site and surrounding property. The following technical data were also reviewed to determine the potential wildfire risk at the project site.

- Western Riverside County Fire Hazard Severity Zones in SRA*, Nov. 7, 2007 (Figure 4.15-1
- Western Riverside County Very High Fire Hazard Severity Zones, 2008 (Figure 4.15-2)
  *SRA stands for State Responsibility Area

No comments related to Wildfire hazards were received in response to the Notice of Preparation or during the scoping meeting held for the Project.

4.20.2 REGULATORY SETTING

Wildfire hazards are also discussed in the Hazards chapter. Please refer to the regulatory setting presented in Subchapter 4.9 regarding other agency wildfire regulations.

Local

City of Menifee General Plan

<u>Goal: Safety</u>
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.

<u>Policies: Safety</u>
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.

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.

S-4.3 Encourage owners of non-sprinklered high-occupancy structures to retrofit their buildings to include internal sprinklers.

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

Goal: Safety
S-6: A City that responds and recovers in an effective and timely manner from natural disasters such as flooding, fire, and earthquakes, and as a result is not impacted by civil unrest that may occur following a natural disaster.

Policies: Safety
S-6.1 Continuously review, update, and implement emergency preparedness, response, and recovery plans that make the best use of the City- and county-specific emergency management resources available.

S-6.2 Ensure to the fullest possible extent that, in the event of a major disaster, critical, dependent care and high-occupancy facilities remain functional.

S-6.3 Work with the Riverside County Airport Land Use Commission to strengthen the City's disaster preparedness, response, and recovery program in accordance with the Airport Land Use Plans for March Air Reserve Base and Perris Valley Airport.

S-6.4 Locate new essential or critical facilities away from areas susceptible to impacts or damage from a natural disaster.

S-6.5 Promote strengthening of planned and existing critical facilities and lifelines, the retrofit and rehabilitation of existing weak structures, and the relocation of certain critical facilities as necessary to adequately meet the needs of Menifee's residents and workforce.

4.20.3 EXISTING CONDITIONS

The project site has historically been dry farmed and is typically plowed each year to control weed growth. Presently, the site has a minimum of non-native vegetation cover that creates a minimal fuel load and also a minimal fire hazard. The site is essentially flat with a slight slope from south to north. One small ephemeral stream channel crosses the southern half of the property. This channel contains a very small area of riparian habitat, but the vegetation in the channel is otherwise indistinguishable from the surrounding upland vegetation. Areas to the north are developed with residences and the Garbani Road paved roadway; to the east is the paved Haun roadway, an industrial development, and open space similar to the project site; to the south is industrial development with minimal vegetation; and to the west is a single family residence' the Sherman Road graded alignment, and open space similar to the project site. Further to the west is a small hill that retains much of its native Coastal sage scrub vegetation. There was no evidence of historic wildfires observed at the project site. Figure 3-4 is an aerial photo clearly showing the site and immediate surrounding land uses as characterized in the preceding text.

4.20.4 THRESHOLDS OF SIGNIFICANCE

According to the new Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

WILD-1 Substantially impair an adopted emergency response plan or emergency evacuation plan?

WILD-2 Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

WILD-3 Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

WILD-4 Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

4.20.5 METHODOLOGY

The analysis herein is based upon a review of Cal Fire generated maps depicting the location of known severe fire hazard areas within the Western Riverside County, as well as the findings based on field observations of the current condition of the project site.

4.20.6 ENVIRONMENTAL IMPACTS

WILD-1 Substantially impair an adopted emergency response plan or emergency evacuation plan?

The proposed project will convert the existing vacant, open space to a more intensely developed urban site. The project is located off of existing access roads to the area (Garbani and Haun Roads, as well as Sherman Road). Primary roadways that would be used during an emergency or evacuation order would be Scott Road (east-west) and Haun Road and Interstate 215 (north-south.) A limited potential to interfere with an emergency response or evacuation plan will occur during construction, given that construction would primarily be located on the existing vacant site, and any construction on adjacent roadways to install infrastructure would be temporary in nature. Nonetheless, to ensure that construction activities do not interfere with emergency routes and access, **Mitigation Measure 4.9-4** was identified to ensure adequate access for emergencies is maintained at all times, including during construction in the surrounding roadways. With implementation of mitigation impacts under this topic can be reduced to a less than significant impact level

WILD-2 Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

As shown on Figure 3-4, the project site does not have any slopes that would contribute to exacerbation or worsening of wildfire risks. Prevailing winds are generally from the west and north where a small hill with native vegetation could create exposure to pollutants generated during a wildfire, but this risk is small due to the limited size of the hill. Refer to Figure 3-2 for a

view of this hill. At a distance to the south are the Sedco Hills that separate Menifee from Murrieta. Due to the distance of the project from these hills, their limited size/area and the limited wind flow from the south (except during fronts usually associated with precipitation), the potential for exposure to significant fire pollutants is considered to be low. There is no exposure to wildfire hazards or pollutants from the north due to development in the City of Menifee. Finally, due to the buffers of the site from areas with high fuel loads and thus potential for wildfire, the project site does not appear to be exposed to the uncontrolled spread of a wildfire. This finding is consistent with a careful review of Figures 4.15-1 and 4.15-2 which show no significant wildfire hazard in the project area. Thus, a **less than significant impact** exists at the project site. No mitigation measures are required.

WILD-3 Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

As shown on Figure 3-2 and 3-4 and as described in the preceding analysis, the proposed project is located in an area that will not require the installation or maintenance of any specialized infrastructure on- or off-site that could exacerbate fire risk or cause other impacts on the area environment. Thus, **no impact** will occur under this topic. No mitigation measures are required.

WILD-4 Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not immediately adjacent to any landforms that could create significant exposure to flooding or landslides. The small hill to the west is near the site, but due to the limited watershed and bedrock outcrops the potential for exposure to significant flood or landslide hazards is considered to be less than significant. Mill Creek appears to originate on the north slope of the Sedco Hills, but its limited drainage area minimizes the potential for a significant exposure to flooding or landslides following a fire in these low foothills. Based on these circumstances, a **less than significant impact** exists at the project site. No mitigation measures are required.

4.20.7 CUMULATIVE IMPACTS

The project site and surrounding area do not appear to be exposed to severe wildfire hazards based on the preceding evaluation. This project will **not** add a cumulatively considerable exposure to wildfire hazards within the City or western Riverside County. Thus, development of the proposed Project will not cause any significant adverse impacts to wildfire hazard exposure or to the cause of wildfires in the general area. The project will have a less than significant cumulative adverse impact to wildfire hazards.

4.20.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant and unavoidable impacts to wildfire hazards will occur as a result of the proposed project.

4.21 ENERGY

4.21.1 INTRODUCTION

This subchapter evaluates the environmental impacts under the new environmental issue of "Energy." The rationale for inclusion of this topic in the Initial Study Environment Checklist Form is to ensure that a project's impacts on future energy demand are considered for all environmental documents prepared to comply with the CEQA. The State of California has made a major commitment to minimize future energy consumption directly, and to reduce project air emissions, particularly greenhouse gases (GHG). Through a variety of legislation discussed in the GHG subchapter of this EIR (Subchapter 4.8) the Checklist now seeks to ensure that future projects minimize their emissions related to energy generation and vehicle miles traveled, two of the three major sources of GHG emissions in the State and nation. The energy issue would typically be found in sequence behind the discussion of Cultural Resources, Subchapter 4.6, but is presented as the final subchapter in this document due to the late decision to incorporate the new checklist topics in this DEIR. The energy issues will be discussed below as set in the following framework:

- Introduction
- Regulatory Setting
- Existing Conditions
- Thresholds of Significance
- Methodology
- Environmental Impacts

The following analysis is based on the City of Menifee General Plan, General Plan EIR and in particular Table 5.7-9 of the General Plan EIR that the City uses to assess consistency with the City's energy and GHG policies stated in this table. A copy of Table 5.7-9 and the applicant's responses to consistency with the City policies are provided in Appendix 1 of Volume 2 of this EIR.

No comments related to the Energy issue were received in response to the Notice of Preparation or during the scoping meeting held for the Project.

4.21.2 REGULATORY SETTING

Federal

<u>Energy Policy Act of 2005</u>
On August 8, 2005, President George W. Bush signed the National Energy Policy Act of 2005 (Public Law 109-58) into law. This comprehensive energy legislation contains several electricity-related provisions that aim to:

- Help ensure that consumers receive electricity over a dependable, modern infrastructure;
- Remove outdated obstacles to investment in electricity transmission lines;
- Make electric reliability standards mandatory instead of optional; and
- Give Federal officials the authority to site new power lines in Department of Energy-designated national corridors in certain limited circumstances.

The Renewable Fuel Standard (RFS) program was created under the Energy Policy Act of 2005, and established the first renewable fuel volume mandate in the United States. The program regulations were developed in collaboration with refiners, renewable fuel producers, and many other stakeholders. As required under Energy Policy Act, the original RFS program (RFS1) required 7.5 billion gallons of renewable fuel to be blended into gasoline by 2012.

Energy Independence and Security Act of 2007

The Energy Independence and Security Act (EISA; Public Law 110-140) was signed into law by President George W. Bush on December 19, 2007. The Act's goal is to achieve energy security in the United States by increasing renewable fuel production, improving energy efficiency and performance, protecting consumers, improving vehicle fuel economy, and promoting research on greenhouse gas (GHG) capture and storage. Under the EISA, the RFS program (RFS2) was expanded in several key ways:

- Expanded the RFS program to include diesel, in addition to gasoline;
- Increased the volume of renewable fuel required to be blended into transportation fuel from 9 billion gallons in 2008 to 36 billion gallons by 2022;
- Established new categories of renewable fuel and set separate volume requirements for each; and
- Required Environmental Protection Agency (EPA) to apply lifecycle GHG performance threshold standards to ensure that each category of renewable fuel emits fewer GHGs than the petroleum fuel it replaces.

RFS2 lays the foundation for achieving significant reductions of GHG emissions from the use of renewable fuels, for reducing imported petroleum, and encouraging the development and expansion of our nation's renewable fuels sector.

The EISA also includes a variety of new standards for lighting and for residential and commercial appliance equipment. The equipment includes residential refrigerators, freezers, refrigerator-freezers, metal halide lamps, and commercial walk-in coolers and freezers.

State

Executive Order S-14-08

Executive Order S-14-08 was signed in November 2008, which expands the state's renewable energy standard to 33 percent renewable power by 2020. In 2011, the state legislature adopted this higher standard in SBX1-2. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The increase in renewable sources for electricity production will decrease indirect GHG emissions from development projects, because electricity production from renewable sources is generally considered carbon neutral.

Title 24 Energy Standards

Energy conservation standards for new residential and nonresidential buildings were adopted by the California Energy Resources Conservation and Development Commission in June 1977 and updated triannually (Title 24, Part 6, of the California Code of Regulations [CCR]). Title 24 requires the design of building shells and building components to conserve energy. The standards are updated periodically to allow for consideration and possible incorporation of new energy efficiency technologies and methods. On May 31, 2012, the California Energy Commission (CEC) adopted the 2013 Building and Energy Efficiency Standards, which go into effect on January 1, 2014. Buildings that are constructed in accordance with the 2013 Building and Energy Efficiency Standards are 25 percent (residential) to 30 percent (nonresidential)

more energy efficient than the 2008 standards as a result of better windows, insulation, lighting, ventilation systems, and other features that reduce energy consumption in homes and businesses.

Title 24 CALGreen
On July 17, 2008, the California Building Standards Commission adopted the nation's first green building standards. The California Green Building Standards Code (CALGreen) was adopted as part of the California Building Standards Code (Part 11, Title 24, California Code of Regulations). CALGreen established planning and design standards for sustainable site development, energy efficiency (in excess of the California Energy Code requirements), water conservation, material conservation, and internal air contaminants. The mandatory provisions of the California Green Building Code Standards became effective January 1, 2011.

Title 25
The 2006 Appliance Efficiency Regulations (Title 20, CCR Sections 1601 through 1608) were adopted by the California Energy Commission on October 11, 2006, and approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and nonfederally regulated appliances.

Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen)

Local

City of Menifee General Plan

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

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

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

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

OSC-4.3: Advocate for cost-effective and reliable production and delivery of electrical power to residents and businesses throughout the community.

OSC-9.5: Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

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

Policies: Land Use
LU-3.1 Work with utility providers in the planning, designing, and siting of distribution and support facilities to comply with the standards of the General Plan and Development Code.

LU-3.2 Work with utility provides to increase service capacity as demand increases.

LU-3.3 Coordinate public infrastructure improvements through the City's Capital Improvement Program.

LU-3.4 Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.

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.

City of Menifee Proposed Greenhouse Gas Reduction Policy and Implementation Strategies

Action OSC65
Establish a reduced permit fee schedule for energy saving projects or energy efficiency improvements in Menifee homes and businesses.

Action OSC66
Complete a solar analysis and implement a five year plan to establish solar energy generation on municipal buildings.

Action OSC67
Create a Solar Plan that provides incentives and coordinates financing for city residences and businesses to invest in solar energy.

Action OSC68
Conduct energy efficiency audits of existing municipal buildings to check, repair, and readjust heating, ventilation, air conditioning, lighting, water heating equipment, insulation, and weatherization.

Action OSC69
Revise the Menifee Municipal Code to include energy efficient light sources such as LED, LPS (Lower Pressure Sodium), HPS (High Pressure Sodium) and solar powered signage and regulation of parking lot and building light fixtures require full cut-off fixtures, except emergency exit or safety lighting. In addition, require that all permanently installed exterior lighting be controlled by either a photocell or an astronomical time switch. Prohibit continuous all night outdoor lighting unless required for security reasons.

Action OSC71
Train all plan check and building inspection staff in appropriate use of green building materials, techniques, and best practices.

Action OSC74
Work with EMWD to create a public outreach campaign to reduce energy use and conserve water. Campaign components can include workshops, brochures, mailers, website links, etc. Topics to highlight include: changes in Menifee's Building Code, how to implement whole house

energy upgrades or other energy efficiency improvements for residents and businesses, the WRCOG HERO financing program and other subregional energy conservation efforts, as well as the City's the Solar Plan when complete.

Action OSC77
Adopt a Green Building Ordinance that requires energy efficient design, in excess of Title 24 standards, for all new residential and non-residential buildings. Require 30 percent above the 2008 Building Energy Efficiency standards in Title 24 to coincide with the Voluntary Tier 2 standards for the 2010 California Green Building Code (CALGreen).

4.21.3 EXISTING CONDITIONS

The project site has historically been dry farmed and is typically plowed each year to control weed growth. A typical dry-farmed crop would be barley, oats or spring wheat. There is no electricity connected to the project site at this time and the only energy historically used at the site was the fuel used to operate the equipment required to support dry farming operations, such as a tractor, weed sprayer, and harvest machine. Annual energy consumption under this scenario would be minimal as the approximately 58-acre site could be plowed, planted, maintained and harvested with a minimum expenditure of energy.

For background on the major existing energy utility providers, please refer to the pertinent discussions in Subchapter 4.19.

4.21.4 THRESHOLDS OF SIGNIFICANCE

According to the new Appendix G of the CEQA Guidelines, a project would normally have a significant effect on the environment if the project would:

ENER-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

ENER-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

4.21.5 METHODOLOGY

The analysis herein is primarily based upon a review of mitigation measures required to achieve consistency with the City's Table 5.7-9. The referenced design and mitigation measures require construction activities, future buildings, and future mobility facilities to support energy use reductions by the proposed Project.

4.12.6 ENVIRONMENTAL IMPACTS

ENER-1 Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Table 5.7-9 in Appendix 1 identifies policies that the City seeks to implement in order to reduce air and GHG emissions and meet State goals. These policies address the following areas of

emission reductions: design mixed use projects to reduce trips; incorporate facilities to support alternative modes of transportation; require facilities to support mass transit (primarily bus) facilities to serve the project area; building facilities shall meet or exceed Title 24, Part 6 and Green Building Code standards; provide electric vehicle charging stations and parking sites; support shared vehicle and carpool parking and additional bike racks; incorporate passive solar facilities within the project site; exceed current energy conservation standards; incorporate reduced water consumption in buildings and landscaping consistent with EMWD goals; reduce solid waste generation through recycling; implement a construction waste management plan to reduce disposal during this stage of the project; and finally utilize electrical equipment for construction where feasible.

Through a combination of design measures and mitigation measures, the proposed Project implements all of the above policies included in the City's Table 5.7-9. The specific design measures include mixed use that is forecast to reduce internal traffic trips at buildout by 15%, and extensive pedestrian and bicycle network internal to the project and connection to the City's regional bike path network. Mitigation measures 4.4-1 through 4.4-10; measure 4.4-2; measure 4.17-5, and measures 4.19-1 through 4.19-5 require compliance with all of the above policies. This includes reducing energy consumption from transportation, buildings, water use and consumption, solid waste management and offset of energy demand by using onsite passive solar electricity generation during both construction and operation of the project. Thus, the proposed Project incorporates measures that eliminate wasteful, inefficient, and unnecessary energy consumption during both construction and operation. Thus, the project will have a less than significant impact relative to this impact evaluation category.

ENER-2 Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

As described in the previous text discussion, the proposed Project has been determined to be consistent with the City's energy reduction policies as stated in Table 5.7-9 (also refer to Appendix 1). By implementing the proposed Project design and the referenced mitigation measures, the project will also comply with State plans. This is accomplished by integrating passive solar facilities and reducing GHG emissions to achieve at least a 15% reduction relative to business as usual. Thus, the project will have a less than significant impact relative to this impact evaluation category.

4.21.7 CUMULATIVE IMPACTS

The proposed Project will be developed consistent with the City energy consumption policies and objectives as shown in Appendix 1 in the Table 5.7-9 evaluation. This project will **not** add a cumulatively considerable energy demand based on its size and design. Thus, development of the proposed Project will not cause any significant adverse impacts to energy consumption in the general area. The project will have a less than significant cumulative adverse impact to energy issues as defined by the City.

4.21.8 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As determined above, no significant unavoidable impacts to energy issues will occur as a result of the proposed project.

CHAPTER 5 – ALTERNATIVES

5.1 INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines require an evaluation of alternatives to the proposed action. The purpose of the Alternatives evaluation under CEQA is to determine whether one or more feasible alternatives is capable of reducing potentially significant impacts of a preferred project to a less than significant level. The applicable text in the State CEQA Guidelines occurs in Section 15126 as follows:

> Section 15126.6 (a): Alternatives to the Proposed Project. An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.
>
> Section 15126.6 (b) Purpose. Because an EIR must identify ways to mitigate or avoid the significant effects that a project may have on the environment (Public Resources Code Section 21002.1), the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives or would be more costly.

5.2 PROJECT OBJECTIVES

The project objectives are defined in Chapter 3 as follows:

Objective 1: Establish a comprehensively planned community, with a vibrant mix of uses that include and support a variety of housing, recreational, commercial, retail, restaurant, and industrial uses, and which are interconnected by sidewalks, trails, and bicycle lanes.

Objective 2: Provide for-sale housing opportunities that contribute to the mix of housing opportunities available within the City of Menifee.

Objective 3: Provide higher-density housing at a project site with good local and regional transportation access, in order to efficiently use existing infra-structure.

Objective 4: Develop a project that supports the Economic Development Corridor, while simultaneously buffering and protecting adjacent residential uses.

Objective 5: Establish and implement a cohesive set of development standards and design guidelines that will utilize a variety of architectural styles and design elements to create a unique neighborhood.

Objective 6: Provide the City with new open space and park amenities, and provide a mix of parkland types, such as a community park, pocket parks, natural open space, and recreational trails.

5.3 SIGNIFICANT AND UNAVOIDABLE IMPACTS

As discussed in Chapter 4 of this DEIR, the proposed project would result in significant and unavoidable impacts relating to the operational emissions of NOx, greenhouse gas emissions, cumulative noise, and traffic.

5.4 ALTERNATIVES CONSIDERED AND REJECTED DURING THE SCOPING / PROJECT PLANNING PROCESS

Two alternatives were considered but rejected during the project scoping and planning process, as described below.

5.4.1 ALL RESIDENTIAL PROJECT

In order to identify an alternative with the potential to eliminate the project's significant impacts, an all-residential, 400 dwelling unit residential project was considered. However, an all residential alternative would not meet the City's goals for mixed use projects within the Economic Development Corridor, and would not meet the City's tax base objectives. It would also not meet most of the project objectives identified above. As a result, this alternative was rejected during the scoping and project planning phase of the project.

5.4.2 ALL COMMERCIAL / BUSINESS PROJECT

In order to identify an alternative with the potential to reduce air quality emissions, an all commercial/business project of approximately 150,000 square feet was considered. No residential would be included in this Alternative. Such an alternative would reduce air emissions to about 60% of the current emission forecast, but still not below the SCAQMD significance threshold for NOx. However, this alternative does not develop the whole site which would not meet the City's project objectives for the EDC land use designation and would not meet most of the applicant's project objectives. Based on these findings, this alternative was rejected during the scoping and project planning phase of the project.

5.5 ALTERNATIVES SELECTED FOR FURTHER ANALYSIS

Based on the criteria listed above, and in addition to the alternatives considered and rejected, the following three alternatives have been determined to represent a reasonable range of alternatives which have the potential to feasibly attain most of the basic objectives of the project but which may avoid or substantially lessen any of the significant effects of the project. These alternatives are analyzed in detail in the following sections.

- **No Project/No Development Alternative**
- **Maximum Commercial-EDC Development Alternative**
- **Reduced Density Alternative**

5.5.1 NO PROJECT / NO DEVELOPMENT ALTERNATIVE

The No Project Alternative (NPA) is required under CEQA to evaluate the environmental effects associated with no action on the part of the Lead Agency. The NPA includes continued use of the undisturbed site for agricultural operations and no additional changes to the existing land uses. This alternative evaluates the environmental impacts resulting from a hypothetical continuance of the existing land uses. The project site has been disturbed in the past by farming, weed abatement, and dirt roads, and currently consists of open space that has historically been dry-farmed, agricultural fields that support the production of dry-farmed crops, such as barley. There are no structures on the project site.

Aesthetic Resources

The NPA would not result in any change to the current aesthetics of the project site. As stated in Subchapter 4.2 of this DEIR, the proposed Project can be implemented in conformance with the City's Design Guidelines and a transition to urban uses has already occurred in the project area. The proposed Project's contribution to the change in visual setting within the project area is considered to be a less than significant adverse visual change. Aesthetic impacts from the NPA would be less than that of the proposed Project, though neither would result in a significant adverse impact.

Agricultural and Timberland Resources

The NPA would retain the property in its current use and no adverse impact to any agricultural resources would occur under this alternative. There are no timberland resources on the site. The proposed Project will convert approximately 58.5 acres of the project site to more intense urban/suburban uses. Based on the data and the analysis performed in Subchapter 4.3, the value of the soils and agricultural productivity of this site was determined to be relatively low. No prime farmland or farmland of Statewide Importance would be lost. Thus, the NPA alternative has no impact on agricultural resources which is less than the proposed Project, though neither would result in a significant adverse impact.

Air Quality

Since no construction activity would occur, the NPA would not have any short-term impacts on air quality other than that caused by ongoing agricultural operations, which occasionally generates fugitive dust from plowing the field for planting and harvesting operations. Also, no new long-term sources of air pollution would result from increased traffic or increased use of energy resources at the site.

With mitigation, Project peak daily construction activity emissions for the Project will be just below SCAQMD CEQA thresholds. According to the evaluation in Subchapter 4.4, the greatest Project-related air quality concern derives from the new vehicle trips that will be generated by residential and mixed uses at Project completion. At Project build-out, proposed residential and mixed uses at the Mill Creek are predicted to generate about 9,000-plus net daily trips that will produce emissions that exceed SCAQMD thresholds for NOx emissions. Overall, air quality emissions from the NPA would be less than that of the proposed Project and a long-term unavoidable significant adverse impact would be eliminated under this alternative.

Biological Resources

The NPA would not result in a change to the existing biology of the project site. Based on the biological resources survey, the project site is totally disturbed and does not contain any native plant communities. The biology information presented in Subchapter 4.5 indicates this proposed Project is consistent with the MSHCP based on implementation of specific mitigation measures. No sensitive habitat, including riparian habitat, was identified on the property. Therefore, based on this information, the NPA would have less overall impact to biological resources than the proposed Project, but neither alternative would have any significant biological resource impacts.

Cultural Resources

The NPA would not result in a change to the existing cultural resources of the project site and would not introduce large numbers of people into the area which can cause indirect impacts to cultural resources. The cultural resources information presented in Subchapter 4.6 indicates the proposed Project can be implemented without significant cultural resource impacts based on implementation of contingency mitigation measures. Therefore, based on this information, the NPA would have less overall impact to cultural resources than the proposed Project, but neither alternative would have any significant adverse cultural resource impacts.

Geology and Soils

The NPA would not involve additional development on the site; therefore, no people or structures are subject to onsite geological constraints. The proposed Project includes a geotechnical study that identifies the Project area as susceptible to seismic and geological hazards, such as groundshaking. According to the geotechnical study summarized for the project site in Subchapter 4.7, the proposed Project development at the project site is feasible from a geotechnical standpoint with mitigation. No severe onsite geologic or soil-related hazards or constraints were identified that would preclude development of the site. The addition of people to the area would expose structures and humans to risk, but the nature of these geologic risks can be mitigated. The NPA reduces overall risk to structures and future residents, but neither alternative would have any significant geology and soil impacts.

Greenhouse Gas / Climate Change

Since no construction activity would occur, the NPA would not have any short-term impacts on Greenhouse Gas (GHG) emissions, other than that caused by possible future agricultural operations, such as plowing and harvesting. No new permanent sources of GHG emissions would result from increased traffic or increased use of energy resources at the site.

According to the evaluation in Subchapter 4.8, the proposed Project will not implement sufficient GHG emission reductions from long-term operations at the site to meet Business As Usual (BAU). Overall, GHG emissions impacts from the proposed Project are considered significant and unavoidable, while the NPA would be substantially less than those of the proposed Project and eliminate this significant GHG impact. Note that the proposed project will implement most of the policy recommendations contained in Table 5.7-9 of the General Plan EIR, but the emission reductions were not considered adequate to eliminate the unavoidable significant adverse impact for this issue.

Hazards and Hazardous Materials

Continued agricultural use of the project site has the potential to introduce hazardous materials such as gasoline and other fuels for operation of agricultural equipment. Fertilizers, herbicides, and pesticides typical of agricultural uses would also continue to be used at the project site in commercial quantities under the No Project Alternative. Although different than the proposed Project, this continued production and/or use of agricultural wastes and hazardous materials has a potential to result in exposure to hazard impacts greater than those of the proposed Project.

According to the evaluation in Subchapter 4.9, the proposed Project will change the land use on the project site and create a potential for certain adverse impacts regarding hazards and hazardous material issues. However, specific mitigation measures have been identified to reduce these potential project specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous material issues. Therefore, hazards and hazardous materials resources impacts from the NPA could be greater than those of the proposed Project, but neither alternative would have any significant hazard/hazardous material impacts.

Hydrology and Water Quality

Under the No Project Alternative, the existing agricultural uses on site would remain and the site would not be converted to residential and mixed uses. The current hydrology would remain the same; however, pollutants are not being treated on site and runoff can exit the site untreated under heavy precipitation as occurred in March 2014. This would result in a greater impact than the proposed Project as outlined in Subchapter 4.10. The proposed Project will make unavoidable alterations in the Mill Creek site hydrology and the proposed uses will result in generation of new pollutants from the proposed urban/suburban environment that can also degrade water quality. However, through a combination of design measures included in the drainage design and the required mitigation measures, these potential project-related hydrology and water quality impacts can be controlled to a less than significant impact level. Therefore, hydrology/water quality resources (primarily water quality) resources impacts from the NPA could be greater than those of the proposed Project, but neither alternative would have any significant hydrology/water quality impact.

Land Use / Planning

Under the No Project Alternative, the existing agricultural uses on site would remain and the current land use designations and actual land use would remain unchanged. The project site would not be converted to residential and mixed uses.

As described in Subchapter 4.11, development of the proposed Project will result in substantial change of the land use which is consistent with the current General Plan designation of the Project area. Approval of the proposed Project will cause an intensification of development greater than that which presently occurs on the site. This change in land use was found to be a less than significant adverse impact of the proposed Project. Therefore, land use/planning impacts from the NPA would be substantially less than that of the proposed Project, though neither the proposed Project nor the NPA would result in a significant impact.

Mineral Resources

The evaluation in Subchapter 4.12 concluded that the project site does not contain any mineral resources of any value to society. Based on this finding, neither implementation of the NPA or of the proposed Project has any potential to cause adverse impacts to such resources.

Noise

Since no construction activity would occur, the NPA would not generate any short- or long-term construction noise impacts. Under the NPA, short-term noise could continue to be generated from tractors and harvesting equipment used during dry farming. This is a minimal impact and would occur only during planting, harvesting and site maintenance activities

According to the evaluation in Subchapter 4.13, the existing noise setting of the proposed Project site will be permanently altered as a result of implementation of the proposed Project. The intensification of development greater than that which presently exists onsite and in the surrounding area results in an adverse noise impact of the immediate project area after development. Extensive mitigation can reduce both onsite noise impacts and offsite traffic impacts but construction activities will adversely affect the nearest residences. Along roadways that provide access to the site (Garbani), Scott, Holland and Sherman the proposed Project will make a cumulatively considerable contribution to noise impacts because mitigation along certain roads is not feasible. Therefore, noise impacts from the NPA would be substantially less than those of the proposed Project and implementation of the NPA would eliminate an unavoidable significant cumulative adverse impact.

Population / Housing

With the NPA, none of the 398 residential buildings would be built, and the projected population increase in the local area of approximately 1,162 persons from the proposed Project would not occur. In Subchapter 4.14, the proposed Project was determined to have a significant change in the local population within the City of Menifee planning area. The NPA would not contribute any future residences that would meet the future housing needs of the County and the proposed Project would contribute to meeting these housing needs. Even though the NPA does have adverse effects, these effects are less than the proposed Project, and implementation of the NPA would eliminate a less than significant adverse population and housing impact.

Public Services

The NPA would not result in the creation of additional demand for sheriff and fire department services. Sheriff Department (and future City Police Department) and County Fire Department response times would remain unaffected by development on the project site. The payment of established development impact fees for sheriff and fire department facilities would not occur under the NPA. Since existing response times are adequate to meet the needs and standards for rural areas, this impact would be less than those of the proposed Project. Neither alternative would cause a significant impact on fire and sheriff services, but impacts from the NPA would be substantially less than the proposed Project.

The NPA would not result in the creation of additional demand for school capacity. School operations would remain unaffected by development on the project site. The payment of State-established development impact fees would not occur under this Alternative. Neither alternative

would cause a significant impact on school system services, but impacts from the NPA would be substantially less than the proposed Project.

The NPA would not create any additional demand upon existing library services within the Project area. Neither alternative would cause significant impacts on library services, but the NPA impact would be less than that of the proposed Project.

Recreation Resources

The continued use of the project site for agricultural use, under the NPA, would create no additional demand for parks, trails, and recreation facilities. Under this alternative the approximate 4 acres proposed to be dedicated to park and recreation uses would not be constructed to support the community. As outlined in Subchapter 4.16, the proposed Project is constructing and/or paying for park facilities to serve the site residents and visitors. Without the Project these recreational facilities will not be built to serve residents currently living in this portion of the City. Therefore, even though the NPA would have no adverse impact on existing recreational facilities, recreation resources impacts from the NPA when compared to the proposed Project would be greater. Neither alternative would result in a significant adverse impact to existing recreation resources.

Transportation / Traffic

The NPA would not increase site-generated traffic above current levels and therefore, would not contribute to the need for area-wide off-site road improvements. According to Subchapter 4.17, implementing the Project will generate about 9,881 new trips at buildout. Although traffic volumes can change as a result of future events (such as fuel price increases reducing trip generation, and use of alternative modes of transportation) for planning purposes the unavoidable changes to the circulation system are considered a less than significant adverse effect of the Project. With implementation of the identified planned for roadway improvements, the long-term, Project specific local circulation system impacts are not forecast to rise to the level of a significant unavoidable adverse impact if these improvements are implemented. However, cumulative traffic impacts may be considered significant since the specific timing of area circulation system impacts cannot be assured. Therefore, transportation/traffic resources impacts from the NPA would be substantially less than those of the proposed Project, and implementation of the NPA will eliminate potential significant cumulative circulation system impacts.

Utilities and Service Systems

The NPA would not create an increase in the amount of solid waste generated on the project site beyond what is currently being generated. Under the proposed Project, solid wastes will increase as a result of implementing the construction of 398 residences and the mixed commercial, office and business park uses. Any solid waste impacts from the proposed Project can be mitigated to a less than significant level. Still, due to the scale of the proposed Project, the overall impacts will be substantially greater than the No Project Alternative. Therefore, utilities – solid waste resources impacts from the NPA would be less than those of the proposed Project.

The NPA will continue dry farming the project site and no additional use of water would result from implementing this alternative. Since no structures occur on the project site, the NPA

alternative would not generate any wastewater requiring management. Under the proposed Project, water and sewer usage will increase with the implementation of the proposed Project. Any capacity demand impacts from the proposed Project can be mitigated to a less than significant level. Still, due to the scale of the proposed Project, the overall impacts will be substantially greater than the NPA. Therefore, utilities – water and sewer resources impacts from the NPA would be less than those of the proposed Project, but neither alternative would cause a significant adverse impact to these utility systems

The NPA will continue site use without the need for natural gas and electricity services for future agriculture purposes. Under the proposed Project, natural gas and electricity demand will increase as a result of the construction of the proposed Project. Any impacts from the proposed Project can be mitigated to a less than significant level. Still, due to the scale of the proposed Project, the overall impacts will be substantially greater than the No Project Alternative. Therefore, utilities – natural gas and electricity impacts from the NPA would be less than those of the proposed Project, but neither alternative would cause a significant adverse impact to these utility systems.

Tribal Cultural Resources

The NPA eliminates ground disturbing activities that could adversely impact Tribal Cultural Resources. Therefore, when compared to the proposed Project it would reduce such impacts. Regardless, neither alternative would result in a significant adverse impact to any Tribal Cultural Resources located on the project site but mitigation is required to achieve this level of impact for the proposed Project.

Wildfire

The proposed project has been evaluated as having a less than significant exposure to wildfire hazards at the project site following development. The NPA would allow dry farming to continue at the project site, but this activity would not cause or expose the site to greater wildfire hazards. Thus, under either development alternative the wildfire impacts would be less than significant, but the NPA would have less impact due to fewer humans being exposed to this potential hazard.

Energy

The proposed project has been evaluated as having a less than significant impact on future energy use at the project site. The NPA would allow dry farming to continue at the project site, but this activity would not cause a substantial use of energy in the future. Thus, under either development alternative the energy impacts would be less than significant, but the NPA would have substantially less impact due to the minimal energy requirements to continue dry farming.

Conclusion

With respect to the NPA, Project objectives are not attained because no development is included as a part of the NPA. With respect to the significant unavoidable impacts of Project, the NPA would avoid all the unavoidable significant impacts of the Project; however, no fees and funding would be provided to upgrade area transportation infrastructure; public services; and utilities. In addition, needed recreational facilities would not be installed. Under the NPA none of the six project objectives would be met under this alternative.

5.5.2 MAXIMUM COMMERCIAL-EDC DEVELOPMENT ALTERNATIVE (ALTERNATIVE 2)

The Maximum Commercial EDC Development Alternative (Alternative 2) consists of developing the project site under the existing General Plan designation, Economic Development Corridor, but at greater intensity General Plan and land use mix of 15% residential and 85% non-residential. For evaluation purposes Alternative 2 will encompass 100 residential units and about 450,000 square feet of mixed commercial, office, and business park uses. The amount of open space would remain the same.

Aesthetic Resources

The higher intensity alternative will change the existing visual setting of the project site to a greater extent due to larger structures and greater contrast with the residential uses located north of Garbani. The semi-rural character of the visual setting would be in greater contrast than the proposed Project. Thus, Alternative 2 would have a greater aesthetic impact than the proposed Project, but through compliance with the City's design guidelines and review, it is anticipated that the Alternative 2 project aesthetic impact would be less than significant. This is comparable to the finding for the proposed Project.

Agricultural and Timberland Resources

Alternative 2 would eliminate the potential for commercial agricultural activities on the 58.5-acre site, similar to the proposed Project. Both projects would convert the project site to urban use, including about 6 acres dedicated to recreation. Based on the data and the analysis performed in Subchapter 4.3, the value of the soils and agricultural productivity of this site was determined to be relatively low. No prime farmland or farmland of Statewide Importance would be lost. Regarding the designation of the property as locally important farmland, the City eliminated the value of this site for agriculture by designating it for EDC uses, not agriculture. Thus, under the both alternatives commercial dry farming activities would be eliminated. Alternative 2 has the same less than significant impact on agricultural resources as the proposed Project.

Air Quality

Alternative 2 will generally require the same type of site preparation as the proposed Project, but will require more building construction. Thus, construction emissions could be substantially increased assuming all of the identified mitigation measures are implemented. Thus, Alternative 2 is forecast to generate more short-term construction emissions, and such emissions may be significant and adverse.

According to the evaluation in Subchapter 4.4, the greatest project-related air quality concern derives from the new vehicle trips that will be generated by Alternative 2. residential and other uses at Project completion. At Phase 1 buildout in 2000 the mixed-use component of the project is forecast to generate an estimated 6,764 daily trips. By tripling the mixed use square footage, buildout trips should exceed 18,000 daily trips, or more. Even not including the small residential component of Alternative 2, daily emissions will double that of the proposed project. such emissions would be a significant unavoidable impact.

Biological Resources

Alternative 2 would change the existing biology of the project site in a manner comparable to the proposed Project. Based on the biological resources survey prepared for the project site the project site is totally disturbed and does not contain any native plant communities. The biology information presented in Subchapter 4.5 indicates this proposed Project is consistent with the MSHCP based on implementation of specific mitigation measures. No sensitive habitat, including riparian habitat, was identified on the property. Therefore, based on this information, Alternative 2 would have comparable impacts to biological resources like the proposed Project, but neither alternative would have any significant biological resource impacts.

Cultural Resources

Alternative 2 would have the same general impacts to cultural resources as the proposed Project. The cultural resources information presented in Subchapter 4.6 indicates the proposed Project can be implemented without significant cultural resource impacts based on implementation of mitigation measures. Therefore, based on this information, Alternative 2 would have comparable overall impact to cultural resources as the proposed Project, but neither alternative would have any significant cultural resource impacts with mitigation.

Geology and Soils

Alternative 2 would involve mixed use development on the site at fairly high density; therefore, more structures and people under this alternative are subject to onsite geological constraints. The proposed Project includes a geotechnical study that identifies the Project area as susceptible to seismic and geological hazards, such as ground shaking. According to the geotechnical study summarized for the project site in Subchapter 4.7, the proposed Project development at the project site is feasible from a geotechnical standpoint with mitigation. No severe onsite geologic or soil-related hazards or constraints were identified that would preclude development of the site. The addition of people to the area would expose structures and humans to risk, but the nature of geologic risks are not significant or can be mitigated. The proposed Project has less overall risk to structures and human use of the site, but neither alternative would have any significant geology and soil impacts.

Greenhouse Gas / Climate Change

Since construction activity would occur, Alternative 2 would have short-term impacts on Greenhouse Gas (GHG) emissions, and based on the greater amount of building under the proposed Project. Based on the discussion under air quality above this alternative would also generate new permanent sources of GHG emissions from increased traffic or increased use of energy resources at the site. Overall, GHG emissions from Alternative 2 would be substantially greater than those of the proposed Project, and would be considered significant and unavoidable.

Hazards and Hazardous Materials

Alternative 2 will have comparable use of hazardous materials as the proposed Project, perhaps more, due to the increased square footage of mixed uses. However, specific mitigation measures have been identified to reduce these potential project specific and cumulative (direct

and indirect) effects to a less than significant impact level for hazards and hazardous materials. Neither alternative would have any significant hazard/hazardous material impacts.

Hydrology and Water Quality

Under Alternative 2 the existing hydrology on site would have to be altered as the project site would be converted to mixed uses. Based on the square footage under this alternative, it would require comparable or somewhat greater hydrology and water quality management measures to meet requirements for each issue. Both alternatives will make unavoidable alterations in the site hydrology and the proposed uses will result in generation of new pollutants from the proposed urban/suburban environment that can also degrade water quality. However, through a combination of design measures included in the drainage design and the mitigation measures, these potential hydrology and water quality impacts can be controlled to a less than significant impact level. Therefore, hydrology/water quality resources (primarily water quality) resources from Alternative 2 would be comparable to the proposed Project, but neither alternative would have any significant hydrology/water quality impact.

Land Use / Planning

Under Alternative 2 there would be no need for amendment of the General Plan. Although the development of up to 450,999 square feet of mixed uses and 100 residential units on this property would be different than the surrounding development, the current land use designations for EDC land use would remain unchanged. As described in Subchapter 4.11, development of the proposed Project will result in substantial change of the land use (intensification) and the planning designations of the Project area. Approval of Alternative 2 will cause an intensification of development greater than that of the proposed Project. This change in land use was found to be a less than significant adverse impact. Land use/planning impacts from Alternative 2 would be greater than those of the proposed Project but are concluded to also be a less than significant adverse impact.

Mineral Resources

The evaluation in Subchapter 4.12 concluded that the project site does not contain any mineral resources of any value to society. Based on this finding, neither implementation of Alternative 2 or of the proposed Project has any potential to cause adverse impacts to such resources.

Noise

Because Alternative 2 substantially increases onsite construction and trip generation, both short-term and long-term noise from the project site and along affected roadways will be greater than that generated by the proposed Project. Even after applying available mitigation, Alternative 2 has a potential to cause significant long-term noise impacts. Project-related noise can be mitigated to a less than significant impact and therefore, would have a less impact overall than Alternative 2.

Population / Housing

With Alternative 2 only 100 residences would be built, and the projected population increase in the local area of approximately 1,162 persons from the proposed Project would be reduced to about 290 persons. In Subchapter 4.14, the proposed Project was determined to cause a less

than significant change in the local population within the City of Menifee. Alternative 2 would contribute future residences and population that that would be consistent with future City and regional population forecasts. Alternative 2 would also contribute to meeting the future housing needs of the City, but less so than the proposed Project. The implementation of Alternative 2 would not eliminate an unavoidable significant adverse impact.

Public Services

For public services Alternative 2 would create varying levels of demand in the future. For example, with fewer residences this alternative's impact on schools will be less than the proposed Project. For Fire and Sheriff services it is anticipated that overall demand will be greater for Alternative 2 due to a greater square footage under this alternative. Regardless, through payment of City-established development impact fees for all public services would be paid by the Alternative 2 developer, but in an amount commensurate with the size of this alternative. Neither alternative would cause a significant impact on public services, but impacts from Alternative 2 would be greater than the proposed Project.

Recreation

Under Alternative 2 it is assumed that six acres of recreation-open space will still occur at the project site. As outlined in Subchapter 4.16, the proposed Project is constructing and/or paying for park facilities to serve the site residents. Therefore, even though the proposed Project would have no significant adverse impact on existing recreational facilities, recreation resources impacts from Alternative 2 would be comparable. Neither alternative would result in a significant adverse impact to existing recreational resources and both will contribute to the recreation resource base of the City.

Transportation / Traffic

Alternative 2 would generate both construction and future occupancy traffic (estimated to be about 18,000 trips per day). Thus, this alternative will effectively double the volume of traffic generated from the site. According to Subchapter 4.17, implementing the proposed Project will generate about 9,000 new trips at buildout and that volume can be managed on the area circulation system with mitigation. Although traffic volumes can change as a result of future events, such as fuel price increases reducing trip generation, increasing use of alternative modes of transportation, and a different mix of land uses, for planning purposes the volume of traffic generated by Alternative 2 on the circulation system may be considered an unavoidable significant adverse impact. Therefore, transportation/traffic resources impacts from Alternative 2 would be substantially greater than proposed Project, and implementation of will eliminate potential significant circulation system impacts.

Tribal Cultural Resources

Alternative 2 would cause the same ground disturbing activities that could adversely impact Tribal Cultural Resources as the proposed Project. Therefore, when compared to the proposed Project it would have the same impact. Regardless, neither alternative would result in a significant adverse impact to any Tribal Cultural Resources located on the project site and mitigation is required to achieve this level of impact for both alternatives.

Utilities and Service Systems

Refer to Subchapter 4.18 for the detailed discussion of utilities and service systems. For the three utility systems, solid waste, water and sewer, and natural gas and electricity, there is adequate capacity, in some cases with mitigation, to supply proposed Project demand without causing significant utility system impacts. Although Alternative 2 is anticipated to cause greater demand on these systems, it is assumed that such demand can be mitigated to a comparable level of impact. Therefore, for all utilities impacts Alternative 2 demands would be greater than those of the proposed Project, but neither alternative would cause a significant adverse impact to these utility systems.

Wildfire

The proposed project has been evaluated as having a less than significant exposure to wildfire hazards at the project site following development. Alternative 2 would allow a higher intensity of development on the property with fewer overall residences. This higher intensity development would not expose the site to greater wildfire hazards. Thus, under either development alternative the wildfire impacts would be less than significant and generally comparable.

Energy

The proposed project has been evaluated as having a less than significant impact on future energy use at the project site through the implementation of a number of mitigation measures. Alternative 2 would allow higher intensity uses and greater energy consumption, but with the implementation of comparable mitigation this alternative would not necessarily cause a substantial or inefficient use of energy in the future. Thus, under either development alternative the energy impacts would be less than significant, but the proposed Project would have less impact due to the lower overall energy requirements compared to the higher intensity development of Alternative 2.

Conclusion

With respect to Alternative 2, the increased mixed use square footage will have greater impacts than the proposed Project, with a possibility of additional unavoidable significant adverse impacts. Project objectives may not be attained because fewer residences are included in this alternative. However, Alternative 2 would appear to meet all of the City's EDC objectives, except with greater overall environmental impact. This alternative would meet all six project objectives identified in the Introduction to this chapter of the Draft EIR.

5.5.3 REDUCED DENSITY ALTERNATIVE (ALTERNATIVE 3)

This Alternative would effectively reduce the densities from the Project as proposed by 50% for each Planning Area. The land use summary table listed below provides an outline of the proposed densities for each Planning area that would comprise this Alternative; it is assumed that the acreages proposed as part of the Mill Creek Promenade Project would remain the same.

Table 5-1
LAND USE SUMMARY

Planning Area	Land Use		Acres (Net/Gross)	Dwelling Units	Square Footage	Density
PA1	High density residential	Single family attached	13.8/15.6[1]	194	--	14.0 du/ac
		Open space (recreation areas, parks, paseos)	4.0		--	
PA2	High density residential	Single family detached	20.5/21.6[2]	204	--	10 du/ac
		Open space (recreational areas, parks, paseos)[3]	2.4			
PA3	Commercial retail	Promenade Shopping Center	14.9/16.8	--	120,190	--
PA4	Light industrial/ business park	Business park	2.8/2.8	--	33,800	--
PA5	Open Space	Conservation	1.7/1.7	--	--	--
--	Major circulation	Garbani Road, Haun Road, Sherman Road	4.85	--	--	--
Project Total			53.9/58.5[4]	398	153,990	--

[1] Net and gross acreages include 4.02 acres of PA1 open space.
[2] Net and gross acreages include 2.42 acres of PA2 open space.
[3] Includes 1,780 square foot community clubhouse.
[4] Total project net acres excludes Garbani Road, Haun Road and Sherman Road.

Aesthetic Resources

The lower density alternative will change the existing visual setting of the project site to a lesser extent than the proposed project due to the structures and greater contrast with the residential uses located north of Garbani. The semi-rural character of the visual setting would be in lesser contrast than the proposed Project because the density of the site would be reduced, allowing for greater park land and open space on the site. Thus, since Alternative 3 would have less of an aesthetic impact than the proposed Project, it is anticipated that the Alternative 3 project aesthetic impact would have an impact due to the change is land use but that it would be less than significant. Aesthetic impacts from the Alternative 3 would be less than those of the proposed Project, but no significant impacts would occur under either the Project or Alternative 3 scenarios.

Agricultural and Timberland Resources

Alternative 3 would eliminate the potential for commercial agricultural activities on the 58.5-acre site, similar to the proposed Project. Both projects would convert the project site to urban use, including about 6 acres dedicated to recreation and open space. Based on the data and the analysis performed in Subchapter 4.3, the value of the soils and agricultural productivity of this site was determined to be relatively low. No prime farmland or farmland of Statewide Importance would be lost. Regarding the designation of the property as locally important farmland, the City eliminated the value of this site for agriculture by designating it for EDC uses, not agriculture. Thus, under the both alternatives commercial dry farming activities would be eliminated. Alternative 3 has the same less than significant impact on agricultural resources as the proposed Project.

Air Quality

Alternative 3 will generally require the same type of site preparation as the proposed Project, but will require less building construction. Thus, construction emissions could be decreased. Thus, Alternative 2 is forecast to generate less short-term construction emissions, and such emissions—like the Project—would not be significant.

According to the evaluation in Subchapter 4.4, the greatest project-related air quality concern derives from the new vehicle trips that will be generated by Alternative 2. residential and other uses at Project completion. For Phase 1 of the Mill Creek Promenade Project, a 15 percent reduction in trip generation was taken. The commercial retail and the high-turnover (sit-down) restaurant will result in trip generation rates of 47.85 trips per thousand square feet and 92.25 trips per thousand square feet, respectively. Phase 1 also includes a trip generation rate of 3.37 trips per thousand square feet for the industrial park. For Phase 2, the multi-family and single-family uses would result in trip generation rates of 6.59 trips per dwelling unit and 8.5 trips per dwelling unit, respectively. This methodology, when applied to the Reduced Density Alternative, would reduce significantly NOX emissions by half, which is not enough to reduce the emissions to a level below significance thresholds—the emissions for Phases 1 & 2 would be reduced from 122.38 to 61.19, which is still above the 55 pounds per day emissions threshold. Additionally, the overlapping mitigated construction and mitigated operational emissions that would occur during operation of Phase 1 & construction of Phase 2 would still be above thresholds for NOX—reduced= from 132.32 to 66.16, which is still above the 55 pounds per day emissions threshold. As such, though Alternative 3 would substantially reduce emissions generated by the Project, it would not avoid the significant and unavoidable impact determination.

Biological Resources

Alternative 3 would change the existing biology of the project site in a manner comparable to the proposed Project. Based on the biological resources survey prepared for the project site the project site is totally disturbed and does not contain substantial native plant communities. The biology information presented in Subchapter 4.5 indicates this proposed Project is consistent with the MSHCP based on implementation of specific mitigation measures. Minimal sensitive habitat was identified on the property. Therefore, based on this information, Alternative 3 would have comparable impacts to biological resources like the proposed Project, but neither alternative would have any significant biological resource impacts.

Cultural Resources

Alternative 3 would have the same general impacts to cultural resources as the proposed Project. The cultural resources information presented in Subchapter 4.6 indicates the proposed Project can be implemented without significant cultural resource impacts based on implementation of standard City conditions of approval. Therefore, based on this information, Alternative 3 would have comparable overall impact to cultural resources as the proposed Project, but neither alternative would have any significant cultural resource impacts with mitigation.

Geology and Soils

Alternative 3 would involve the same types of development as the proposed Project, but with a reduction in density; therefore, less structures and people under this alternative would be subject to onsite geological constraints. The proposed Project includes a geotechnical study that identifies the Project area as susceptible to seismic and geological hazards, such as ground shaking. According to the geotechnical study summarized for the project site in Subchapter 4.7, the proposed development at the project site is feasible from a geotechnical standpoint with mitigation. No severe onsite geologic or soil-related hazards or constraints were identified that would preclude development of the site. The addition of people to the area would expose structures and humans to risk, but the nature of geologic risks are not significant or can be mitigated. The proposed Project has less overall risk to structures and human use of the site, but neither alternative would have any significant geology and soil impacts.

Greenhouse Gas / Climate Change

Since construction activity would occur, Alternative 3 would have short-term impacts on Greenhouse Gas (GHG) emissions; based on the lesser amount of building area under this Alternative, the GHG emissions would be less than those generated by the proposed project. However, even with a 50% reduction in GHG emissions, Alternative 3 would exceed the SCAQMD GHG thresholds. Emissions for Phase 1 & 2 under the Proposed project were calculated at 15,356.12 $MTCO_2e$ per year, while the emissions for Alternative 3 are assumed to be half of that amount, which still exceeds the 3,000 $MTCO_2e$ screening threshold. Based on the discussion under air quality above, this alternative would also generate new permanent sources of GHG emissions from increased traffic or increased use of energy resources at the site. Overall, GHG emissions from Alternative 3 would be substantially less than those of the proposed Project, but would remain significant and unavoidable.

Hazards and Hazardous Materials

Alternative 3 will have comparable use of hazardous materials as the proposed Project, perhaps less, due to the decreased square footage of mixed uses. However, specific mitigation measures have been identified to reduce these potential project specific and cumulative (direct and indirect) effects to a less than significant impact level for hazards and hazardous materials. Neither alternative would have any significant hazard/hazardous material impacts.

Hydrology and Water Quality

Under Alternative 3 the existing hydrology on site would have to be altered as the project site would be converted to mixed uses. Based on the square footage under this alternative, it would require somewhat reduced hydrology and water quality management measures to meet requirements for each issue. Both alternatives will make unavoidable alterations in the site hydrology and the proposed uses will result in generation of new pollutants from the proposed urban/suburban environment that can also degrade water quality. However, through a combination of design measures included in the drainage design and the mitigation measures, these potential hydrology and water quality impacts can be controlled to a less than significant impact level. It is assumed that even with a reduced impervious footprint, the volume of runoff will require the enhanced design for the Haun Road undercrossing. Therefore, hydrology/water quality resources (primarily water quality) resources from Alternative 3 would be comparable to,

though slightly less than, the proposed Project, but neither alternative would have any significant hydrology/water quality impact.

Land Use / Planning

Under Alternative 3 there would be no need for amendment of the General Plan. The development of up to 76,995 square feet of mixed uses and 199 residential units on this property would be different than the surrounding development, and much like the proposed project, a specific plan would be implemented. As described in Subchapter 4.11, development of the proposed Project will result in substantial change of the land use (intensification) and the planning designations of the Project area. Approval of Alternative 3 will cause an intensification of development less than that of the proposed Project. This change in land use was found to be a less than significant impact. Land use/planning impacts from Alternative 3 would be less than those of the proposed Project, but both alternatives would a less tjan significant impact.

Mineral Resources

The evaluation in Subchapter 4.12 concluded that the project site does not contain any mineral resources of any value to society. Based on this finding, neither implementation of Alternative 3 or of the proposed Project has any potential to cause adverse impacts to such resources.

Noise

Because Alternative 3 substantially decreases onsite construction and trip generation, both short-term and long-term noise from the project site and along affected roadways will be less than that generated by the proposed Project. After the application of available mitigation, Alternative 3 is anticipated to reduce noise impacts to a less than significant level onsite. As such, it is assumed that Alternative 3 would have less noise impacts than the proposed Project's contribution to long-term roadway noise impacts. However, the Alternative 3 noise impact are forecast to remain cumulatively considerable like the proposed project.

Population / Housing

With Alternative 3 only 199 residences would be built, and the projected population increase in the local area of approximately 1,162 persons from the proposed Project would be reduced to about an estimated 581 persons. In Subchapter 4.14, the proposed Project was determined to cause a less than significant change in the local population within the City of Menifee. Alternative 3 would contribute future residences and population that would be substantially less than that which would be generated by the proposed Project. Alternative 3 would also contribute to meeting the future housing needs of the City, but less so than the proposed Project. The implementation of Alternative 3 would not cause an unavoidable significant adverse impact. Ultimately, the population and housing impacts from Alternative 3 would be less than the impacts from the Project, but neither alternative would have any significant Population/Housing impacts.

Public Services

For public services Alternative 3 would create varying levels of demand in the future. For example, with fewer residences this alternative's impact on schools will be less than the proposed Project. For Fire and Sheriff services it is anticipated that overall demand will be less

for Alternative 3 due to less square footage proposed under this alternative. Regardless, through payment of City-established development impact fees for all public services would be paid by the Alternative 3 developer, but in an amount commensurate with the size of this alternative. Neither alternative would cause a significant impact on public services, but impacts from Alternative 3 would be less than the proposed Project.

Recreation

Under Alternative 3 it is assumed that six acres of recreation-open space will still occur at the project site. As outlined in Subchapter 4.16, the proposed Project is constructing and/or paying for park facilities to serve the site residents. Therefore, even though the proposed Project would have no significant adverse impact on existing recreational facilities, recreation resources impacts from Alternative 3 would be comparable, if not slightly less significant. Neither alternative would result in a significant adverse impact to existing recreational resources and both will contribute to the recreation resource base of the City.

Transportation / Traffic

Alternative 3 would generate both construction and future occupancy traffic (estimated to be about 4,500 trips per day). Thus, this alternative will reduce the volume of traffic generated from the site by half. According to Subchapter 4.17, implementing the proposed Project will generate about 9,000 new trips at buildout and that volume can be managed on the area circulation system with mitigation. Although traffic volumes can change as a result of future events, such as fuel price increases reducing trip generation, increasing use of alternative modes of transportation, and a different mix of land uses, for planning purposes the volume of traffic generated by Alternative 3 on the circulation system would be substantially less than the impacts from the proposed Project due to the reduced density on site. Therefore, transportation/traffic resources impacts from Alternative 3 would be substantially less than proposed Project. However, the potential significant impact remains the same for Alternative 3 because even after payment of fair share transportation fees, the individual project cannot ensure that these improvements will be installed in time to offset impacts of the alternative 3 traffic.

Tribal Cultural Resources

Alternative 3 would cause similar ground disturbing activities that could adversely impact Tribal Cultural Resources as the proposed Project. Therefore, when compared to the proposed Project it would have similar impacts. Regardless, neither alternative would result in a significant adverse impact to any Tribal Cultural Resources located on the project site and mitigation (using City standard conditions) is required to achieve this level of impact for both alternatives.

Utilities and Service Systems

Refer to Subchapter 4.18 for the detailed discussion of utilities and service systems. For the four utility systems, solid waste, water and sewer, and natural gas and electricity, there is adequate capacity, in some cases with mitigation, to supply proposed Project demand without causing significant utility system impacts. Alternative 3 is anticipated to cause less demand on these systems, it is assumed that such demand can be mitigated to a comparable level of impact. Therefore, for all utilities impacts, Alternative 3 demands would be less than those of

the proposed Project, but neither alternative would cause a significant adverse impact to these utility systems.

Wildfire

The proposed project has been evaluated as having a less than significant exposure to wildfire hazards at the project site following development. This lower intensity development by Alternative 3 would not expose the site to greater wildfire hazards. Thus, under either development alternative the wildfire impacts would be less than significant and generally comparable.

Energy

The proposed project has been evaluated as having a less than significant impact on future energy use at the project site through the implementation of a number of mitigation measures. Alternative 3 would have approximately 50% energy demand compared to the proposed Project. Alternative 3 would lower intensity uses and lower energy consumption, but with the implementation of comparable mitigation this alternative would not cause a substantial or inefficient use of energy in the future. Thus, under either development alternative the energy impacts would be less than significant, but the proposed Project would have greater impact due to the higher overall energy requirements compared to the lower intensity development of Alternative 3.

Conclusion

With respect to Alternative 3, the reduced density will have fewer overall impacts than the proposed Project. There is a possibility of two less unavoidable significant adverse impact determinations for Noise and Transportation/Traffic, however these are cumulative impacts where mitigation is likely not feasible. Thus, Alternative 3 would still cause unavoidable significant impacts to Air Quality and GHG and Noise and Transportation/Traffic, though to a lesser degree. Project objectives may not be attained because the fewer residences and reduced commercial and business/industrial square footage included in this alternative will likely eliminate sufficient funding to implement Alternative 3. This alternative would marginally fulfill all six project objectives identified in the Introduction to this chapter of the Draft EIR.

5.6 ENVIRONMENTALLY SUPERIOR ALTERNATIVE

The No Project Alternative has been determined to be the environmentally superior alternative. However, State CEQA Guidelines Section 15126.6(e)(2) indicates that where the no project alternative is environmentally superior, “the DEIR shall also identify an environmentally superior alternative among the other alternatives.” Between the proposed project and the two remaining alternatives, Alternative 3 has been determined to be environmentally superior due to fewer unavoidable significant adverse environmental impacts. However, this alternative’s potential infeasibility due to inability to afford all of the required infrastructure improvements and mitigation measures may eliminate it from actual consideration by the project proponent.

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CHAPTER 6 – ADDITIONAL CEQA TOPICAL ISSUES

6.1 GROWTH-INDUCING IMPACTS

CEQA requires a discussion of the ways in which a project could be growth-inducing. (Pub. Resources Code, §21100, subd.(b)(5); CEQA Guidelines, §§15126, subd.(d), 15126.2, subd.(d)) The CEQA Guidelines identify a project as growth-inducing if it would foster economic or population growth or the construction of additional housing, either directly or indirectly, in the surrounding environment. Under CEQA, growth inducement is not considered necessarily detrimental or beneficial. (CEQA Guidelines §15126.2, subd.(d))

A project may indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic activity. Projects that induce growth directly would include commercial or industrial development that hire new employees and residential development that provides housing. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in an area. Growth inducement may also occur if a project provides infrastructure or service capacity that accommodates growth beyond the levels currently permitted by local or regional land use plans. However, a project's potential to induce growth does not automatically result in growth. Growth only happens when the private or public sector responds to a change in the underlying development potential of an area with capital investment.

Typically, significant growth is induced in one of three ways. In the first instance, a project developed in an isolated area may bring sufficient urban infrastructure to cause new or additional development pressure on the intervening and surrounding land. This type of induced growth leads to conversion of adjacent acreage to higher intensity uses, either unexpectedly or through accelerated development. This conversion occurs because the adjacent land becomes more suitable for development and, hence, more valuable because of the availability of the new infrastructure. This type of growth inducement is termed "leap frog" or "premature" development because it creates an island of higher intensity developed land within a larger area of lower intensity land use.

The second type of significant growth inducement is caused when development of a large scale project, relative to the surrounding community or area, produces a "multiplier effect" resulting in substantial indirect community growth, although not necessarily adjacent to the development site or of the same type of use as the project itself. This type of stimulus to community growth is typified by the development of major destination facilities, such as Disney World near Orlando, Florida, or around military facilities, such as the Marine Corps Air Ground Combat Center, near Twentynine Palms.

A third, and more subtle, type of significant growth inducement occurs when land use plans are established that create a potential for growth because the available land and the land uses permitted result in the attraction of new development. This type of growth inducement is also attributed to other plans developed to provide the infrastructure necessary to meet the land use objectives, or community vision, contained in the governing land use agency's general plan. In this type of growth inducement, the ultimate vision of future growth and development within a project area is established in the City General Plan or other comprehensive land use plan. The net effect of a General Plan's land use designations is to establish a set of expectations

regarding future land use and growth that may or may not occur in the future, depending upon the actual demand and other circumstances when development is proposed. Thus, a plan may assign an area 100,000 square feet of commercial space, but if actual development does not ultimately generate demand for this much retail square footage, it will never be established.

Under present circumstances the proposed Project site is vacant; it has historically supported dry-land farming activities. The site is situated in an area of mixed vacant land, dry-land farming, single-family residential uses of varying density, including both suburban/rural and suburban/urban neighborhoods, and scattered commercial and light industrial uses. Surrounding land uses include the following: north of the site consists of Garbani Road, and low density residential uses; east of the site land uses consist of vacant land and a storage facility; immediately south of the project site is open space and a Verizon facility; and west of the site is vacant land and one single family residence.

The proposed Project site is located within an area of the City identified on the General Plan Land Use Map as an Economic Development Corridor, or "EDC". Refer to Figure 3-3 of this document. Development of the proposed Project will result in substantial change of the land use on the vacant site, but the changes are generally consistent with the land use and planning designations of the General Plan which establishes the cumulative land use framework for the City of Menifee. The mix of uses at this site has a higher percentage of residential use than identified as the ideal in the General Plan, but the project was presented to the City Council for a review and the Mill Creek mix was indicated to be acceptable since it falls within the City-wide land use mix. Approval of the proposed Project will cause an intensification of development greater than that which presently occurs on the site, but not greater than that which has been planned for in the General Plan. The proposed Project design includes buffers around boundary portions of the project site which abut adjacent lower intensity uses. The proposed Project would contribute to implementation of the General Plan vision for the Project site and for the EDC. Design measures discussed in Section 4.11.5 are available to reduce conflicts with adjacent land uses to the extent feasible.

As discussed in subchapter 4.14, Population and Housing, the project proposes 398 high density residential units. The City of Menifee Housing Element estimates that there are on average 2.8 persons per household within the City of Menifee and 3.5 persons per household in areas surrounding the City. The master planned senior community of Sun City, which is within the City of Menifee, has an average household size of 1.3 persons per household. If senior households are excluded, the average number of persons per household in the City of Menifee is 3.6. The Housing Element states that the majority of single-family homes built in the community since 2010 are 3-, 4-, and 5-bedroom units. Residences with larger numbers of bedrooms obviously appeal to larger households. The Land Use Background Document and Definitions for the City General Plan derived population generation ratios from the 2010 Census and 2006-2008 American Community Survey, resulting in population generation estimates of 2.8 persons per household for residential units developed at a density at or below 8.0 du/ac and 2.07 persons per household for residential units developed at a density between 8.1 and 24.0 du/ac. The FIA prepared for the Project estimated population generation of 2.92 persons per household based on CA DOF City/County Population and Housing Estimates, January 1, 2016.

Ultimately, the projected population generation rate of a particular development is an estimate based upon the best available assumptions. Given the relatively small size of the proposed residences (approximately 1/3 of PA 1 units would have two bedrooms; PA 2 units would be ~1,078 to 1,478 SF) and the proposed residential density between 8.1 and 14.0 du/ac, it is

reasonable to assume that 2.92 persons per household is on the high end of the population that would be generated by the Project. A project specific population generation of 2.07 persons per household as suggested by the Land Use Background Document and Definitions for the City General Plan for residential units developed at a density above 8.1 du/ac would seem appropriate. Based on this analysis, the proposed 398 residences would have a build-out population of approximately 823 people based on a population factor of 2.07 persons per unit or approximately 1,162 people based on a population factor of 2.92 persons per household. Since the 2.92 results in a conservative forecast of population and housing impacts, the range is used throughout the document.

As discussed in subchapter 4.11, Land Use and Planning, the proposed project is consistent with General Plan designation for the site and the policies and ordinances governing development within the EDC; therefore, the population that would be generated by the project is already calculated into the assumptions of the City General Plan, including the Housing Element. The City General Plan estimates a build-out population of 165,830 persons. The increases in population and employment associated with the proposed Project are also within the growth assumptions estimated by SCAG for the City of Menifee.

New population from residential development represents a direct form of growth. Direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in an area. The proposed Project is a mixed-use community project, which will bring additional people to live and work in the area. Post-construction employment opportunities at or adjacent to the site would include the on-site office, business park and commercial/retail businesses. New businesses that hire new employees also represent a direct form of growth.

The intensity of the proposed development would require an investment in infrastructure improvements, together with utility lines for water, sewer, natural gas, electrical, telephone, cable television, and flood control improvements. However, the Project would not require introducing infrastructure into an area where it is not currently available in a manner that would be considered premature or leap frog development. Infrastructure would be extended into the parcels to be developed, but it would not be extended or expanded in a manner which may cause adjacent land to become more suitable for development and may lead to conversion of adjacent acreage to higher intensity uses, either unexpectedly or through accelerated development.

The proposed project is not a large scale project, relative to the surrounding area, that would have the potential of producing a “multiplier effect” resulting in substantial indirect community growth. The proposed Project would not drive or force regional growth. Therefore, the proposed project is not considered a “large project” that would indirectly drive area growth due to its presence.

While there is vacant agricultural land and rural residential land in the vicinity of the Project site, the proposed Project does not include any changes to the underlying land use designations on off-site properties. Thus any future development proposed on adjacent or nearby lands would be required either to be consistent with the existing land use designations or to apply for approvals to alter land use designations. No growth beyond that which is provided for in the County and/or City land use policies and plans could occur without subsequent review, including a separate environmental analysis, of land use policy. To reiterate, any future development that might be proposed for the land in the vicinity of the proposed Project would require subsequent

environmental review, including review for consistency with the general plan. Similarly, any change in land use designations that might be proposed for land in the vicinity of the proposed Project would require subsequent environmental review.

In summary, the proposed Project would induce growth by providing housing and new employment opportunities. However, the proposed Project would not induce population growth beyond that which has been planned for in the City General Plan or SCAG planning documents.

Thus, the proposed Project would be directly growth-inducing. Implementation of the proposed Project would not result in the extension of major infrastructure into an area not currently served, and therefore, would not indirectly induce population growth by extending infrastructure which may cause adjacent land to become more suitable for development. The proposed Project would not be a new large project with the potential to create a "multiplier effect" that has not already been provided for in the local land use planning documents and that could induce growth beyond that anticipated in those planning documents. Finally, the project would not create or change a land use plan that might cause a potential for growth because the available land and the land uses permitted result in the attraction of new development. Thus, while the proposed Project would induce growth, it would not be substantially growth inducing.

6.2 SIGNIFICANT IRREVERSIBLE CHANGES

Section 15126.2(c) of the CEQA Guidelines requires that an Environmental Impact Report (EIR) describe any significant irreversible environmental changes that would be caused by the proposed project should it be implemented:

> Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts generally commit future generations to similar uses. Also, irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified.

In the case of the proposed project, its implementation would involve a land use, development, and implementation framework to support the proposed residential and commercial and uses. Significant irreversible changes that would be caused by implementation of the project would be:

- Construction activities that would require the commitment of nonrenewable and/or slowly renewable energy resources; human resources; and natural resources such as lumber and other forest products, sand and gravel, asphalt, steel, copper, lead, other metals, water, and fossil fuels.

- Operation that would require the use of natural gas and electricity, petroleum-based fuels, fossil fuels, and water. The commitment of resources required for the construction and operation of the project would limit the availability of such resources for future generations or for other uses during the life of the project.

- An increased commitment of social services and public maintenance services (e.g., police, fire, sewer, and water services) to serve the projects new residents and employees.

- Employment growth related to project implementation would increase vehicle trips over the long term. Emissions associated with such vehicle trips would continue to contribute to the South Coast Air Basin's nonattainment designations for ozone, and particulate matter (PM_{10} and $PM_{2.5}$) under the California and National Ambient Air Quality Standards (AAQS), and nonattainment for nitrogen dioxide (NO_2) under the California AAQS.

- Long-term irreversible commitment of vacant parcels of land in the city of Menifee.

Given the low likelihood that the land would revert to lower intensity uses or to its current form, the proposed project would generally commit future generations to these environmental changes. However, the project area is already identified for future development, and served by existing infrastructure. The commitment of resources to the proposed project is not unusual for or inconsistent with projects of this type and scope. However, once these commitments are made, it is improbable that the project area would revert back to its current condition. Thus, the proposed project would result in significant irreversible changes to the environment throughout the lifespan of the structures.

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CHAPTER 7 – PREPARATION RESOURCES

7.1 REPORT PREPARATION

7.1.1 LEAD AGENCY

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- Biology – RCA Associates, LLC
- Cultural – CRM TECH
- Geotechnical – Earth Strata Geotechnical, Inc.
- Greenhouse Gases – Kunzman Associates, Inc.
- Phase 1 ESA – Earth Strata Geotechnical, Inc.
- Hydrology / Water Quality – Pacific Coast Land Consultants, Inc.
- Hydrology and Floodplain – JLC Engineering & Consulting, Inc.
- Noise – Kunzman Associates, Inc.
- Fiscal Impact – David Taussig & Associates
- Traffic – Kunzman Associates, Inc. / Ganddini Group, Inc.

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https://www.cityofmenifee.us/DocumentCenter/View/3648

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http://www.scag.ca.gov/Documents/2016_2040RTPSCS_FinalGrowthForecastbyJurisdiction.pdf

https://www.cityofmenifee.us/DocumentCenter/View/2352/Demographic-Marketing-Report---2018

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CHAPTER 8 – APPENDICES

8.1 NOTICE OF PREPARATION / NOP DISTRIBUTION LIST

8.2 NOP COMMENT LETTERS

APPENDIX 8.1

NOTICE OF PREPARATION / NOP DISTRIBUTION LIST

F I L E D / P O S T E D
County of Riverside
Peter Aldana
Assessor-County Clerk-Recorder
E-201701465
11/14/2017 04:29 PM Fee: $ 0.00
Page 1 of 3
Removed: By: Deputy

NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF EIR SCOPING MEETING

DATE: November 14, 2017

TO: Responsible and Trustee Agencies, Interested Organizations and Parties

FROM: City of Menifee – Community Development Department

SUBJECT: NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE MILL CREEK PROMENADE SPECIFIC PLAN NO. 2016-246

The City of Menifee (City) will be the Lead Agency and will prepare an EIR for the proposed project identified below. The City is seeking input from the general public, public agencies, and interested parties regarding the scope and content of the environmental information that should be analyzed in the EIR, including input regarding any topics or specific issues that are germane to a particular agency's statutory responsibilities in connection with the proposed Project. A short description of the Project, as well as the location and potential environmental effects, are discussed below. The enclosed maps show the location of the proposed Project. In accordance with Section 15060(d) of the State CEQA Guidelines the City has determined that an EIR will be prepared to address all of the standard issues identified in the Standard Environmental Assessment Form/Initial Study. Thus, no Initial Study accompanies this Notice of Preparation.

PROJECT CASE NO./TITLE: Mill Creek Promenade Specific Plan No. 2016-246. The following applications have been filed in conjunction with the Specific Plan: Environmental Impact Report (No. to be assigned); Plot Plan No. 2017-167, Plot Plan No. 2016-057, Tentative Tract Map No. 2017-165 (TR 37324), and Tentative Tract Map No. 2017-166 (TR 37127).

PROJECT APPLICANT: Sherman & Garbani, LLC and Sherman & Haun, LP

PROJECT LOCATION: The Project site consists of three parcels (Assessor's Parcel Numbers) 360-350-006, 360-350-011 and 360-350-017 which together comprise approximately 58.5 acres of contiguous, undeveloped land located on the south side of Garbani Road, between Sherman Road to the west and Haun Road to the east, in the southeast quarter of Section 15, T6S R3W, San Bernardino Baseline and Meridian within the City of Menifee, County of Riverside, State of California. Refer to Exhibit 1 of this Notice for Site Location map.

PROJECT DESCRIPTION: The Project applicant proposes to obtain entitlements in order to implement the Mill Creek Promenade Specific Plan. The Project site is located within the City's Economic Development Corridor Southern Gateway district which envisions a mix of uses on the west side of the I-215 Freeway including a business park style of development, consisting of light industrial and office uses with commercial use opportunities supported by residential use.

The proposed Specific Plan would allow for development of five planning areas that would include single-family residential, open space, commercial/retail, office, restaurant and industrial development. The Specific Plan identifies permitted uses, maximum residential densities or dwelling units per acre (DU/acre), maximum commercial intensities or Floor Area Ratio (FAR), height limits, and the maximum number of stories that are applicable for each of the five proposed Planning Areas. The Specific Plan envisions creek-side trails and pedestrian pathways connecting the different development areas to each other.

With the adoption of the Chapter 9.28 Economic Development Corridor Zoning Ordinance by the City in 2015, all lands having an Economic Development Corridor General Plan land use designation were rezoned in accordance with their respective subareas within the EDC General Plan designation. Accordingly, the subject site currently has a zone classification of EDC-Southern Gateway (EDC-SG).

The proposed Mill Creek Promenade Specific Plan would allow up to 398 high-density single-family residential units on approximately 34.52 acres. In addition, the Mill Creek Specific Plan would allow approximately 117,208 square feet (SF) of retail, commercial and office space on approximately 13.85 acres; and 33,288 SF of business park/industrial space on 2.82 acres. Retail, commercial and office space is forecast to consist of up to 89,200 SF of net retail buildings, 20,640 SF of available office space, and 7,368 SF of free-standing restaurant space (total 117,208 SF).

The Mill Creek Promenade Specific Plan would provide opportunities throughout the site for passive and active recreation, totaling approximately 8.03 acres of open space and open space conservation (2.8 acres open space within Planning Area (PA)-1; 2.47 acres open space in PA-2; and 2.76 acres open space conservation in PA-5).

The Project would install all of the required utility and roadway infrastructure to support access and use of the property at a residential density of approximately 8.1-14.0 DU/ac in the planning areas identified for residential use; a FAR of approximately 0.18 for the planning area identified for commercial retail development, and a FAR of approximately 0.27 for the planning area identified for business park/light industrial. A conceptual land use plan for the proposed Project is shown on Exhibit 2, *Current Project Site Plan*.

The following environmental issues will be analyzed in the EIR: aesthetics, agricultural and timberlands, air quality, biological resources, cultural resources, geology and soils, greenhouse gases/climate change, hazards and hazardous materials, hydrology and water quality, land use and planning, mineral resources, noise, population and housing, public services, recreation, transportation and traffic, tribal cultural systems, and utilities and service systems, and energy conservation.

SCOPING MEETING: The City of Menifee, in its role as Lead Agency, will hold a public scoping meeting to provide an opportunity for the public and representatives of public agencies and interested organizations to address the scope of the EIR. The Scoping Meeting is scheduled for Tuesday, November 28, 2017 at 6:00 PM at Menifee City Hall, 29714 Haun Road.

THIRTY DAY COMMENT PERIOD: Pursuant to State CEQA Guidelines (Cal Code Regs., Title 14 para. 15000 *et seq.)* Section 15082(a), any response and comments must be submitted to this office as soon as possible but **not later than thirty (30) days** after the date upon this notice. The Notice of Preparation comment period begins on November 14, 2017 and ends on December 14, 2017.

Please send your written responses to this Notice, including any comments you may have on this project, by regular mail or e-mail, to:

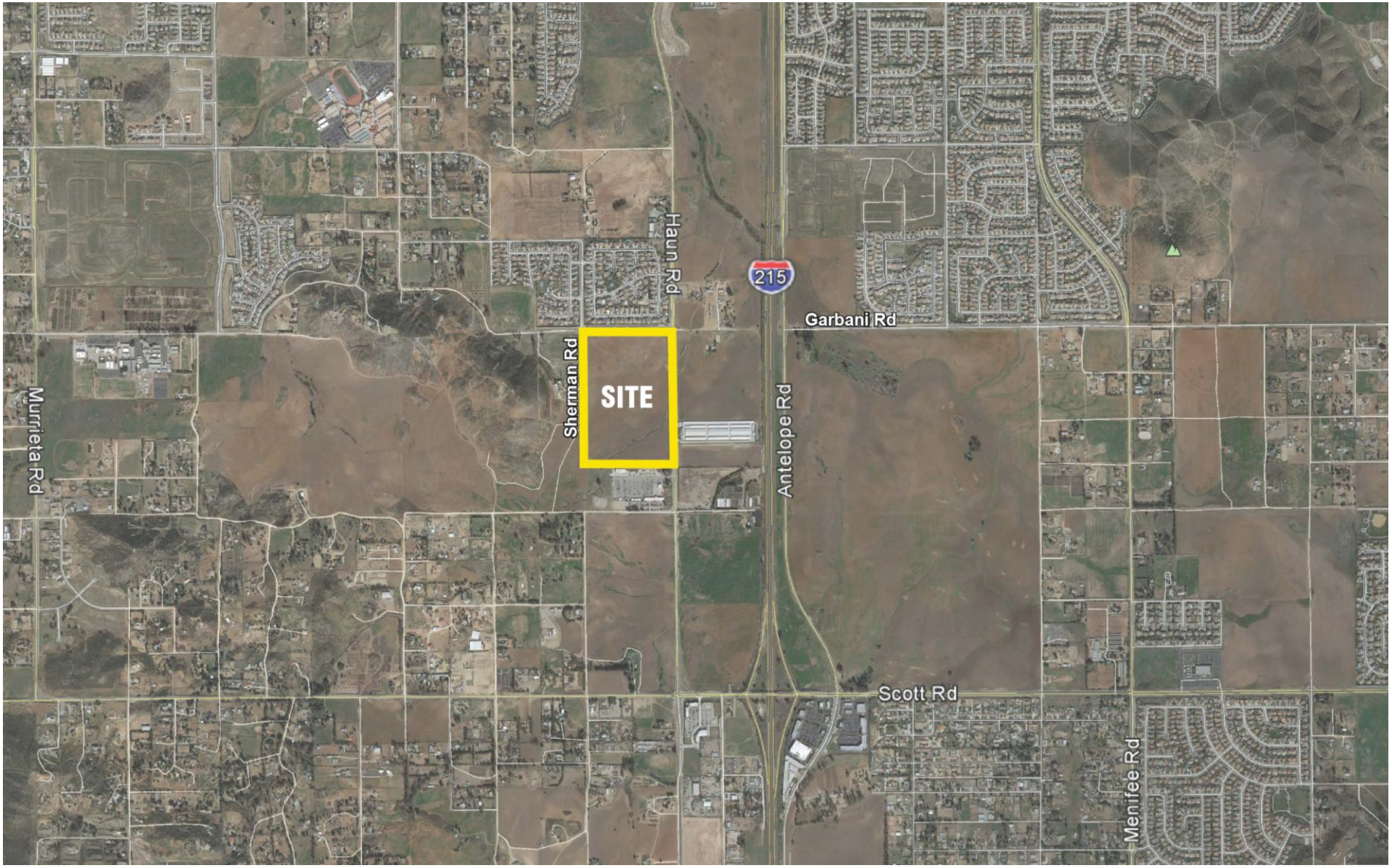
Mr. Manny Baeza, Senior Planner
City of Menifee
29714 Haun Road
Menifee, CA 92586
951.723.3742
mbaeza@cityofmenifee.us

Please include the name of a contact person at your agency in any submitted comments.

If you have any questions, please contact Mr. Manny Baeza, Senior Planner, at 951.723.3742 or mbaeza@cityofmenifee.us.

Manny Baeza, Senior Planner:

EXHIBIT 1
Project Location Map



Source: Mill Creek Promenade Specific Plan, November 2016

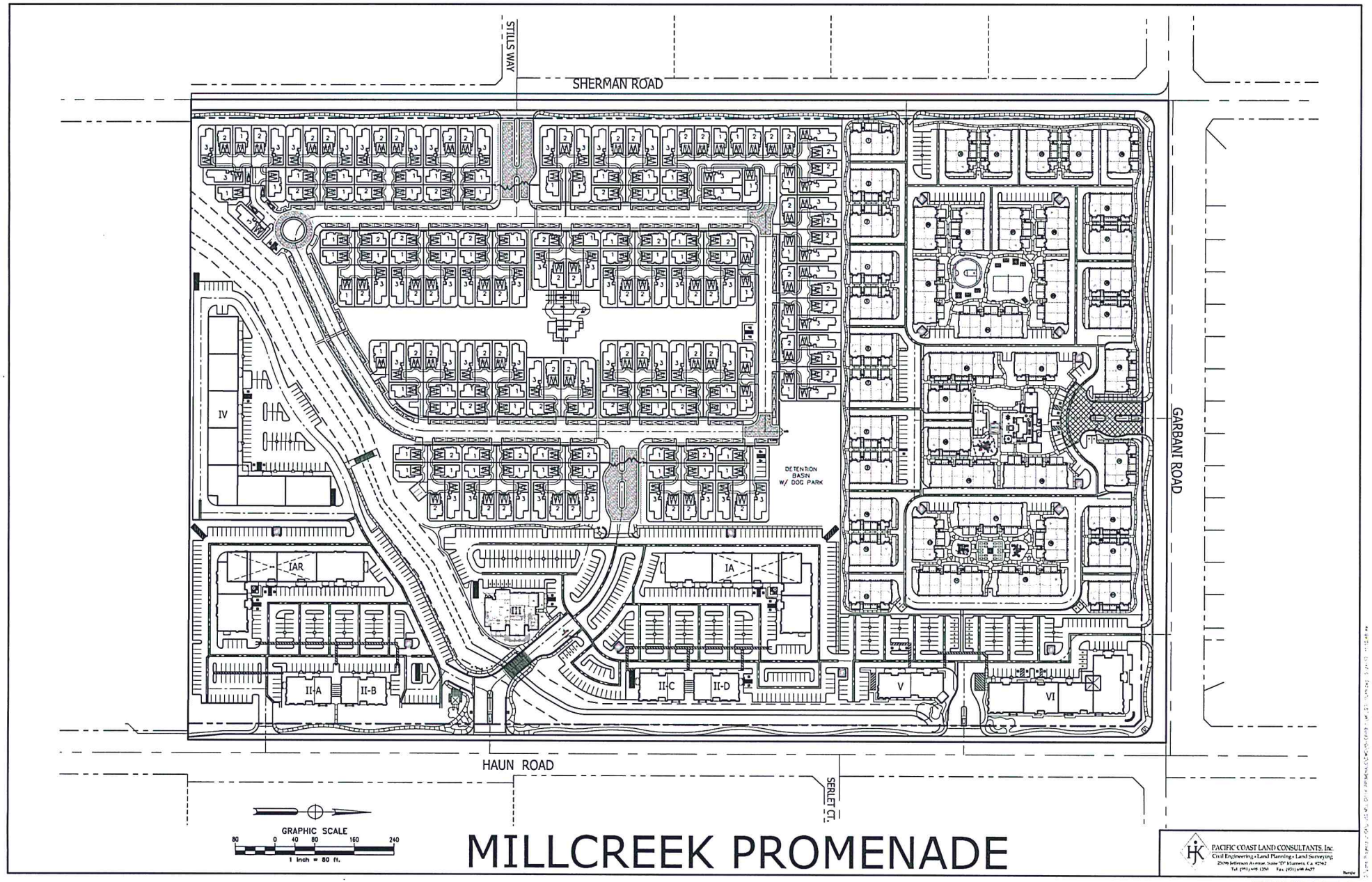

STILLS WAY
SHERMAN ROAD
GARBANI ROAD
HAUN ROAD
SERLET CT.
DETENTION BASIN W/ DOG PARK
IV
IAR
IA
III
II-A
II-B
II-C
II-D
V
VI
GRAPHIC SCALE
80 0 40 80 160 240
1 inch = 80 ft.
MILLCREEK PROMENADE
PACIFIC COAST LAND CONSULTANTS, Inc.
Civil Engineering • Land Planning • Land Surveying

EXHIBIT 2

OFFICE OF PLANING AND RESEARCH
STATE CLEARINGHOUSE
1400 TENTH STREET
SACRAMENTO CA 95814
(15 copies)

AGUA CALIENTE BAND OF CAHUILLA INDIANS
KATIE CROFT, ARCHAEOLOGIST
5401 DINAH SHORE DRIVE
PALM SPRINGS CA 92264

CALIFORNIA DEPT OF FISH & WILDLIFE
INLAND DESERT REGION (6)
3602 INLAND EMPIRE BLVD SUITE C-220
ONTARIO CA 91764

CALTRANS DISTRICT 8
ENVIRONMENTAL REVIEW
464 WEST 4TH STREET 6TH FL (MS 726)
SAN BERNARDINO CA 92401-1400

CITY OF CANYON LAKE
PLANNING DEPARTMENT
31516 RAILROAD CANYON ROAD
CANYON LAKE CA 92587

EASTERN MUNICIPAL WATER DISTRICT
ATTN ELIZABETH LOVSTED
PO BOX 8300
PERRIS CA 92570

CITY OF HEMET
CITY MANAGER
445 E FLORIDA AVENUE
HEMET CA 92543

CITY OF LAKE ELSINORE
CITY MANAGER
130 SOUTH MAIN STREET
LAKE ELSINORE CA 92530

CITY OF MENIFEE
PLANNING DEPARTMENT
29714 HAUN ROAD
MENIFEE CA 92586

MENIFEE UNION SCHOOL DISTRICT
ENVIRONMENTAL REVIEWER
30205 MENIFEE ROAD
MENIFEE CA 92584

MENIFEE VALLEY HISTORICAL ASSOCIATION
33751 ZEIDER ROAD
MENIFEE CA 92584

CITY OF MURRIETA
PLANNING DEPARTMENT
ONE TOWN SQUARE
MURRIETA CA 92562

NATIVE AMERICAN HERITAGE COMMISSION
ENVIRONMENTAL REVIEW
1550 HARBOR BLVD SUITE 100
WEST SACRAMENTO CA 95691

PALOMA VALLEY LIBRARY
31375 BRADLEY ROAD
MENIFEE CA 92584
(Hard copy)

PECHANGA CULTURAL RESOURCES,
TEMECULA BAND OF LUISEÑO MISSION INDIANS
ANNA HOOVER, CULTURAL ANALYST
PO BOX 2183
TEMECULA CA 92593

CITY OF PERRIS
CITY MANAGER
101 NORTH D STREET
PERRIS CA 92570

PERRIS UNION HIGH SCHOOL DISTRICT
HECTOR GONZALES
FACILITIES PROJECT MANAGER
155 EAST 4TH STREET
PERRIS CA 92570

REGIONAL CONSERVATION AUTHORITY
WESTERN RIVERSIDE COUNTY
ENVIRONMENTAL REVIEW
3403 10TH STREET SUITE 320
RIVERSIDE CA 92501

REGIONAL WATER QUALITY CONTROL BOARD – SANTA ANA
3737 MAIN STREET SUITE 500
RIVERSIDE CA 92501-3339

RINCON BAND OF LUISEÑO INDIANS,
CULTURAL RESOURCES DEPARTMENT
VINCENT WHIPPLE, MANAGER
1 WEST TRIBAL ROAD
VALLEY CENTER CA 92082

RIVERSIDE COUNTY
AIRPORT LAND USE COMMISSION (ALUC)
4080 LEMON STREET 14TH FLOOR
RIVERSIDE CA 92501

RIVERSIDE COUNTY, COUNTY CLERK
2724 GATEWAY DRIVE
RIVERSIDE CA 92507
(Hard copy for posting)

RIVERSIDE COUNTY DEPARTMENT
OF ENVIRONMENTAL HEALTH
OFFICE OF INDUSTRIAL HYGIENE
3880 LEMON STREET SUITE 200
RIVERSIDE CA 92501

RIVERSIDE COUNTY ENVIRONMENTAL
PROGRAMS DEPARTMENT (EPD)
4080 LEMONS STREET 12TH FLOOR
RIVERSIDE CA 92501

RIVERSIDE COUNTY FIRE DEPT
2300 MARKET STREET SUITE 150
RIVERSIDE CA 92501

RIVERSIDE COUNTY FIRE DEPT
210 W SAN JACINTO AVENUE
PERRIS CA 92570

RIVERSIDE COUNTY FLOOD CONTROL &
WATER CONSERVATION DISTRICT
1995 MARKET STREET
RIVERSIDE CA 92501

RIVERSIDE COUNTY PLANNING DEPT
4080 LEMON STREET 12TH FLOOR
RIVERSIDE CA 92501

RIVERSIDE COUNTY SHERIFF'S DEPT
ADMINISTRATION
ENVIRONMENTAL REVIEW
4095 LEMON STREET
RIVERSIDE CA 92501

RIVERSIDE TRANSIT AGENCY
ATTN PLANNING
PO BOX 59968
RIVERSIDE CA 92517-1968

SOBOBA BAND OF LUISEÑO INDIANS
ATTN JOSEPH ONTIVEROS, DIRECTOR
PO BOX 487
SAN JACINTO CA 92581

SOUTHERN CALIFORNIA ASSOCIATION
OF GOVERNMENTS
ATTN PLANNING & PROGRAMS
818 WEST 7TH STREET 12TH FLOOR
LOS ANGELES CA 90017-3407

SOUTHERN CALIFORNIA EDISON
JEREMY GOLDMAND
24487 PRELIPP ROAD
WILDOMAR CA 92595

KAREN CADAVONA
THIRD PARTY ENVIRONMENTAL REVIEW
SOUTHERN CALIFORNIA EDISON
2244 WALNUT GROVE AVENUE
GO1 QUAD 4C
ROSEMEAD CA 91770

SOUTHERN CALIFORNIA GAS COMPANY
CENTRAL CORRESPONDENCE
PO BOX 3150
SAN DIMAS CA 91773

SOUTH COAST AIR QUALITY
MANAGEMENT DISTRICT
ENVIRONMENTAL REVIEW
21865 EAST COPLEY DRIVE
DIAMOND BAR CA 91765-4182

SUN CITY LIBRARY
26982 CHERRY HILLS
MENIFEE CA 92586

(Hard copy)

VALLEY-WIDE RECREATION AND PARK
DISTRICT
ENVIRONMENTAL REVIEW
PO BOX 907
SAN JACINTO CA 92581

VERIZON LOGISTICS CENTER
2970 INLAND EMPIRE BLVD
ONTARIO CA 91764-4804

WESTERN RIVERSIDE COUNCIL
OF GOVERNMENTS
ENVIRONMENTAL REVIEW
4080 LEMON STREET 3RD FL (MS 1032)
RIVERSIDE CA 92501-3609

CITY OF WILDOMAR
CITY MANAGER
23873 CLINTON KEITH ROAD
SUITE 201
WILDOMAR CA 92595

APPENDIX 8.2

NOP COMMENT LETTERS

STATE OF CALIFORNIA

GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT

EDMUND G. BROWN JR.
GOVERNOR

KEN ALEX
DIRECTOR

Notice of Preparation

November 13, 2017

To: Reviewing Agencies

Re: Mill Creek Promenade Specific Plan No. 2016-246 (EIR; PP 2017-167, PP2016-057, TR 37324, TR 37127)
SCH# 2017111041

Attached for your review and comment is the Notice of Preparation (NOP) for the Mill Creek Promenade Specific Plan No. 2016-246 (EIR; PP 2017-167, PP2016-057, TR 37324, TR 37127) draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Manny Baeza
City of Menifee
29714 Haun Road
Menifee, CA 92586

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report
State Clearinghouse Data Base

SCH# 2017111041
Project Title Mill Creek Promenade Specific Plan No. 2016-246 (EIR; PP 2017-167, PP2016-057, TR 37324, TR 37127)
Lead Agency Menifee, City of

Type NOP Notice of Preparation

Description The project applicant proposes to obtain entitlements in order to implement the Mill Creek Promenade Specific Plan. The Project site is located within the city's economic development corridor southern gateway land use designation which envisions a mix of uses on the west side of the I-215 Freeway including a business park style of development, consisting of light industrial and office uses with commercial use opportunities supported by residential use.
The proposed specific plan would allow for development of five planning areas that would include single-family residential, open space, commercial/retail, office, restaurant and industrial development. The specific plan identifies permitted uses, max residential densities or dwelling units per acre, max commercial intensities or floor area ratio, height limits, and the max number of stories that are applicable for each of the five proposed planning areas. The specific plan envisions creek-side trails and pedestrian pathways connecting the different development areas to each other.

Lead Agency Contact

Name Manny Baeza
Agency City of Menifee
Phone 951-723-3742 **Fax**
email
Address 29714 Haun Road
City Menifee **State** CA **Zip** 92586

Project Location

County Riverside
City Menifee
Region
Cross Streets Garbani Road between Sherman Rd and Haun Rd
Lat / Long 33° 39' 12.5" N / 117° 10' 40.5" W
Parcel No. 360-350-006, 011, 017
Township 6S **Range** 3W **Section** 15 **Base** SBBM

Proximity to:

Highways 215
Airports
Railways
Waterways
Schools
Land Use economic development corridor and EDC Southern Gateway

---

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Economics/Jobs; Fiscal Impacts; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

---

Reviewing Agencies Resources Agency; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 6; Office of Emergency Services, California; Native American Heritage Commission; California Highway Patrol; Caltrans, District 8; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 8

Note: Blanks in data fields result from insufficient information provided by lead agency.

Document Details Report
State Clearinghouse Data Base

Date Received 11/13/2017 ***Start of Review*** 11/13/2017 ***End of Review*** 12/12/2017

Note: Blanks in data fields result from insufficient information provided by lead agency.

Print Form

Appendix C

Notice of Completion & Environmental Document Transmittal

2017111041

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Mill Creek Promenade Specific Plan No. 2016-246 (EIR; PP 2017-167, PP 2016-057, TR 37324, TR 37127)

Lead Agency: City of Menifee - Community Development Department
Contact Person: Manny Baeza, Senior Planner
Mailing Address: 29714 Haun Road
Phone: 951.723.3742; mbaeza@cityofmenifee.us
City: Menifee Zip: 92586 County: Riverside

Project Location: County: Riverside City/Nearest Community: Menifee
Cross Streets: Garbani Road between Sherman Road and Haun Road Zip Code: 92586
Longitude/Latitude (degrees, minutes and seconds): 33 ° 39 ′ 12.5 ″ N / 117 ° 10 ′ 40.5 ″ W Total Acres: 58.5 acres
Assessor's Parcel No.: 360-350-006, -011 and -017 Section: 15 Twp.: 6S Range: 3W Base: SBBM
Within 2 Miles: State Hwy #: 215 Waterways: N/A
Airports: N/A Railways: N/A Schools: N/A

Document Type:

CEQA: ☒ NOP ☐ Draft EIR
☐ Early Cons ☐ Supplement/Subsequent EIR
☐ Neg Dec (Prior SCH No.)
☐ Mit Neg Dec Other:

NEPA: ☐ NOI ☐ EA ☐ Draft EIS ☐ FONSI

Other: ☐ Joint Document ☐ Final Document ☐ Other:

Governor's Office of Planning & Research
NOV 13 2017
STATE CLEARINGHOUSE

Local Action Type:

☐ General Plan Update ☒ Specific Plan ☐ Rezone ☐ Annexation
☐ General Plan Amendment ☐ Master Plan ☐ Prezone ☐ Redevelopment
☐ General Plan Element ☐ Planned Unit Development ☐ Use Permit ☐ Coastal Permit
☐ Community Plan ☐ Site Plan ☐ Land Division (Subdivision, etc.) ☐ Other:

Development Type:

☒ Residential: Units 398 Acres 34.52
☐ Office: Sq.ft. Acres Employees
☒ Commercial: Sq.ft. 117,208 Acres 13.85 Employees
☒ Industrial: Sq.ft. 33,288 Acres 2.82 Employees
☐ Educational:
☐ Recreational:
☐ Water Facilities: Type MGD

☐ Transportation: Type
☐ Mining: Mineral
☐ Power: Type MW
☐ Waste Treatment: Type MGD
☐ Hazardous Waste: Type
☐ Other:

Project Issues Discussed in Document:

☒ Aesthetic/Visual ☒ Fiscal ☒ Recreation/Parks ☒ Vegetation
☒ Agricultural Land ☒ Flood Plain/Flooding ☒ Schools/Universities ☒ Water Quality
☒ Air Quality ☒ Forest Land/Fire Hazard ☒ Septic Systems ☒ Water Supply/Groundwater
☒ Archeological/Historical ☒ Geologic/Seismic ☒ Sewer Capacity ☒ Wetland/Riparian
☒ Biological Resources ☒ Minerals ☒ Soil Erosion/Compaction/Grading ☒ Growth Inducement
☐ Coastal Zone ☒ Noise ☒ Solid Waste ☒ Land Use
☒ Drainage/Absorption ☒ Population/Housing Balance ☒ Toxic/Hazardous ☐ Cumulative Effects
☒ Economic/Jobs ☒ Public Services/Facilities ☒ Traffic/Circulation ☐ Other:

Present Land Use/Zoning/General Plan Designation:

Economic Development Corridor (EDC) and EDC Southern Gateway

Project Description: *(please use a separate page if necessary)*

The Project applicant proposes to obtain entitlements in order to implement the Mill Creek Promenade Specific Plan. The Project site is located within the City's Economic Development Corridor Southern Gateway land use designation which envisions a mix of uses on the west side of the I-215 Freeway including a business park style of development, consisting of light industrial and office uses with commercial use opportunities supported by residential use.
(....continued on page 2)

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

NOP Distribution List S.G

County: RIVERSIDE

SCH# 2017111041

Resources Agency

- [x] **Resources Agency**
  Nadell Gayou
- [ ] **Dept. of Boating & Waterways**
  Denise Peterson
- [ ] **California Coastal Commission**
  Allyson Hitt
- [ ] **Colorado River Board**
  Lisa Johansen
- [ ] **Dept. of Conservation**
  Crina Chan
- [ ] **Cal Fire**
  Dan Foster
- [ ] **Central Valley Flood Protection Board**
  James Herota
- [ ] **Office of Historic Preservation**
  Ron Parsons
- [x] **Dept of Parks & Recreation**
  Environmental Stewardship Section
- [ ] **S.F. Bay Conservation & Dev't. Comm.**
  Steve Goldbeck
- [x] **Dept. of Water Resources**
  Resources Agency
  Nadell Gayou

Fish and Game

- [ ] **Depart. of Fish & Wildlife**
  Scott Flint
  Environmental Services Division
- [ ] **Fish & Wildlife Region 1**
  Curt Babcock
- [ ] **Fish & Wildlife Region 1E**
  Laurie Harnsberger
- [ ] **Fish & Wildlife Region 2**
  Jeff Drongesen
- [ ] **Fish & Wildlife Region 3**
  Craig Weightman
- [ ] **Fish & Wildlife Region 4**
  Julie Vance
- [ ] **Fish & Wildlife Region 5**
  Leslie Newton-Reed
  Habitat Conservation Program
- [x] **Fish & Wildlife Region 6**
  Tiffany Ellis
  Habitat Conservation Program
- [ ] **Fish & Wildlife Region 6 I/M**
  Heidi Calvert
  Inyo/Mono, Habitat Conservation Program
- [ ] **Dept. of Fish & Wildlife M**
  William Paznokas
  Marine Region

Other Departments

- [ ] **California Department of Education**
  Lesley Taylor
- [x] **OES (Office of Emergency Services)**
  Monique Wilber
- [ ] **Food & Agriculture**
  Sandra Schubert
  Dept. of Food and Agriculture
- [ ] **Dept. of General Services**
  Cathy Buck
  Environmental Services Section
- [ ] **Housing & Comm. Dev.**
  CEQA Coordinator
  Housing Policy Division

Independent Commissions,Boards

- [ ] **Delta Protection Commission**
  Erik Vink
- [ ] **Delta Stewardship Council**
  Anthony Navasero
- [ ] **California Energy Commission**
  Eric Knight
- [x] **Native American Heritage Comm.**
  Debbie Treadway
- [ ] **Public Utilities Commission**
  Supervisor
- [ ] **Santa Monica Bay Restoration**
  Guangyu Wang
- [ ] **State Lands Commission**
  Jennifer Deleong
- [ ] **Tahoe Regional Planning Agency (TRPA)**
  Cherry Jacques

Cal State Transportation Agency CalSTA

- [ ] **Caltrans - Division of Aeronautics**
  Philip Crimmins
- [ ] **Caltrans – Planning HQ LD-IGR**
  Christian Bushong
- [x] **California Highway Patrol**
  Suzann Ikeuchi
  Office of Special Projects

Dept. of Transportation

- [ ] **Caltrans, District 1**
  Rex Jackman
- [ ] **Caltrans, District 2**
  Marcelino Gonzalez
- [ ] **Caltrans, District 3**
  Eric Federicks – South
  Susan Zanchi - North
- [ ] **Caltrans, District 4**
  Patricia Maurice
- [ ] **Caltrans, District 5**
  Larry Newland
- [ ] **Caltrans, District 6**
  Michael Navarro
- [ ] **Caltrans, District 7**
  Dianna Watson
- [x] **Caltrans, District 8**
  Mark Roberts
- [ ] **Caltrans, District 9**
  Gayle Rosander
- [ ] **Caltrans, District 10**
  Tom Dumas
- [ ] **Caltrans, District 11**
  Jacob Armstrong
- [ ] **Caltrans, District 12**
  Maureen El Harake

Cal EPA

Air Resources Board

- [ ] **Airport & Freight**
  Jack Wursten
  - [ ] **Transportation Projects**
    Nesamani Kalandiyur
  - [ ] **Industrial/Energy Projects**
    Mike Tollstrup
- [ ] **California Department of Resources, Recycling & Recovery**
  Sue O'Leary
- [ ] **State Water Resources Control Board**
  Regional Programs Unit
  Division of Financial Assistance
- [ ] **State Water Resources Control Board**
  Cindy Forbes – Asst Deputy
  Division of Drinking Water
- [ ] **State Water Resources Control Board**
  Div. Drinking Water #_____
- [ ] **State Water Resources Control Board**
  Student Intern, 401 Water Quality Certification Unit
  Division of Water Quality
- [ ] **State Water Resouces Control Board**
  Phil Crader
  Division of Water Rights
- [x] **Dept. of Toxic Substances Control**
  CEQA Tracking Center
- [ ] **Department of Pesticide Regulation**
  CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

- [ ] **RWQCB 1**
  Cathleen Hudson
  North Coast Region (1)
- [ ] **RWQCB 2**
  Environmental Document Coordinator
  San Francisco Bay Region (2)
- [ ] **RWQCB 3**
  Central Coast Region (3)
- [ ] **RWQCB 4**
  Teresa Rodgers
  Los Angeles Region (4)
- [ ] **RWQCB 5S**
  Central Valley Region (5)
  - [ ] **RWQCB 5F**
    Central Valley Region (5)
    Fresno Branch Office
  - [ ] **RWQCB 5R**
    Central Valley Region (5)
    Redding Branch Office
- [ ] **RWQCB 6**
  Lahontan Region (6)
  - [ ] **RWQCB 6V**
    Lahontan Region (6)
    Victorville Branch Office
- [ ] **RWQCB 7**
  Colorado River Basin Region (7)
- [x] **RWQCB 8**
  Santa Ana Region (8)
- [ ] **RWQCB 9**
  San Diego Region (9)

- [ ] **Other** _____
  _____
  _____

- [ ] _____
  Conservancy

Last Updated 11/06/17

951-458-2454
franzsiep@hotmail.com

31835 McClain Ct.
Menifee, CA
92584

November 16, 2017

Mr. Manny Baeza
Senior Planner
City of Menifee
29714 Haun Road
Menifee, CA 92586
mbaeza@cityofmenifee.us

Re: Notice of Preparation of an Environmental Impact Report (EIS) and Notice of EIR Scoping Meeting

Project Case No. / Title: Mill Creek Promenade Specific Plan No. 2016-246.

Project Applicant: Sherman & Garbani, LLC and Sherman & Haun, LP

Project Location: The Project site consists of three parcels (Assessor's Parcel Numbers) 360-350-006, 360-350-011, and 360-350-017 which together comprise approximately 58.5 acres of continuous, undeveloped land on the south side of Garbani Road, between Sherman Road to the west and Haun Road to the east, in the southeast quarter of Section 15, T6S R3W, San Bernardino Baseline and Meridian within the City of Menifee, County of Riverside, State of California.

Project Description: The Project applicant proposes to obtain entitlements in order to implement the Mill Creek Promenade Specific Plan. The Project site is located within the City's Economic Development Corridor Southern Gateway district which envisions a mix of uses on the west side of the I-215 Freeway including a business park style of development, consisting of light industrial and office uses with commercial use opportunities supported by residential use.

Dear Manny,

On the surface, this looks like a huge economic opportunity for the City of Menifee. However, upon reviewing the Plan, I fail to understand how this activity will balance with our natural surroundings which make this part of Menifee a desirable place to live. Currently, residents such as I, enjoy the safe, quiet, and wide open space around our neighborhoods. This proposal is likely to bring the noise of the current Scott Road and Newport Road on/off ramp congestion closer to our backyards.

Also particularly disturbing would be the view of the posterior sides of the proposal's "light industry" buildings backing up right into two pleasant neighborhoods. These homeowners (myself included) had hoped to be able to escape such urbanization, and are likely retreat from it again. That will cause property values to decrease, and we all know what kind of environment that will bring.

Please consider the lifestyle that being sold may have unacceptable opportunity costs.

Sincerely yours,

Franz W. Siep

Franz W. Siep

INLAND EMPIRE
BIKING ALLIANCE

16 November 2017

Mr. Manny Baeza, Senior Planner
City of Menifee
29714 Haun Road
Menifee, CA 92586

Re: Mill Creek Promenade Specific Plan (No. 2016-246) Notice of Preparation

Dear Mr. Baeza,
I am writing on behalf of the Inland Empire Biking Alliance in response to the Notice of Preparation that has been released for the Mill Creek Promenade project ("Project") that has been proposed for construction in the city of Menifee. After reviewing the Notice and Project Description, there are several things that need to be studied and addressed through the EIR process. As an organization dedicated to addressing the needs and concerns of bicyclists in the Inland Empire, we're passionate about seeing bicycling in the second most dangerous area of the state[1] improved and the development process provides a strong platform for the necessary improvements.

As stated in the Circulation Element of the City of Menifee's General Plan, Goal C-2 seeks to provide "a bikeway and community pedestrian network ***that facilitates and encourages nonmotorized travel*** throughout the City of Menifee" (emphasis added). The Specific Plan and Environmental Impact Report to be completed provides an opportunity to achieve that goal as part of the design and construction of the project.

Our biggest concern is for how bicycle traffic will be measured for the analysis, if at all. We would like to make sure that any traffic studies completed analyze the effect of the project and associated mitigation measures would have on bicyclists and usability of bikes within the project and to locations in the area. This would mean at the very barest of minimums, that bicyclist level-of-service (BLOS) is measured and reported on in the study. However, we would really encourage that tools like Level of Traffic Stress from the Mineta Transportation Institute, Active+ from Fehr & Peers, or the NACTO *Designing for All Ages and Abilities* publication be utilized to provide a biking experience that is safe, accessible, and desirable to the maximum number of people.

Another concern that we have is for traffic safety. While it is true that traffic safety is already a topic included on the list of items to be studied as part of the EIR process, our review of other EIRs in the past has found that they rely on standards that ultimately are not the safest designs available. We would really like to draw attention to this issue as it relates to intersections. Implementation Action C-10 states a desire to "allow roundabouts or other innovative design solutions" be used. Research has shown that

[1] Smart Growth America and National Complete Streets Coalition (2017). Dangerous by design 2016. Retrieved online from https://s3.amazonaws.com/cdn.smartgrowthamerica.org/dangerous-by-design-2016.pdf.

roundabouts are safer than most other intersection designs[2], so we would like to see the traffic impact analysis go beyond to just "allow them", but to instead specifically include them as the preferred option for all intersections where the construction of a roundabout is known to be safer, particularly those that would otherwise recommend the installation of a traffic signal.

We would also like to draw attention to the relationship between roadway design and speeding. Speed continues to be one of the top contributing factors in crashes nationwide and in the state, but the City's standard road sections include lane widths that are now known to be associated with higher speeds[3]. This fact should also be addressed as part of the EIR process and the appropriate lane widths used instead for this project as well as an update the City's standard sections to address the issue into the future. Our recommendation would be for outside lanes and those adjacent curbed medians be no more than 12 feet in width and that lanes not adjacent a curb be no more than 11 feet in width.

We would also caution against the use of the Institute of Transportation Engineer's *Trip Generation* figures to develop the analysis. Research has shown that they overestimate actual usage[4] and while this is presented as a conservative position, it also results in an unnecessary burden on maintenance funds and recommendations for road infrastructure that takes space that could be better utilized by other modes, including biking. Instead, given the location of residential and services near each other, we would like to see tools such as the EPA's Mixed-Use Developments Trip Generation Tool or Fehr & Peer's MXD+ that consider the proximity and mix of uses to provide a more realistic estimate of usage. Optimally, the project should seek GreenTRIP certification to ensure that the best mobility options are sought and provided for future residents and tenants.

To summarize, IEBA would like to see that the project plan for more than just cars to ensure that bicyclists are included in the project in a comprehensive fashion. This includes the use of more realistic numbers and tools to provide true mobility options as well as using metrics for bikes to ensure that they are not left out of the conversation. We look forward to being able to review the Draft EIR for completeness on this matter.

Sincerely,

Marven E. Norman, Executive Director

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[2] Transportation Research Board (2012). National Cooperative Highway Research Program Report 672: Roundabouts: An informational guide, 2nd edition.
[3] Karim, D. M. (2015). Narrower lanes, safer streets. Retrieved online from https://www.researchgate.net/publication/277590178_Narrower_Lanes_Safer_Streets.
[4] Millard-Ball, A. (2015). Phantom Trips: Overestimation of the impact of new development. Retrieved from: http://people.ucsc.edu/~adammb/publications/Millard-Ball_2015_Phantom_Trips_preprint.pdf.

STATE OF CALIFORNIA
NATIVE AMERICAN HERITAGE COMMISSION
Environmental and Cultural Department
1550 Harbor Blvd., Suite 100
West Sacramento, CA 95691
Phone (916) 373-3710

Edmund G. Brown Jr., Governor

November 17, 2017

Manny Baeza
City of Menifee
29714 Haun Road
Menifee, CA 92586

Sent via e-mail: mbaeza@cityofmenifee.us

RE: SCH# 2017111041; Mill Creek Promenade Specific Plan No. 2016-246 (EIR: PP 2017-167, PP2016-057, TR 37324, TR 37127) Project; Riverside County, California

Dear Mr. Baeza:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a **separate category of cultural resources**, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws**.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
    - **a.** A brief description of the project.
    - **b.** The lead agency contact information.
    - **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
    - **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
    - **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
    - **a.** Alternatives to the project.
    - **b.** Recommended mitigation measures.
    - **c.** Significant effects. (Pub. Resources Code § 21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
    - **a.** Type of environmental review necessary.
    - **b.** Significance of the tribal cultural resources.
    - **c.** Significance of the project's impacts on tribal cultural resources.
    - **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
    - **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
    - **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
    a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
    b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
    a. Avoidance and preservation of the resources in place, including, but not limited to:
        i. Planning and construction to avoid the resources and protect the cultural and natural context.
        ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
    b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
        i. Protecting the cultural character and integrity of the resource.
        ii. Protecting the traditional use of the resource.
        iii. Protecting the confidentiality of the resource.
    c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
    d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
    e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
    f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
    a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
    b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
    c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

    This process should be documented in the Cultural Resources section of your environmental document.

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
    a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
    b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
    a. If part or all of the APE has been previously surveyed for cultural resources.
    b. If any known cultural resources have been already been recorded on or adjacent to the APE.
    c. If the probability is low, moderate, or high that cultural resources are located in the APE.
    d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
    a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
   a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so.. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
   b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
   a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, section 15064.5(f) (CEQA Guidelines section 15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
   b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
   c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code section 7050.5, Public Resources Code section 5097.98, and Cal. Code Regs., tit. 14, section 15064.5, subdivisions (d) and (e) (CEQA Guidelines section 15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

Please contact me if you need any additional information at gayle.totton@nahc.ca.gov.

Sincerely,

Gayle Totton, M.A., PhD.
Associate Governmental Program Analyst
(916) 373-3714

cc: State Clearinghouse

From: Manny Baeza
To: Tom Dodson
Subject: FW: SP2016-246 transmittal ALUC comments
Date: Monday, November 20, 2017 7:40:07 AM

For the file

From: Rull, Paul [mailto:PRull@RIVCO.ORG]
Sent: Friday, November 17, 2017 2:03 PM
To: Manny Baeza <mbaeza@cityofmenifee.us>
Subject: SP2016-246 transmittal ALUC comments

Hi Manny,

Thank you for transmitting the NOP of an EIR for this project to ALUC. Please note that this project is outside the airport influence area and ALUC has no comments.

If you have any questions, please feel free to contact me.

Paul Rull
ALUC Urban Regional Planner IV

Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, Ca 92501
(951) 955-6893
(951) 955-5177 (fax)
PRULL@RIVCO.ORG

www.rcaluc.org

November 22, 2017

Attn: Manny Baeza, Senior Planner
City of Menifee
Community Development Department
29714 Haun Road
Menifee, CA 92586

RE: SB 18 Consultation; Specific Plan No. 2016-246, Tentative Tract Map No. 2017-165, Tentative Tract map No. 2017-166, Plot Plan No. 2017-167 "Mill Creek Promenade" – APNs 360-350-006, 360-350-011, 360-350-017 – City of Menifee, Riverside County, CA

The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in proximity to known sites, is a shared use area that was used in ongoing trade between the tribes, and is considered to be culturally sensitive by the people of Soboba.

Soboba Band of Luiseño Indians is requesting the following:

1. G**overnment to Government** consultation in accordance to SB18. Including the transfer of information to the Soboba Band of Luiseño Indians regarding the progress of this project should be done as soon as new developments occur.

2. Soboba Band of Luiseño Indians continue to be a consulting tribal entity for this project.

3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseño Indians requests that Native American Monitor(s) from the Soboba Band of Luiseño Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.

4. Request that proper procedures be taken and requests of the tribe be honored (Please see the attachment)

Sincerely,

Joseph Ontiveros
Soboba Cultural Resource Department
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains

A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.

B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.

D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).
Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

From: Manny Baeza
To: Tom Dodson
Subject: FW: Mill Creek Promenade specific plan No. 2016-246 CONCERNS
Date: Monday, November 27, 2017 5:25:14 PM

Tom,

Here is an email received today on the NOP/Scoping. Thanks, Manny

-----Original Message-----
From: Emily Lee [mailto:emmalee.lee@gmail.com]
Sent: Monday, November 27, 2017 1:10 PM
To: Manny Baeza <mbaeza@cityofmenifee.us>
Subject: Mill Creek Promenade specific plan No. 2016-246 CONCERNS

Mr. Manny Baeza,

Thank you for the platform to voice my concerns. I live in the Marsden community one street over from Garbani Rd and my concern is one of traffic. The shopping center on the corner of Haun and Newport has brought a lot of traffic down Haun Rd. one of the exits from my community and I hope within this new plan there will be a traffic light placed on the corner of Garbani Rd and Haun Rd. or on the exit out of the Marsden community as it will be very difficult to exit our community with all the new housing and shops that are planned. Please consider this before completion of this project.
Thank you,
Emily Lee
Menifee Resident adjacent to the proposed property development

RINCON BAND OF LUISEÑO INDIANS

Cultural Resources Department

1 W. Tribal Road · Valley Center, California 92082 ·
(760) 297-2635 Fax:(760) 692-1498

November 27, 2017

Manny Baeza
City of Menifee
29714 Haun Road
Menifee, CA 92586

Re: Mill Creek Promenade SP2016--246

Dear Mr. Baeza:

This letter is written on behalf of the Rincon Band of Luiseño Indians. We have received your notification regarding the Mill Creek Promenade SP2016-246 Project and we thank you for the opportunity to consult on this project. The location you have identified is within the Territory of the Luiseño people, and is also within Rincon's specific area of Historic interest.

Embedded in the Luiseño Territory are Rincon's history, culture and identity. The project is within the Luiseño Aboriginal Territory of the Luiseño people. Thank you for providing the Rincon Band with a copy of the DEIR for the above referenced project. We have reviewed the DEIR and did not see a cultural component. We ask that this be addressed in the report and that measures be added to address inadvertent discoveries.

We look forward to hearing from you. If there are any questions or concerns please do not hesitate to contact our office at (760) 297-2635 at your convenience.

Thank you for the opportunity to protect and preserve our cultural assets.

Sincerely,

Destiny Colocho
Manager
Rincon Cultural Resources

Matthew Rodriquez
Secretary for
Environmental Protection

Department of Toxic Substances Control

Barbara A. Lee, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

December 1, 2017

Mr. Manny Baeza
Senior Planner
City of Menifee
29714 Haun Road
Menifee, California 92586
mbaeza@cityofmenifee.us

NOTICE OF PREPARATION (NOP) FOR AN ENVIRONMENTAL IMPACT REPORT (EIR) FOR MILL CREEK PROMENADE SPECIFIC PLAN NO. 2016-246 PROJECT (SCH# 2017111041)

Dear Mr. Baeza:

The Department of Toxic Substances Control (DTSC) has reviewed the subject NOP. The following project description is stated in the NOP: "The proposed Mill Creek Promenade Specific Plan would allow up to 398 high-density single-family residential units on approximately 34.52 acres. In addition, the Mill Creek Specific Plan would allow approximately 117,208 square feet (SF) of retail, commercial and office space on approximately 13.85 acres; and 33,288 SF of business park/industrial space on 2.82 acres. Retail, commercial and office space is forecast to consist of up to 89,200 SF of net retail buildings, 20,640 SF of available office space, and 7,368 SF of free-standing restaurant space (total 117,208 SF)."

Based on the review of the submitted document, DTSC has the following comments:

1. The EIR should identify and determine whether current or historic uses at the project site may have resulted in any release of hazardous wastes/substances. A Phase I Environmental Site Assessment may be appropriate to identify any recognized environmental conditions.

2. If there are any recognized environmental conditions in the project area, then proper investigation, sampling and remedial actions overseen by the appropriate regulatory agencies should be conducted prior to the new development or any construction.

3. If the project plans include discharging wastewater to a storm drain, you may be required to obtain an NPDES permit from the overseeing Regional Water Quality Control Board (RWQCB).

4. If the proposed project involves the demolition of existing structures, lead-based paints or products, mercury, and asbestos containing materials (ACMs) should be addressed in accordance with all applicable and relevant laws and regulations.

5. If the site was used for agricultural or related activities, residual pesticides may be present in onsite soil. DTSC recommends investigation and mitigation, as necessary, to address potential impact to human health and environment from residual pesticides.

6. DTSC recommends evaluation, proper investigation and mitigation, if necessary, of onsite areas with current or historic PCB-containing transformers.

7. If the project development involves soil export/import, proper evaluation is required. If soil contamination is suspected or observed in the project area, then excavated soil should be sampled prior to export/disposal. If the soil is contaminated, it should be disposed of properly in accordance with all applicable and relevant laws and regulations. In addition, if imported soil was used as backfill onsite and/or backfill soil will be imported, DTSC recommends proper evaluation/sampling as necessary to ensure the backfill material is free of contamination.

8. If during construction/demolition of the project, soil and/or groundwater contamination is suspected, construction/demolition in the area should cease and appropriate health and safety procedures should be implemented. If it is determined that contaminated soil and/or groundwater exist, the PEIR should identify how any required investigation and/or remediation will be conducted and the appropriate government agency to provide regulatory oversight.

If you have any questions regarding this letter, please contact me at (714) 484-5380 or email at Johnson.Abraham@dtsc.ca.gov.

Sincerely,

Johnson P. Abraham
Project Manager
Brownfields Restoration and School Evaluation Branch
Brownfields and Environmental Restoration Program – Cypress

kl/sh/ja

cc: See next page.

cc: Governor's Office of Planning and Research (via e-mail)
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
State.clearinghouse@opr.ca.gov

Mr. Dave Kereazis (via e-mail)
Office of Planning & Environmental Analysis
Department of Toxic Substances Control
Dave.Kereazis@dtsc.ca.gov

Mr. Shahir Haddad, Chief (via e-mail)
Schools Evaluation and Brownfields Cleanup
Brownfields and Environmental Restoration Program - Cypress
Shahir.Haddad@dtsc.ca.gov

CEQA# 2017111041

HIGHLAND FAIRVIEW

14225 Corporate Way
Moreno Valley, CA 92553
Tel: 951.867.5300

December 1, 2017

Manny Baeza
City of Menifee
29714 Haun Road
Menifee, California 92586

SUBJECT: Notification regarding Mill Creek Promenade Specific Plan No. 2016-246 (EIR, PP 2017-167, PP2016-057, TR 37324, TR 37127)

Mr. Baeza,

Highland Fairview hereby requests to be added to the list to receive all public notifications regarding the above-referenced project including all entitlement application information and all associated environmental documentation.

Please forward all such notifications to the following mailing address and/or e-mail address:

Mailing address:
Wayne Peterson
Vice President, Community Planning
14225 Corporate Way
Moreno Valley, California 92553

E-mail address:
wpeterson@highlandfairview.com

Thank you for your assistance.

Sincerely,

Wayne Peterson
Vice President, Community Planning

VALLEY-WIDE RECREATION AND PARK DISTRICT
GoRecreation.Org

AWARD WINNING CALIFORNIA PARKS

December 4, 2017

Manny Baeza
City of Menifee Community Development Department
29714 Haun Road
Menifee, CA 92586

RE: SP NO. 2016-246 – MILL CREEK PROMENADE - AGENCY RESPONSE

Dear Mr. Baeza:

Valley-Wide Recreation and Park District would like to take this opportunity to thank you for including us in your development review process.

We have reviewed the development packet for the above referenced project and have no comments.

Should you have any questions, please feel free to contact me at (951) 654-1505.

Sincerely,

Loretta Domenigoni, Park Planner
Valley-Wide Recreation and Park District

District Office • 901 West Esplanade Avenue • San Jacinto, CA 92582 • (951) 654-1505 • Fax (951) 654-5279
Menifee Wheatfield Park Office • 30627 Menifee Road • Menifee, CA 92584 • (951) 672-6744 • Fax (951) 672-6740
Rancho Bella Vista Community Center • 31757 Browning Street • Murrieta, CA 92563 • (951) 894-1468 • Fax (951) 894-1470

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA USPS AND E-MAIL:
mbaeza@cityofmenifee.us
Mr. Manny Baeza, Senior Planner
City of Menifee
29714 Haun Road
Menifee, CA 92586

December 5, 2017

Notice of Preparation of an Environmental Impact Report for the Mill Creek Promenade Specific Plan No. 2016-246

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Environmental Impact Report (EIR). Please send SCAQMD a copy of the EIR upon its completion. Note that copies of the EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files[1]. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: www.caleemod.com.

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts.

[1] Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf. In addition to analyzing regional air quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

Mobile Source Health Risk Assessment

Notwithstanding the court rulings, SCAQMD staff recognizes that the Lead Agencies that approve CEQA documents retain the authority to include any additional information they deem relevant to assessing and mitigating the environmental impacts of a project. Because of SCAQMD staff's concern about the potential public health impacts of siting sensitive populations within close proximity of freeways, SCAQMD staff recommends that, prior to approving the project, Lead Agencies consider the impacts of air pollutants on people who will live in a new project and provide mitigation where necessary.

When specific development is reasonably foreseeable as result of the goals, policies, and guidelines in the Proposed Project, the Lead Agency should identify any potential adverse health risk impacts using its best efforts to find out and a good-faith effort at full disclosure in the CEQA document. Based on a review of aerial photographs and information in the Notice of Preparation, SCAQMD staff found that the Proposed Project will be located less than 500 feet from Interstate 215 (I-215). Because of the close proximity to the existing freeway, residents at the Proposed Project would be exposed to diesel particulate matter (DPM), which is a toxic air contaminant and a carcinogen. Diesel particulate matter emitted from diesel powered engines (such as trucks) has been classified by the state as a toxic air contaminant and a carcinogen.

Since future residences of the Proposed Project would be exposed to toxic emissions from the nearby sources of air pollution (e.g., diesel fueled highway vehicles), SCAQMD staff recommends that the Lead Agency conduct a health risk assessment (HRA)[2] to disclose the potential health risks to the residents from the vehicle emissions coming from vehicles operating on I-215 in the EIR[3].

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[2] "Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis," accessed at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis.

[3] SCAQMD has developed the CEQA significance threshold of 10 in one million for cancer risk. When SCAQMD acts as the Lead Agency, SCAQMD staff conducts a HRA, compares the maximum cancer risk to the threshold of 10 in one million to determine the level of significance for health risk impacts, and identifies mitigation measures if the risk is found to be significant.

Guidance Regarding Residences Sited Near a High-Volume Freeway or Other Sources of Air Pollution
SCAQMD staff recognizes that there are many factors Lead Agencies must consider when making local planning and land use decisions. To facilitate stronger collaboration between Lead Agencies and the SCAQMD to reduce community exposure to source-specific and cumulative air pollution impacts, the SCAQMD adopted the Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning in 2005. This Guidance Document provides suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. SCAQMD staff recommends that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions. This Guidance Document is available on SCAQMD's website at: http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document. Additional guidance on siting incompatible land uses (such as placing homes near freeways or other polluting sources) can be found in the California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: http://www.arb.ca.gov/ch/handbook.pdf. Guidance[4] on strategies to reduce air pollution exposure near high-volume roadways can be found at: https://www.arb.ca.gov/ch/rd_technical_advisory_final.PDF.

Mitigation Measures
In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 of SCAQMD's CEQA Air Quality Handbook
- SCAQMD's CEQA web pages available here: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies
- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86): http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here: http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf

Many strategies are available to reduce exposure, including, but are not limited to, building filtration systems, sounds walls, vegetation barriers, etc. Because of the potential adverse health risks involved with siting housing near a freeway, it is essential that any proposed strategy must be carefully evaluated before implementation. In the event that enhanced filtration units on housing residents are proposed, the Lead Agency should consider the limitations of the enhanced filtration. For example, in a study that SCAQMD conducted to investigate filters,[5] costs were expected to range from $120 to $240 per year to

[4] In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB's Air Quality and Land Use Handbook: A Community Health Perspective. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: https://www.arb.ca.gov/ch/landuse.htm.

[5] This study evaluated filters rated MERV 13+ while the proposed mitigation calls for less effective MERV 12 or better filters. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf. Also see also 2012 Peer Review Journal article by SCAQMD: http://d7.iqair.com/sites/default/files/pdf/Polidori-et-al-2012.pdf.

replace each filter. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy costs to the resident. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and it does not account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters also have no ability to filter out any toxic gases from vehicle exhaust. The presumed effectiveness and feasibility of any filtration units should therefore be evaluated in more detail prior to assuming that they will sufficiently alleviate near roadway exposures.

Alternatives

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a "no project" alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

Permits

In the event that the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a responsible agency for the Proposed Project. For more information on permits, please visit SCAQMD webpage at: http://www.aqmd.gov/home/permits. Questions on permits can be directed to SCAQMD's Engineering and Permitting staff at (909) 396-3385.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD's webpage at: http://www.aqmd.gov.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality impacts are accurately evaluated and any significant impacts are mitigated where feasible. If you have any questions regarding this letter, please contact me at lsun@aqmd.gov or call me at (909) 396-3308.

Sincerely,

Lijin Sun

Lijin Sun, J.D.
Program Supervisor, CEQA IGR
Planning, Rule Development & Area Sources

LS
LAC171116-07
Control Number

PECHANGA CULTURAL RESOURCES

Temecula Band of Luiseño Mission Indians

Post Office. Box 2183 • Temecula, CA 92593
Telephone (951) 770-6300 • Fax (951) 506-9491

December 14, 2017

VIA E-MAIL and USPS

Manny Baeza, Senior Planner
City of Menifee
29714 Haun Road
Menifee, CA 92586

Re: Pechanga Tribe Comments on the Notice of Preparation for the City of Menifee Mill Creek Promenade Specific Plan No. 2016-246 [PP 2017-167; PP 2016-057; TTM 2017-165; TR 37324; TTM 2017-166; TR 37127]

Dear Mr. Baeza;

These comments are written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). If you have not done so already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please also incorporate these comments into the record of approval for this Project.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City of Menifee in developing appropriate avoidance and preservation standards for potential tribal cultural resources that the Project may impact. The Pechanga Tribe asserts that the Project area is in an area associated with the '*Atáaxum* (Luiseño), as evidenced by the existence of '*Atáaxum* place names, several large village complexes, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area.

Given the sensitivity of the area, inadvertent discoveries are foreseeable impacts and should be appropriately mitigated for within the confines of the Project. There is a high potential for

finding surface resources; however, the identification of surface resources during an archaeological survey should not be the sole determining factor in deciding whether mitigation measures for inadvertent discoveries are required. The cultural significance of the area should play a large part in determining whether specifications concerning unanticipated discoveries should be included; the Tribe believes that the potential for inadvertent discoveries increases because of the known resources in the area. The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). As such, it is the position of the Pechanga Tribe that an agreement specifying appropriate treatment of inadvertent discoveries of cultural resources be executed between the Project Applicant and the Pechanga Tribe.

The Tribe requests to be involved and participate with the City in assuring that an adequate environmental assessment is completed, and in developing all monitoring and mitigation plans and measures for the duration of the Project. In addition, given the sensitivity of the Project area, it is the position of the Pechanga Tribe that professional Pechanga tribal monitors be required to be present during ground-disturbing activities conducted in connection with the Project.

The Tribe believes that adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Project area, it is not unreasonable to expect to find vestiges of that presence. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Further, the Pechanga Tribe believes that if human remains are discovered, State law would apply and the mitigation measures for the permit must account for this. According to the California Public Resources Code, § 5097.98, if Native American human remains are discovered, the Native American Heritage Commission must name a "most likely descendant," who shall be consulted as to the appropriate disposition of the remains. Given the Project's location in Pechanga territory, the Pechanga Tribe intends to assert its right pursuant to California law with regard to any remains or items discovered in the course of this Project.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment and consult on the Project's impacts to cultural resources, assist on site plan to achieve avoidance, and potential mitigation for cultural resources impacts.

The Pechanga Tribe looks forward to working together with the City of Menifee in protecting the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-6313 or at eozdil@pechanga-nsn.gov so we can continue consultation on the proposed Project. Thank you.

Sincerely,

Tuba Ebru Ozdil
Planning Specialist

Cc Pechanga Office of the General Counsel