DRAFT PROGRAM
ENVIRONMENTAL IMPACT REPORT

STATE CLEARINGHOUSE NO. SCH2021020031

2021-2029
Housing Element Update Project



Lead Agency

MENIFEE CALIFORNIA

City of Menifee
29844 Haun Road
Menifee, CA 92586

June 2021

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June 2021

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Appendix A: Candidate Housing Sites

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Appendix C: Outreach

Appendix C1: Community Survey Summary

Appendix C2: StoryMap and Interactive Map Comments

1.0 INTRODUCTION

This Draft Program Environmental Impact Report (PEIR) has been prepared for the City of Menifee's 6th Cycle Housing Element Update (HEU) (Project) in compliance with the California Environmental Quality Act (CEQA). State CEQA Guidelines require local and State agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible. The State CEQA Guidelines are located within the California Code of Regulations, Title 14, Division 6, Chapter 3, §15000-15387 (CCR or State CEQA Guidelines), while the CEQA statute is codified as Public Resources Code §21000-21189.57 (PRC or CEQA Statute). For purposes of the HEU CEQA review and compliance, the City of Menifee (City) serves as the lead agency.

This PEIR evaluates the potentially significant, adverse, and beneficial environmental impacts resulting from the Project, including the impacts of future housing development on the candidate housing sites and of the potential Project action programs identified in ***Section 3.0, Project Description*** with the candidate housing sites described in ***Appendix A, Candidate Housing Sites***. ***Section 3.0, Project Description***, provides detailed descriptions of the proposed Project components and ***Section 4.0, Environmental Impact Analysis***, discusses the regulatory environment, existing conditions, environmental impacts, and mitigation measures for the Project. Following public review of the Draft PEIR, a Final PEIR will be prepared, which will include responses to any public comments made on the Draft PEIR.

1.1 Proposed Project

The proposed Project is an updated Housing Element for the City's General Plan, an update to the City's Land Use Element, an update to the City's Safety Element, and an Environmental Justice component. California Government Code §§65580–65589.8 require that jurisdictions evaluate their Housing Elements every eight years. The current statutory update in the Southern California Association of Governments (SCAG) region covers the eight-year 5th Cycle Housing Element (2013-2021). The City of Menifee 2021-2029 Housing Element is proposed to ensure consistency with current State Housing laws and cover the 6th Cycle Housing Element Update (2021-2029).

The potential effects of updating these elements of the City's General Plan will be analyzed in this PEIR along with the specific effects associated with development of the identified candidate housing sites. The candidate housing sites chosen to accommodate the additional Regional Housing Needs Assessment (RHNA) numbers designated for the City. The RHNA is a State Housing law requirement that is part of the periodic process of updating local General Plan Housing Elements. It is a process that determines existing and projected housing need (i.e., RHNA allocation) for all State jurisdictions (cities and unincorporated county areas) with the intent to provide opportunities for a mix of unit types, tenure, and affordability; and help achieve greenhouse gas (GHG) emission reductions from cars and light trucks.

To comply with Housing Element law, the City must identify candidate housing sites that can accommodate their 2021-2029 RHNA allocation. This may include the identification of current vacant land that can accommodate residential use or infill sites that permit residential development. If the City cannot identify enough sites/parcels appropriately zoned to accommodate RHNA allocations, then the City must

identify additional candidate housing sites. The City's RHNA allocation involves the accommodation of an additional 6,609 potential housing units and are specified based on the household income level. The required housing growth for each household income level is quantified as:

- 1,761 units for very low-income households;
- 1,051 units for low-income households;
- 1,106 units for moderate-income households; and
- 2,691 units for above moderate-income households.

As part of the 6th Cycle HEU, the City is required to identify housing sites that provide the development capacity to accommodate housing that addresses the City's RHNA allocation at all income levels. Approved specific plans containing entitlements for residential uses were found to accommodate a large portion of the required moderate and above moderate housing units. These specific plans include:

- The Audie Murphy Ranch Specific Plan;
- The Cantalena Specific Plan;
- The Cimarron Ridge Specific Plan;
- The Legado Specific Plan;
- The Menifee North Specific Plan;
- The Newport Estates Specific Plan; and
- The Rockport Ranch Specific Plan.

The City also plans to accommodate very low and low-income housing development through the utilization of existing medium to high density residential zones as well as specific plan areas. To fully generate adequate potential for very low and low-income housing units, the City would propose the rezoning of select residential parcels to higher density zones in order to further accommodate the required RHNA units.

Changes to the land use and zoning designation of parcels identified for the HEU will be codified through an update to the City's Land Use Element. Parcels identified as candidate housing sites in the HEU will have their land use designations changed to allow for a higher residential development density. The General Plan Land Use Element Update also includes the proposed land use amendment of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. The zone change request does not include any development proposal or removal of existing residential structures. The remainder of the EDC-CC will be unaffected by the amendment. No change in development standards other than to update the EDC land use policies to remove the 15 percent residential limitation placed on the residential land use types, allowing for greater residential development and other minor General Plan Land use text amendments are proposed.

The General Plan Safety Element will also be updated to address any relevant safety issue to reduce the potential short and long-term risk to the public from fires, floods, droughts, earthquakes, landslides, climate changes and other hazards. The City will also analyze existing policies and programs to help

identify and develop policies directing resources to disadvantaged communities to improve health, recreation, and economic mobility through cleaner air, better access to transportation, education, and employment. Environmental justice policies will be located in various Elements of the General Plan, where appropriate.

1.2 PEIR Scope, Issues, and Concerns

This document is a PEIR, as defined in State CEQA Guidelines §15168. A PEIR is prepared for a series of actions that are characterized as one large project through reasons of geography, similar rules or regulations, or where individual activities will occur under the same regulatory process with similar environmental impacts that can be mitigated in similar ways. Because the Project includes policies and actions that will apply to future development proposals within the City, and this PEIR includes a mitigation framework that would be implemented by future development projects, a programmatic approach to environmental review is deemed appropriate.

In accordance with State CEQA Guidelines §15168, this PEIR may serve as the environmental document for subsequent activities or implementing actions, including implementation of the Project, provided it contemplates and adequately analyzes the potential environmental impacts of those subsequent actions. If, in examining future actions for development facilitated by the Project, the City finds no new effects could occur or no new mitigation measures would be required other than those analyzed and/or required in this PEIR, the City can approve the activity as being within the scope covered by this PEIR and no new environmental documentation would be required. If additional analysis is required, it can be streamlined by tiering from this PEIR pursuant to State CEQA Guidelines §§15152, 15153, 15168, and 15183 (e.g., through preparation of a Mitigated Negative Declaration, Addendum, or Supplemental or Subsequent EIR).

The intent of this PEIR is to address any potential impacts associated with implementation of the Project using all available information known at the time of its preparation. The Project and candidate housing sites inventory were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable direct and indirect physical changes in the environment could be considered. As is typical of PEIRs, further site-specific analysis was not conducted for certain environmental topics (e.g., air quality construction-related impacts) where information was not available or would be too speculative on which to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond those that were analyzed are considered speculative or unlikely to occur and, therefore, not reasonably foreseeable.

This PEIR will be used by the City of Menifee as the lead agency, other responsible and trustee agencies, interested parties, and the general public to evaluate the potential environmental impacts of Project implementation.

1.3 Scoping Meeting

The City circulated the Notice of Preparation (NOP) on February 4, 2021 for the PEIR. State CEQA Guidelines §15063 provides that if a lead agency determines that an EIR will clearly be required for a

project, an Initial Study is not required. In this case, the City determined that a PEIR would be prepared based on the potential to create short-term, long-term, and cumulative impacts associated with Project implementation. The NOP was circulated for 30 days until March 5, 2021. Copies of the NOP filed with the County of Riverside Recorder's Office and State Clearinghouse (SCH), published in the newspaper, included in City email announcements, and made available on the City's website.

The City has held multiple public meetings including virtual community workshops; the first of which occurred in October 2020. Public meetings are planned to continue through the summer of 2021 during the preparation of both the Housing Element, Safety Element, Land Use Element, and Environmental Justice Policy Updates and the PEIR Process.

1.4 Scoping Results

Comments were received during the Community Workshop. These comments were presented in written form in the comments section and vocally during the discussion period. Ten comments were presented offering opinions on the Project and asking questions about Project components.

Areas of concern identified during the 30-day scoping period include:

- Potential requirements for income-qualified housing;
- Plans for Additional Dwelling Units (ADU);
- Potential for inclusionary ordinances for housing;
- Necessity for State assistance; and
- Potential for house preservation.

Responses to the circulated NOP were received from the Riverside Airport Land Use Commission, Riverside County Flood Control and Water Conservation District, South Coast Air Quality District, and Native American Heritage Commission, and a public commenter. These responses to the NOP cited concerns regarding:

- Adequate assessment of potential air quality impacts;
- Assessment of impacts to waterways and drainage infrastructure;
- Potential development within airport influence areas;
- Adequate consultation with Native American tribes and leaders;
- Preferred usage of vacant parcels;
- Adequate usage of specific plans to accommodate future housing units; and
- Increased facilitation of future development at multiple densities.

1.5 Environmental Review Process

Due to the coronavirus (COVID-19) pandemic and associated orders of the State Governor's Office, Menifee City Hall and Sun City Branch Library of the Riverside County Library system, locations commonly used for placement of hard copy documents for public review, are closed to the public until early 2021. However, the Draft PEIR is available to the general public for review on the City's website at:

https://www.cityofmenifee.us/325/Environmental-Notices-Documents

or

https://www.cityofmenifee.us/658/2021-2029-Housing-Element-Update

Upon the re-opening of the Menifee City Hall and/or Sun City Branch Library to the public, a hard copy of the Draft PEIR will be made immediately available at the following locations:

Sun City Branch Library
26982 Cherry Hills
Menifee, CA 92586

Menifee City Hall
29844 Haun Road
Menifee, CA 92586

In accordance with State CEQA Guidelines §15087 and §15105, the circulation and public review period for this Draft will be available for public review for 45 days. The public is invited to comment in writing on the information contained in this document. Interested agencies and members of the public are invited to provide written comments on the Draft PEIR and are encouraged to provide information that they believe should be included in the PEIR.

Comment letters sent by email should reference "The City of Menifee 6th Cycle Housing Element Update Project" and can be sent to:

ddarnell@cityofmenifee.us

Comment letters sent by mail or courier can be sent to:

City of Menifee Community Development Department
Attn: Doug Darnell, Senior Planner
29844 Haun Road
Menifee, CA 92586

FINAL PEIR

Upon completion of the 45-day Draft PEIR public review period, the City will evaluate all written comments received during the public review period on the Draft PEIR. Pursuant to State CEQA Guidelines §15088, the City will prepare written responses to comments raising environmental issue(s) concerns. Pursuant to

State CEQA Guidelines §15132 (Contents of Final Environmental Impact Report), the Final PEIR will be prepared and will include:

a) The Draft PEIR or a revision of the draft;

b) Comments and recommendations received on the Draft PEIR either verbatim or in summary;

c) A list of persons, organizations, and public agencies commenting on the Draft PEIR; and

d) The lead agency's responses to significant environmental points raised in the review and consultation process.

Additionally, pursuant to State CEQA Guidelines §15088 (Evaluation of and Response to Comments), after the Final PEIR is completed and at least ten days prior to certifying the Final PEIR by the City's decision-making body (i.e., the City Council), the City will provide a copy of the written response to comment for each public agency on comments made by that public agency.

CERTIFICATION OF THE FINAL PEIR

The Draft PEIR, as revised by the Final PEIR, will be considered by the City Planning Commission and City Council for certification, consistent with State CEQA Guidelines §15090 and the City's adopted CEQA Supplemental Regulations §5.8.

State CEQA Guidelines §15090 states:

"Prior to approving a project, the lead agency shall certify that:

1. The final PEIR has been completed in compliance with CEQA;
2. The final PEIR was presented to the decision-making body of the lead agency, and that the decision-making body reviewed and considered the information contained in the final PEIR prior to approving the project; and
3. The final PEIR reflects the lead agency's independent judgment and analysis."

Regarding the adequacy of a PEIR, according to State CEQA Guidelines §15151, "An [P]EIR should be prepared with a sufficient degree of analysis to provide decision-makers with information which enables them to make a decision which intelligently takes account of environmental consequences. An evaluation of the environmental effects of a proposed project need not be exhaustive, but the sufficiency of an PEIR is to be reviewed in the light of what is reasonably feasible. Disagreement among experts does not make an PEIR inadequate, but the PEIR should summarize the main points of disagreement among the experts. The courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure."

1.6 Report Organization

The purpose of this PEIR is to enable the City, other responsible and trustee agencies, interested parties and members of the public to review and evaluate the environmental impacts due to implementation of

a candidate housing sites analysis. The City, as lead agency, will be able to utilize this PEIR in compliance with CEQA and to provide programmatic environmental analysis of Project implementation.

This Draft PEIR is organized into eight sections along with the appendices:

Section 1.0 **Introduction** provides CEQA compliance information.

Section 2.0 **Executive Summary** summarizes the Project and its environmental impacts, and the proposed mitigation measures and alternatives.

Section 3.0 **Project Description** provides the HEU's history, environmental setting, characteristics and objectives, phasing, and anticipated necessary approvals.

Section 4.0 **Environmental Impact Analysis** provides a discussion of the existing conditions for each of the environmental resource areas. This section also describes methodologies for significance determinations, identifies the HEU's short-term and long-term environmental impacts, recommends mitigation measures to reduce the significance of environmental impacts, and identifies any areas of potentially significant and unavoidable impacts. This section includes a discussion of cumulative impacts that could result from the HEU.

Section 5.0 **Other CEQA Considerations,** summarizes unavoidable significant impacts, and discusses significant irreversible environmental changes, growth-inducing impacts, and mandatory findings of significance, in accordance with State CEQA Guidelines Appendix F.

Section 6.0 **Alternatives** describes potential alternatives to the HEU, including alternatives considered but rejected from further consideration, the No Project Alternative, various Project Alternatives, and identifies the Environmentally Superior Alternative.

Section 7.0 **PEIR Consultation and Preparation** identifies the CEQA lead agency and PEIR preparation team, as well as summarizes the PEIR consultation process.

Section 8.0 **References** provides the citations and sources referenced in the analysis of the Project and is categorized by their associated sections.

Appendices Contains the NOP and PEIR notification documents, and the list of potential HEU action programs.

1.7 Responsible and Trustee Agencies

City of Menifee

For the Project, the City of Menifee is the lead agency. This Draft PEIR has been prepared in accordance with the CEQA Statute, the State CEQA Guidelines, and the City's adopted CEQA Supplemental Regulations. CEQA requires lead agencies to consider potential environmental effects that may occur with implementation of a project and to avoid or substantially lessen significant effects to the environment when feasible. When a project may have a significant effect on the environment, the agency with primary responsibility for carrying out or approving the project (the lead agency) is required to prepare a PEIR.

Trustee, Responsible, and Cooperating Agencies

Other Federal, state, and local agencies are involved in the review and approval of the Project, including those agencies designated as trustee and responsible agencies. A trustee agency is a State agency that has jurisdiction by law over natural resources affected by a project that are held in trust for the people of the State. A responsible agency is an agency, other than the lead agency, that has responsibility for carrying out or approving a project. Responsible and trustee agencies are consulted by the CEQA lead agency to ensure the opportunity for input and also review and comment on the Draft PEIR. Responsible agencies also use the CEQA document in their decision-making. Several agencies other than the City may require permits, approvals, and/or consultation to implement various HEU programs.

Responsible/Trustee Agencies for the HEU include, but are not limited to:

- Western Riverside Council of Governments (WRCOG);
- South Coast Air Quality Management District (SCAQMD);
- Santa Ana Regional Water Quality Control Board (RWQCB);
- State Department of Housing and Community Development (HCD);
- Western Riverside County Regional Conservation Authority (RCA); and
- California Department of Transportation (Caltrans).

1.8 Incorporation by Reference

Pertinent documents relating to this PEIR are cited in accordance with State CEQA Guidelines §15148 or have been incorporated by reference in accordance with State CEQA Guidelines §15150, which encourages incorporation by reference as a means of reducing redundancy and the length of environmental reports. The following documents are hereby incorporated by reference into this PEIR and are available for review online at www.cityofmenifee.us. Information contained within these documents is utilized for various sections of this PEIR.

The City of Menifee General Plan. The City's General Plan was adopted by the City in 2013. The General Plan was created with the goal of establishing a fiscally sustainable balance of land uses and continually seek new and innovative ways to enhance the City's quality of life. The general plan guides the City's growth and development through the provision of goals and policies within 8 general plan elements designed to guide growth and development within the City. This document is available for viewing on the City's website at:

https://www.cityofmenifee.us/221/General-Plan

Menifee Municipal Code. Title 9 (Development Code - Planning and Zoning) of the Menifee Municipal Code (Menifee MC) regulates land use and development within the City's jurisdiction. The Development Code is the primary tool for implementing the City's General Plan goals, objectives, and policies. In addition, Menifee MC Title 8 (Buildings and Construction) and Menifee MC Title 7 (Subdivisions) contain significant regulatory provisions that apply to residential development. The Menifee MC is referenced

throughout this PEIR to establish the Project's baseline requirements according to the City's Municipal Code regulations.

The Menifee MC can be accessed online at:

Menifee, CA Laws (amlegal.com)

The Menifee Development Code can be accessed online at:

http://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx#secid-1001

Southern California Association of Governments. SCAG has developed a planning document that acts as a blueprint for future development of the SCAG region. Connect SoCal: The 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS) is the most recent update from SCAG which takes into account projections for population size, employment opportunity, and housing availability through the planning cycle. These estimates are compiled and calculated based on the general and community plans of the SCAG members and jurisdictions. The RTP/SCS can be accessed online at:

https://scag.ca.gov/read-plan-adopted-final-plan

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2.0 EXECUTIVE SUMMARY

2.1 Introduction

This Program Environmental Impact Report (PEIR) process, as defined by the California Environmental Quality Act (CEQA), requires the preparation of an objective, full-disclosure document in order to (1) inform agency decision-makers and the general public of the direct and indirect potentially significant environmental effects of a proposed action; (2) identify feasible or potentially feasible mitigation measures to reduce or eliminate potentially significant adverse impacts; and (3) identify and evaluate reasonable alternatives to a project. In accordance with §15168 of the State CEQA Guidelines (Title 14 of the California Code of Regulations [CCR]), this PEIR has been prepared for the City Menifee's 6th Cycle Housing Element Update (HEU) Project (Project) including the impacts of future housing development on the candidate housing sites and of the other Project components described in ***Section 3.0, Project Description.***

This PEIR has been prepared by the City of Menifee (City) to provide an analysis of the Project's potential effects on the environment. This PEIR also provides information related to the HEU to be used for reference and information by any decision-makers, responsible agencies, or other interested parties.

2.2 Project Location

The City is located in the western portion of the County of Riverside (County) and is bordered by the cities of Lake Elsinore and Canyon Lake to the west; the City of Perris to the North; the cities of Homeland, Winchester, and unincorporated County land to the east; and the City of Murrieta and unincorporated County land to the south. Regional access to the City is maintained by Interstate 215 (I-215), which runs north-south through the center of the City, and State Route 74 (SR-74) which runs from the northern boundary of the City to the northeastern boundary.

2.3 Project Description

Per California Government Code (CGC) §§65580 – 65589.11, also referred to as the California Housing Law, jurisdictions are required to maintain and update Housing Elements within their General Plans. Furthermore, CGC §§65580–65589.8 require that jurisdictions evaluate their Housing Elements every eight years. Currently this regulation requires jurisdictions to update their Housing Element for the 2021 to 2029 6th Cycle Housing Element Update. The City is preparing an update for its Housing Element, which will include updated goals and policies intended to increase the City's housing potential to combat the growing housing scarcity in the State. The HEU will provide the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all within the City. The HEU will be prepared to ensure the City establishes policies, procedures, and incentives in its land use planning and development activities that result in maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live in the City. The HEU will consist of four chapters intended to summarize the existing status of the City's communities, the City's existing housing strategy, and provide updated policies to be implemented for the 6th Cycle.

To assist the State in mitigating its current housing crisis, in which residents are facing a shortage of housing units, the State Department of Housing and Community Development (HCD) Determines Regional Housing Needs Assessment (RHNA) for all the metropolitan planning organizations (MPOs) statewide. HCD approves and the Southern California Association of Governments (SCAG) adopts SCAG's RHNA allocation methodology for 196 jurisdictions in the SCAG region, which includes Menifee. Based on SCAG's final adopted RHNA allocation, the City's RHNA allocation was finalized as 6,609 DUs. This is broken down between each income category as:

- 1,761 units for very low-income households;
- 1,051 units for low-income households;
- 1,106 units for moderate-income households; and
- 2,691 units for above moderate-income households.

In order to accommodate the RHNA allocation, the City has identified 69 candidate housing sites for use in the HEU. These candidate sites have the potential to create 8,696 dwelling units (DUs) within the City which is sufficient to meet the City's RHNA allocation. Recognizing that not all candidate housing sites will ultimately develop at the maximum density or may be included in the HEU, the City accounted for a buffer of 2,087 units (32 percent) to comply with the "no net loss" requirements of CGC §65863 (SB 166) and HCD guidance for its implementation. The 32 percent buffer represent the HCD's accepted level of buffer to ensure the City will not be subject to decertification of the Housing Element should a site/parcel not develop during the HEU planning period at the affordability levels or net number of units identified for the site.

To accommodate the moderate and above moderate-income housing units, seven of the 86 candidate housing sites are made up of suitable specific plans within the City have been identified. These specific plans include:

- The Audie Murphy Ranch Specific Plan;
- The Cantalena Specific Plan;
- The Cimarron Ridge Specific Plan;
- The Legado Specific Plan;
- The Menifee North Specific Plan;
- The Newport Estates Specific Plan; and
- The Rockport Ranch Specific Plan

Low and very low-income housing units will be accommodated through the identification of existing high density residential parcels within the City. Furthermore, 14 of the candidate housing sites are noted for potential rezoning. This would allow for greater residential development on their included parcels which would contribute to the accommodation of the City's RHNA allocation. See ***Appendix A, Candidate Housing Sites***, for a detailed list of potential housing sites analyzed in this PEIR.

In coordination with the HEU, the General Plan Land Use Element will be evaluated to identify future growth and development patterns. The analysis will outline the existing land uses with undeveloped and underutilized parcels to ensure adequate land for housing, commercial, industrial and public facility uses within the City limits and sphere of influence. The analysis will help identify potential land use conflicts and will be an opportunity to address amendments necessary as part of the Housing Element Update. This will ensure consistency with the Housing Element Update. General Plan Amendments (GPAs) will be proposed as necessary for rezoning of select parcels to higher development densities such as HDR with these changes incorporated into the updated Land Use Element and Land Use Map. The rezoning of these parcels will facilitate increased housing development to accommodate the RHNA. The GPAs will also address updates to the City's EDC land use policies which would allow and encourage higher density residential development within EDC land use areas through the rezoning of specific parcels from EDC to HDR. The General Plan Land Use Element Update that includes the proposed land use amendment of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. These parcels are generally large single-family residential lots or vacant parcels with sparse vegetation, storage yards, and outbuildings. The zone change request does not include any development proposal or removal of existing residential structures. This EDC-CC area comprises approximately 392 acres of which approximately 66 acres is proposed (48 parcels) for rezone. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units excluding infrastructure, road and sidewalk improvements, and existing structures. The current EDC-CC zoning promotes mixed use development of residential (25 percent), commercial retail (10 percent), commercial office (35 percent), and business park (30 percent). The amendment of the parcels to the RR-1 designation would allow for the development of single-family residential on 1-acre minimum lot size. The change in zoning would exclude all other nonresidential uses, except as otherwise permitted by the Development Code. The rezoning of the 48 EDC-CC parcels would consistent with the existing established low density rural residential character of the area. The remainder of the EDC-CC will be unaffected by the amendment.

Additional updates to the City's EDC land use policies would remove the 15 percent residential limitation placed on the land use type, does not allow standalone residential development, and would amend the EDC Subarea use descriptions and preferred use mix.

A Safety Element Update is also proposed which would consist of updates to the Safety Element policies and goals in order to fully account for safety risks such as fire hazards and flooding. These updated policies would also be based on a Climate Vulnerability Assessment conducted in order to assess the City's susceptibility to adverse climate change effects. Climate change effects can include increased wildfire susceptibility and increased number of extreme heat days and overall temperature patterns. The Climate Change Assessment discusses hazards that the City may face as an effect of increased climate change. These effects include increased risks due to temperature changes, extreme temperature days, and increased wildfire risks due to the effects of climate change. New policies based on the conclusions of the Climate Change Assessment would be incorporated into the Safety Element Update to account for potential risks due to fire susceptibility, heat damage, and drought.

As well, environmental justice policies are proposed to ensure the equitable distribution of resources to disadvantaged communities to improve health, recreation, and economic mobility through cleaner air, better access to transportation, education, and employment.

2.4 Areas of Controversy

State CEQA Guidelines §15123 (b)(2) and (3) require that this section of the PEIR identify areas of controversy known to the Lead Agency, issues raised by agencies and the public, and issues to be resolved, including the choice among alternatives and whether, or how to, mitigate the significant effects. The following issues of concern have been identified during the review period of the distribution of the Notice of Preparation (NOP) and public meetings:

- Potential development within airport influence areas;
- Open availability of candidate housing sites;
- Comprehensiveness of the PEIR;
- Feasibility of mitigation measures;
- Availability of suitable sites;
- Adequate Native American consultation;
- Adequate air quality analysis;
- Pricing of future units;
- Locations of future units;
- Traffic impacts associated with development; and
- Impacts to the City's character.

The above issues have been considered in this PEIR, where applicable, in ***Sections 4.1, Aesthetics*** through ***4.20, Wildfire***. With regard to the candidate sites, the PEIR provides a discussion and evaluation of the locations and potential impacts associated with future development facilitated by the Project. The decision-making body (i.e., the City Council) will be asked to select housing strategies for the Project that take into account local values and community character while meeting the various State mandates that apply in order for the City to meet its objective to gain certification of the Project in accordance with State Housing laws.

2.5 Unavoidable Significant Impacts

The Project's potentially significant impacts are defined in this PEIR in ***Sections 4.1, Aesthetics*** through ***4.20, Wildfire***. As noted in these sections, all of the potentially significant impacts identified can be mitigated to a less than significant level through implementation of feasible mitigation measures. As such, no significant and unavoidable impacts would occur with implementation of the Project and a Statement of Overriding Considerations by the decision-maker will not be necessary by the City Council.

2.6 Alternatives to the Project

State CEQA Guidelines §15126.6(a) requires an EIR provide a selection of suitable alternatives to a project, or a project location, which would realistically reduce the project's impacts to the environment while retaining the main character of the project. Although, no significant and unavoidable impacts were identified for the Project. This means that all potentially significant impacts that were identified in the PEIR could be mitigated to a less than significant level. However, in response to the potentially significant impacts that were identified, the PEIR includes the following alternatives for consideration by decision-makers upon action related to the Project:

Alternative 1: No Project Alternative

The purpose of describing and analyzing a No Project Alternative is to allow decision-makers the ability to compare the impacts of approving the HEU with impacts of not approving the HEU. The No Project analysis is required to discuss the existing conditions as they were at the time of the publication of the NOP (February 4, 2021) and analyze the potential environmental impacts if the Project were not approved and the land were to continue under the existing plans, policies, and designations. The No Project Alternative is the circumstance under which future housing development pursuant to the 6th Cycle HEU would not proceed, but the existing environmental conditions would not necessarily be preserved without development as property owners of these candidate housing sites could choose to develop their respective properties per the existing Menifee General Plan (GP) and Menifee Municipal Code (MC).

The No Project Alternative assumes that the 6,609 DUs required to meet the City's 6th Cycle RHNA allocation would not be developed (an estimated 51 DUs would still be developed since these are a carryover requirement from the 5th Cycle). The City would therefore not update its Housing Element and would not meet the City's RHNA obligations required by State Housing law. This Alternative would also forgo the Land Use Element Update which would acknowledge the GP update (GPU) and zone change (ZC) as well as remove the 15 percent residential limit on Economic Development Corridor (EDC) parcels. Further, updated Safety Element and environmental justice policies would not be enacted.

Alternative 2: EDC – McCall Alternative Site Alternative

The EDC – McCall Alternative (Alternative No. 2) considers four alternate parcels that could be utilized in the event that one or more of the very low/low-income sites/parcels identified in the Candidate Housing Sites Inventory, as provided in ***Appendix A***, are not feasible. Alternative No. 2 provides additional sites that can help meet the 6th Cycle RHNA required housing allocation. Selection of this Alternative is a scenario where the City would update its Housing Element and would meet the City's RHNA obligations required by State law. The four parcels considered under this Alternative are as follows: (Assessor Parcel Numbers [APNs]: 336020002, 336020003, 333040011, and 333040012).

Alternative 3: Other Parcels Considered Alternative

The Other Parcels Considered Alternative (Alternative No. 3) considers four alternate parcels that could be utilized in the event that one or more of the parcels identified in the Candidate Housing Sites Inventory, as provided in ***Appendix A***, are not feasible for development. Alternative No. 3 provides additional sites

that can help meet the 6th Cycle RHNA required housing allocation. Selection of this Alternative is a scenario where the City would update its Housing Element and would meet the City's RHNA obligations required by State law. The four parcels considered under this Alternative are as follows: (APNs: 335080008, 335080009, 372140009, and 372200026). These parcels are dispersed throughout the City, but mainly located in residential areas. All four parcels are vacant, previously disturbed, and do not show signs of hosting native habitat or other environmentally sensitive features.

Environmentally Superior Alternative

State CEQA Guidelines require that an Environmentally Superior Alternative be identified for each project. The No Project Alternative is the environmentally superior alternative because it would avoid many of the proposed Project's impacts. Therefore, in compliance with CEQA requirements, this PEIR also identifies an environmentally superior alternative among the other alternatives. Based on analysis conducted in ***Section 6.0, Alternatives***, Alternative 2 was chosen as the Environmentally Superior Alternative.

These alternatives are further discussed in ***Section 6.0, Alternatives***.

2.7 Summary of Environmental Impacts & Mitigation Measures

The following table is a summary of significant impacts and proposed mitigation measures associated with the Project as identified in this PEIR. Refer to ***Sections 4.1, Aesthetics*** through ***4.20, Wildfire*** for a detailed description of the environmental impacts and mitigation measures for the Project. Mitigation has been proposed for the following sections:

- 4.3, Air Quality;
- 4.4, Biological Resources;
- 4.5, Cultural Resources;
- 4.6, Geology and Soils;
- 4.10, Hydrology and Water Quality; and
- 4.18, Tribal Cultural Resources.

All impacts of the Project can be mitigated to less than significant levels.

Table 2-1: Summary of Significant Impacts and Proposed Mitigation Measures

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.3, Air Quality		
Impact 4.3-2 Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	Less than Significant Impact with Mitigation Applied	**MM AQ-1:** Prior to the issuance of grading permits for future housing development facilitated by the Project, the City shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with any SCAQMD standards designed to minimize construction emissions of criteria pollutants including O_3, PM_{10}, and $PM_{2.5}$.Applicable standards include those regarding dust and particulates (rules 402 and 403). The measures include, but are not limited to, the following: ▪ Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized. ▪ All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized. ▪ All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust. ▪ The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times. ▪ Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.
Section 4.4, Biological Resources		
Impact 4.4-2 Would the proposed project, have a substantial adverse effect on any sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	Less than Significant Impact with Mitigation Applied	**MM BIO-1:** Applications for future housing development facilitated by the Project, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development consistent with the Project, a site-specific general biological

Resource Impact	Level of Significance	Mitigation Measure(s)
		resources survey shall be conducted on candidate housing sites to identify the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A biological resources report shall be submitted to the City to document the results of the biological resources survey. The report shall include (1) the methods used to determine the presence of sensitive biological resources; (2) Vegetation mapping of all vegetation communities and/or land cover types; (3) The locations of any sensitive plant or wildlife species; (4) An evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and (5) An evaluation of the significance of any potential direct or indirect impacts from the proposed project. If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate project design features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impacts to below a level of significance.
Section 4.5, Cultural Resources		
Impact 4.5-1 Would the proposed project, cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	Less than Significant Impact with Mitigation Applied	**MM CUL-1** Applications for future development facilitated by the Project, where the City has determined a potential for impacts to historic resources, shall be required to comply with the following mitigation framework: For any building/structures in excess of 50 years of age having its original structural integrity intact, the applicant shall retain a qualified professional historian to determine whether the

Resource Impact	Level of Significance	Mitigation Measure(s)
		affected building/structure is historically significant. The evaluation of historic architectural resources shall be basedon criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines §15064.5. A historical resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of historical resources, identify potential impacts from the proposed project, and evaluate the significance of any historical resources identified.
Impact 4.5-2 Would the proposed project, cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	Less than Significant Impact with Mitigation Applied	**MM CUL-2** Applications for future development consistent with the Project, where the City has determined a potential for impacts to archeological resources, shall be required to comply with the following mitigation framework: Prior to the issuance of any permit for future development located on a previously undisturbed site, the applicant shall retain a qualified archaeologist to conduct an archaeological survey to evaluate the presence of cultural resources and the need for project impact mitigation by preservation, relocation, or other methods. An archaeological resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of archaeological resources, identify potential impacts from the proposed project, and evaluate the significance of any archaeological resources identified. If there are potentially significant impacts to an identified archaeological/cultural resource, the report shall also recommend appropriate mitigation required by the applicant to reduce impacts to below a level of significance.
Impact 4.5-3 Would the proposed project, disturb any human remains, including those interred outside of formal cemeteries?	Less than Significant Impact with Mitigation Applied	**MM CUL-3** Applications for future development consistent with the Project, where the City has determined a potential for impacts to human remains, shall be required to comply with the following mitigation framework:

Resource Impact	Level of Significance	Mitigation Measure(s)
		In the event that human remains are discovered or unearthed, all earth-disturbing work within a 100-meter radius of the location of the human remains shall be temporarily suspended or redirected by the applicant until a forensic expert retained by the applicant has identified and evaluated the nature and significance of the find, in compliance with State CEQA Guidelines 15064.5(f). If human remains of Native American origin are discovered or unearthed, the applicant shall contact the consulting tribe regarding any finds and provide information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input concerning significance and treatment. After the find has been appropriately mitigated, as determined and documented by a qualified archaeologist, work in the area may resume.
Section 4.7, Geology and Soils		
Impact 4.7-6 Would the proposed project, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than Significant Impact with Mitigation Applied	**MM GEO-1** Applications for future development consistent with the Project, where the City has determined a potential for impacts to paleontological resources, shall be required to comply with the following mitigation framework: ▪ <u>Retain a Qualified Project Paleontologist.</u> Prior to ground disturbing activities, the Applicant shall retain a qualified Project Paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources. ▪ <u>Paleontological Monitoring and Compliance Program.</u> After design of the housing development has been finalized to determine the precise extent and location of ground disturbing activities, and prior to ground disturbing activities, the Project Paleontologist shall prepare a Paleontological Monitoring and Compliance Program to be implemented during the ground disturbing

Resource Impact	Level of Significance	Mitigation Measure(s)
		activities. The Program shall be prepared in accordance with the standards set forth by current Society of Vertebrate Paleontology guidelines (2010). Prior to ground disturbing activities, the Program shall be provided to the City. Ground disturbing activities where paleontological sensitivity has been identified shall be monitored full-time by a qualified paleontological monitor during initial ground disturbing activities. The Program shall be supervised by the Project Paleontologist in coordination with the City. The duration and timing of the monitoring shall be determined by the Project Paleontologist. If the Project Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend to the City that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring shall be reinstated, if reduction or suspension would need to be reconsidered by the Project Paleontologist. The Program shall outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications. ▪ Salvage of Fossils. If fossils are discovered, the Project Paleontologist or paleontological monitor shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the

Resource Impact	Level of Significance	Mitigation Measure(s)
		paleontologist shall have the authority to temporarily direct, divert, or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner. ▪ Preparation and Curation of Recovered Fossils. Once salvaged, the City shall ensure that significant fossils are identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the San Diego County Natural History Museum), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Project Paleontologist. Field collection and preparation of fossil specimens shall be performed by the Project Paleontologist with further preparation as needed by an accredited museum repository institution at the time of curation. ▪ Final Paleontological Monitoring and Compliance Report. Upon completion of ground disturbing activities (and curation of fossils, if necessary) the Project Paleontologist shall prepare a Final Paleontological Monitoring and Compliance Report outlining the results of the Paleontological Monitoring and Compliance Program. The report shall be provided to the City and shall include discussion of the location, duration, and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

Resource Impact	Level of Significance	Mitigation Measure(s)
Section 4.10, Hydrology and Water Quality		
Impact 4.10-1 Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than Significant Impact with Mitigation Applied	**MM HYD-1** Future project applicants shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board prior to issuance of any grading permits. This process requires that the applicant submit Permit Registration Documents prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee. The required SWPPP must identify specific actions and BMPs to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, contingency measures, responsible parties, and applicable contacts. The SWPPP would include but not be limited to the following elements: ▪ Comply with the requirements of the State of California's most current Construction Stormwater Permit. ▪ Temporary erosion control measures shall be implemented on all disturbed areas. ▪ Sediment generated during construction and operation activity shall be retained on-site by a system of sediment or detention basins, traps, or other BMPs. ▪ Construction Contractors shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains. ▪ BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation

Resource Impact	Level of Significance	Mitigation Measure(s)
		of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the SARWQCB to determine adequacy of the measure. ▪ Prior to the issuance of the first grading permit, future project applicants shall submit construction plans that may include water quality BMPs for approval. The City of Menifee shall ensure that all applicable water quality standards are met before approving the SWPPP. **MM HYD-2** Future project applicants shall prepare a Preliminary and Final Project-Specific WQMP for submittal together with all associated development plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City General Plan and Municipal Code guidelines regulations and policies related to hydrology and water quality, including but not limited to the following: ▪ Site Design BMPs ▪ Source Control BMPs ▪ Treatment Control BMPs ▪ BMP Sizing ▪ Equivalent Treatment Control Alternatives ▪ Hydrologic Conditions of Concern (HCOC)
Impact 4.10-3 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 or through the addition of impervious surfaces, in a manner which would: Result in substantial erosion or siltation on-or off-site?	Less than Significant Impact with Mitigation Applied	**MM HYD-1** Future project applicants shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board prior to issuance of any grading permits. This process requires that the applicant submit Permit Registration Documents prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS).

Resource Impact	Level of Significance	Mitigation Measure(s)
		PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee. The required SWPPP must identify specific actions and BMPs to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, contingency measures, responsible parties, and applicable contacts. The SWPPP would include but not be limited to the following elements: ▪ Comply with the requirements of the State of California's most current Construction Stormwater Permit. ▪ Temporary erosion control measures shall be implemented on all disturbed areas. ▪ Sediment generated during construction and operation activity shall be retained on-site by a system of sediment or detention basins, traps, or other BMPs. ▪ Construction Contractors shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains. ▪ BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the SARWQCB to determine adequacy of the measure. ▪ Prior to the issuance of the first grading permit, future project applicants shall submit construction plans that may include water quality BMPs for approval. The City of

Resource Impact	Level of Significance	Mitigation Measure(s)
		Menifee shall ensure that all applicable water quality standards are met before approving the SWPPP. **MM HYD-2** Future project applicants shall prepare a Preliminary and Final Project-Specific WQMP for submittal together with all associated development plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City General Plan and Municipal Code guidelines regulations and policies related to hydrology and water quality, including but not limited to the following: ▪ Site Design BMPs ▪ Source Control BMPs ▪ Treatment Control BMPs ▪ BMP Sizing ▪ Equivalent Treatment Control Alternatives ▪ Hydrologic Conditions of Concern (HCOC)
Impact 4.10-3 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 or through the addition of impervious surfaces, in a manner which would: Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off? Impede or redirect flood flows?	Less than Significant Impact with Mitigation Applied	**MM HYD-1** Future project applicants shall comply with applicable construction water quality regulations including the NPDES General Construction Permit, which shall be obtained from the Regional Water Quality Control Board prior to issuance of any grading permits. This process requires that the applicant submit Permit Registration Documents prior to commencement of construction activities in the Storm Water Multiple Application and Report Tracking System (SMARTS). PRDs consist of the NOI, Risk Assessment, Post-Construction Calculations, a Site Map, the SWPPP, a signed certification statement by the Legally Responsible Person, and the first annual fee. The required SWPPP must identify specific actions and BMPs to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, contingency measures, responsible

Resource Impact	Level of Significance	Mitigation Measure(s)
		parties, and applicable contacts. The SWPPP would include but not be limited to the following elements: ▪ Comply with the requirements of the State of California's most current Construction Stormwater Permit. ▪ Temporary erosion control measures shall be implemented on all disturbed areas. ▪ Sediment generated during construction and operation activity shall be retained on-site by a system of sediment or detention basins, traps, or other BMPs. ▪ Construction Contractors shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains. ▪ BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the SARWQCB to determine adequacy of the measure. ▪ Prior to the issuance of the first grading permit, future project applicants shall submit construction plans that may include water quality BMPs for approval. The City of Menifee shall ensure that all applicable water quality standards are met before approving the SWPPP. **MM HYD-2** Future project applicants shall prepare a Preliminary and Final Project-Specific WQMP for submittal together with all associated development plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City General Plan and Municipal Code guidelines regulations

Resource Impact	Level of Significance	Mitigation Measure(s)
		and policies related to hydrology and water quality, including but not limited to the following: ▪ Site Design BMPs ▪ Source Control BMPs ▪ Treatment Control BMPs ▪ BMP Sizing ▪ Equivalent Treatment Control Alternatives ▪ Hydrologic Conditions of Concern (HCOC)
Section 4.18, Tribal Cultural Resources		
Impact 4.18-1 Would the proposed project, cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is: Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)? A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the	Less than Significant Impact with Mitigation Applied	**MM TCR-1** **Unanticipated Discovery of Tribal Cultural and Archaeological Resources**: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant shall immediately cease such activities in the immediate vicinity. The find will then be assessed by a qualified archeologist retained by the Applicant and a tribal monitor/consultant approved by the consulting tribe. The applicant shall promptly notify the Planning and Community Development Director to the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/ consultant, and in coordination with the Planning and Community Development Department, work may continue on other parts of the affected site while evaluation and, if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines

Resource Impact	Level of Significance	Mitigation Measure(s)
significance of the resource to a California Native American tribe?		§15064.5 [f]. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources. Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archeological resources (Public Resources Code §§21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the San Diego Archeological Center. Acceptance and curation of the historic archeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, they shall be offered to the consulting tribe or the Del Mar Historical Society for educational purposes. **MM TCR-2** **Consultation with the Soboba Tribe of Luiseno Indians.** Consultation from the Soboba Tribe of Luiseno Indians should be requested during the permitting and development of future housing units facilitated by the Project. Future applicants should also include a Soboba Band of Luiseño Indians Native American Monitor to be

Resource Impact	Level of Significance	Mitigation Measure(s)
		present during any ground disturbing proceedings. Including surveys and archaeological testing. As well, the future applicants conduct proper procedures when encountering tribal cultural resources of the Soboba Tribe of Luiseno Indians. **Cultural Items (Artifacts).** Future applicants should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the tribal monitor for appropriate treatment. If found to be of significance to the Soboba Tribe of Luiseno Indians, 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, the archeologist of the future applicant 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. Future applicants should also 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 future applicants 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.** The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the

Resource Impact	Level of Significance	Mitigation Measure(s)
		discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity. The Soboba Band, as Most Likely Descendent (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). Future applicants and the Soboba Band should discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes. 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 future applicants, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains. 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 future applicants should accommodate on-site reburial in a location mutually agreed upon by the Parties. 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

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3.0 PROJECT DESCRIPTION

3.1 Introduction

California Government Code (CGC) §§65580 – 65589.11 is the California (State) Housing Law which requires that all jurisdictions in the Southern California Association of Governments (SCAG) region complete the 6th Cycle Housing Element Update (HEU) by October 2021. Therefore, as required by State Housing Law, the City of Menifee 2021-2029 Housing Element Update (Project) is being prepared to adequately provide for the existing and projected housing needs of all economic segments of the City of Menifee (City). The Project consists of a comprehensive review and update to the City of Menifee 2013-2021 Housing Element as well as updates to the existing Land Use Element, Safety Element, and Environmental Justice policies. The Project includes an assessment of the City's housing needs; public outreach to establish community interest; goals, policies, and programs; the completion of environmental review; and the creation of the updated housing element. The Project also integrates/updates supporting socioeconomic, demographic, and household data.

The Housing Element also identifies available candidate housing sites and establishes the City's official housing policies and programs to accommodate the City's Regional Housing Need Assessment (RHNA) goals, as determined by SCAG. The HEU is specifically intended to accommodate the City's RHNA allocation of 6,609 dwelling units (DUs). This Program Environmental Impact Report (PEIR) evaluates the potentially significant, adverse, and beneficial environmental impacts resulting from implementation of the HEU, which accommodates the future development of 6,609 DUs throughout the City. Implementation of the Project will require the discretionary approval of a General Plan Amendment (GPA PLN21-0022) and a Change of Zone (ZC PLN21-0021).

3.2 Project Location and Settings

Project Location

The City encompasses 46 square miles in the western portion of the County of Riverside (County). The City is bordered by the City of Perris to the north; City of Murrieta to the south; unincorporated County land on the east; and the cities of Canyon Lake, Lake Elsinore, and Wildomar on the west. ***Figure 3-1, Regional Vicinity Map***, illustrates the City in a regional context. Interstate 215 (I-215) and State Route 74 (SR-74) provide regional access to the City.

This PEIR considers 69 candidate housing sites within the City's boundaries, seven of which are Specific Plan areas; see ***Appendix A, Candidate Housing Sites***. The Project area and candidate site locations are illustrated in ***Figure 3-2, Local Vicinity Map***. Solely for analysis purposes, the candidate sites identified in ***Appendix A, Candidate Housing Sites*** have been assigned a numeric label, as depicted in ***Figure 3-3, Candidate Housing Sites***. Various candidate housing parcels are within the Audie Murphy Ranch, Cantalena, Cimarron Ridge, Legado, Menifee North, Rockport Ranch, and Newport Estates Specific Plan areas, as shown in ***Figure 3-3, Candidate Housing Sites***. The PEIR also considers 48 additional sites within the EDC-Community Core located in the southern portion of the City.

Environmental Setting

Physical Setting

The City's natural landscape contains varied physical features including hills, low mountains, valleys, and hydrological features. The steepest slopes in the City are found north of Menifee Lakes as well as within Quail Valley in the northwest portion of the City. The City's elevation ranges from approximately 1,400 feet above mean sea level (amsl) in the lowest valley floor to approximately 2,600 feet amsl for the local hills; Bell Mountain, the City's highest mountain, is approximately 1,850 amsl. Menifee includes parts of three valleys: the Perris Valley in the north end of the City, the Menifee Valley in the central part of the City, and the Paloma Valley in the southeast area of the City. Salt Creek, a shallow watercourse, bisects the City and runs from east to west. The Paloma Valley wash tributary also crosses the southern portion of the City. Most hillsides are covered with coastal sage scrub interspersed with boulder outcrops.

Developed features of the City include urban and suburban land uses, farm fields, and open undeveloped areas. The development pattern in the parts of the City with suburban density—Sun City, Menifee Lakes, Romoland, and Quail Valley — consists mostly of one-story detached single-family homes. Romoland contains some industrial uses near the former Burlington Northern Santa Fe railroad track extending northwest–southeast. Commercial uses are located in several areas throughout Menifee but concentrated along the I-215 corridor, Newport Road, and McCall Boulevard. The City has four golf courses, two in Sun City and another two in the Menifee Lakes community. Most of the remainder of the City consists of vacant land, rural residential development, and farms.

Population

The City's population as of January 2020 was estimated to be 97,093 persons.[1] The SCAG Local Area Report for the City reported that the City experienced an approximate 25 percent growth in population (19,571 persons) between 2010 and 2020. Similarly, SCAG also forecasts an approximate 25 percent population growth (23,907 persons) between 2020 and 2040. This is consistent with the County of Riverside's forecasted growth of 28.4 percent and previous growth trends experienced by the City. This estimated growth rate is facilitated by the development of vacant land areas within the City as well as the development of previously approved Specific Plan areas.

Housing

The Department of Finance (DOF) estimated a total of 35,675 housing units in the City in 2020. According to the American Community Survey (ACS), the City's housing stock increased by 3.6 percent (1,034 housing units) between 2010 and 2015.[2] The housing stock increased by another 2.6 percent (768 housing units) from 2015 to 2018. The City's housing stock increased from 28,732 to 30,533 units from 2010 to 2018, an overall increase of 6.2 percent. Single-family detached housing units were the most common housing type

[1] California Department of Finance. (2020). *E-5 Population and Housing Estimates for Cities, Counties, and the State, 2011-2020 with 2010 Census Benchmark. Table 2: E-5 City/County Population and Housing Estimates, 1/1/2020.* Sacramento, CA: Department of Finance.

[2] United States Census. (2018). *2018 ACS 5-Year Estimates Comparison Profiles. Table P04.* Retrieved from: https://data.census.gov/cedsci/table?q=United%20States&t=Housing%3AHousing%20Units&g=1600000US0646842&tid=ACSCP5Y2018.CP04&hidePreview=true (Accessed March 24, 2021)

in the City in 2018, comprising approximately 81 percent, while mobile homes were the second most common housing type, comprising approximately 7 percent.

Menifee General Plan

The Menifee General Plan (Menifee GP) was adopted in December 2013 and provides the City's long-range planning goals and policies for development within the City. The City of Menifee GP includes eight GP Elements as follows:

- Land Use Element;
- Housing Element;
- Circulation Element;
- Open Space and Conservation Element;
- Community Design Element;
- Economic Development Element;
- Safety Element; and
- Noise Element.

The City of Menifee GP is the City's vision for growth out to 2035. The Menifee GP vision is to establish a fiscally sustainable balance of land uses and continually seek new and innovative ways to enhance the City's quality of life.

The existing GP land use designations for each of the parcels that make up the 69 candidate housing sites and those identified for the Land Use Element Update are specified in ***Appendix A, Candidate Housing Sites*** and summarized in ***Table 3-1, Existing General Plan Land Use Designations***.

Table 3-1: Existing General Plan Land Use Designations

Land Use	Description
5.1-8 du/ac Residential (5.1-8R)	Allows for the development of single-family attached and detached residences with a density range of 5 to 8 dwelling units per acre.
8.1-14 du/ac Residential (8.1-14 R)	Allows for the development of single-family attached and detached residences, including townhouses, stacked flats, courtyard homes, patio homes, and zero lot line homes.
14.1-20 du/ac Residential (14.1-20R)	Allows for the development of single-family attached residences and multifamily dwellings such as triplexes, fourplexes, motorcourt clusters, and row townhomes.
20.1-204 du/ac Residential (20.1-24R)	Allows for the development of multifamily dwellings; includes apartments and condominiums.
Specific Plan	Allows for the development of a specific area with a set of detailed development policies, standards, and criteria. Specific Plans contain their own circulation plans, land use plans, and development standards.
Economic Development Corridor (EDC) Max. 24 du/ac and 1.0 FAR	Allows a mixture of residential, commercial office, industrial, entertainment, educational and/or recreational uses. The EDC is primarily intended for the development of nonresidential uses, with residential uses playing a supporting role. Residential uses developed within an EDC shall not exceed 15% of the total EDC acreage nor be allowed directly adjacent to the freeway. Many EDC parcels have already reached 15% limitation or will reach it soon.

Source: City of Menifee. (2013). City of Menifee General Plan Exhibit LU-3. Pg 1. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1014/Exhibit_LU-3_LandUseDesignations_20151020?bidId= (Accessed March 25, 2021).

City of Menifee Comprehensive Development Code

The City's Planning and Zoning Code (Development Code) is found in Title 9 of the City of Menifee Municipal Code (Menifee MC). Among other purposes, the Development Code is intended to: implement GP goals and objectives and guide and manage development within the City in accordance with the GP; and reduce hazards to the public resulting from the inappropriate location, use, or design of buildings and other improvements. Development Code Article 3, Zones, establishes the zones applied to property within the City and specifies their allowed uses and approval requirements.

The existing zoning for each of the 69 candidate housing sites is specified in ***Appendix A, Candidate Housing Sites Inventory*** . Those sites as well as the Land Use Element Update are described in ***Table 3-2, Existing Zoning***.

Table 3-2: Existing Zoning

Zone	Description
Low Medium Density Residential (LMDR)	Allows or the development of single-family attached and detached residences with a density range of 5 to 8 dwelling units per acre.
Medium Density Residential (MDR)	Allows for single-family attached and detached residences, including townhouses, stacked flats, courtyard homes, patio homes, and zero lot line homes with a density range of 8 to 14 dwelling units per acre.
Medium High Density Residential (MHDR)	Allows for the development of single-family attached residences and multifamily dwellings such as triplexes, fourplexes, motorcourt clusters, and row townhomes with a density range of 14 to 20 dwelling units per acre.
High Density Residential (HDR)	Multifamily dwellings; includes apartments and condominiums with a density range of 20 to 24 dwelling units per acre.
Economic Development Corridor Community Core (EDC-CC)	Allows for civic and entertainment uses as well as commercial retail uses and higher density housing options that encourage walkability and reduce the use of the automobile. This area is intended to function as the ceremonial "heart" or downtown of the City of Menifee and will serve as a transition from existing rural lots to more concentrated retail and office development moving east toward I-215.
Economic Development Corridor McCall Boulevard (EDC-MB)	Allows for a mix of office, medical, and residential uses (assisted living, senior Apartments, townhomes, etc.) that would be compatible with the Regional Medical Center and would provide health-related services in close proximity to Sun City residents.
Economic Development Corridor Newport Road (EDC-NR)	Allows for neighborhood-oriented commercial uses that support the adjacent residential development to the north and south. Business park, office, or residential uses are envisioned along Bradley Road, to provide a buffer the commercial corridor and a logical transition to the adjacent single-family residential neighborhoods to the north.

Source: City of Menifee. (2020). *Comprehensive Development Code; Title 9: Planning and Zoning*. Retrieved from: http://online.encodeplus.com/regs/menifee-ca/doc-viewer.aspx#secid-1320.

3.3 Project Background and History

General Plan Housing Element

State law requires each city and county to adopt a GP for its physical development. A GP is a key tool that addresses a variety of subject areas and expresses the community's development goals related to the jurisdiction's future land uses. The City is in the process of updating its GP. General plans are required to contain at least seven elements (i.e., Land Use, Housing, Circulation, Noise, Safety, Open Space, and Conservation). The Housing Element, one of seven State-mandated GP elements, is prepared according to CGC §65583 requirements. Housing Element Law — first enacted in 1969 and significantly strengthened since — mandates that local governments adequately plan to meet the existing and projected housing needs of everyone in the community. Furthermore, Housing Elements are required to identify, analyze, and make adequate provision for the existing and projected housing needs of all economic segments of the community. The California State Legislature has identified the attainment of decent and suitable living as a major housing goal.

The City's current Housing Element (5th Cycle) was adopted by the City Council in February 2014 and covers the planning period of 2013 to 2021. This Housing Element update (6th Cycle) will cover the planning period from October 15, 2021 to October 15, 2029. The City began preparation of its HEU and associated PEIR in 2020 at least one year before the October deadline provided by the HCD. As part of the 6th Cycle HEU, the City is required to identify housing sites that provide the development capacity to accommodate housing that addresses the City's RHNA allocation at all income levels.

In preparation of its 6th Cycle HEU, the City has held multiple public meetings including virtual community workshops; the first of which occurred in October 2020. Public meetings are planned to continue through the summer of 2021 during the preparation of both the HEU and the PEIR. These meetings would provide Project updates and allow consistent commentary from the public.

Regional Housing Needs Assessment

The Project will include goals, policies, and components which would allow the City to accommodate the housing needs identified by the RHNA. The RHNA is a State Housing law requirement that is part of the periodic process of updating local GP Housing Elements. Per CGC §65584(d) that the Housing Element update process determines existing and projected housing need (i.e., RHNA allocation) for all State jurisdictions (cities and unincorporated county areas) with the intent to provide opportunities for a mix of housing unit types, tenure, and affordability and help achieve greenhouse gas (GHG) emission reductions from cars and light trucks. The RHNA allocation process is conducted by regional planning agencies every eight years. The statewide RHNA is determined by the California Department of Housing and Community Development (HCD). The quantified housing need is then allocated among the state's 18 Metropolitan Planning Organizations (MPOs). The City is a member jurisdiction of SCAG, which allocates RHNA to the SCAG region which includes Riverside County cities and unincorporated areas. The RHNA is allocated based on each jurisdiction's fair share of the total RHNA housing needed for each income category. The RHNA quantifies the housing need within each jurisdiction for all economic segments of the community in four income categories: very low, low, moderate, and above moderate.

Each jurisdiction must demonstrate within its Housing Element that it can accommodate its RHNA at all income levels.

To comply with Housing Element law, the City must identify candidate housing sites that can accommodate the 2021-2029 RHNA allocation. This may include the identification of current vacant land that can accommodate residential use or infill sites that permit residential development. If the City cannot identify enough sites/parcels appropriately zoned to accommodate RHNA allocations, then the City must identify additional candidate housing sites to be rezoned.

The DOF population estimates and the RHNA are also used for regional transportation planning purposes. Senate Bill (SB) 375 integrates RHNA with SCAG's Regional Transportation Plan (RTP) and Sustainable Communities Strategy (SCS). In the past, the RHNA was undertaken independently from the RTP. The California Legislature passed SB 375 in 2008 as the land use and transportation planning component of the State's effort to reduce vehicle miles traveled (VMT) in order to achieve the GHG emission reduction goals of the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32). The law recognizes the importance of planning for housing and land use in creating sustainable communities where residents of all income levels have access to jobs, services, and housing by using transit, walking, or bicycling.

State Housing law also states that the RHNA process shall be consistent with the following objectives:

- Increasing the housing supply and the mix of housing types, tenure, and affordability in all cities and counties within the region in an equitable manner, which shall result in all jurisdictions receiving an allocation of units for low- and very low-income households.
- Promoting infill development and socioeconomic equity, protecting environmental and agricultural resources, and encouraging efficient development patterns.
- Promoting an improved intraregional relationship between jobs and housing.
- Allocating a lower proportion of housing need to an income category when a jurisdiction already has a disproportionately high share of households in that income category.
- Affirmatively furthering fair housing.

As previously stated, the RHNA allocations are categorized between four household income levels. ***Table 3-3, County of Riverside Household Income Categories*** summarizes the household incomes utilized by SCAG for the County's RHNA allocations.

Table 3-3: County of Riverside Household Income Categories

Income Category	Income Range*	
	Min	Max
Very Low (0% to 50% MFI)	$0	$38,750
Low (51% to 80% MFI))	$38,751	$62,000
Moderate (81% to 120% MFI))	$62,001	$93,000
Above Moderate (120% MFI) or more)	$93,001	> $93,001
Riverside County Median Family Income (MFI) = $77,500		

United States Department of Housing and Urban Development. (2021) FY 2021 Median Family Income Documentation System: Riverside-San Bernardino-Ontario, CA MSA. Retrieved from: https://www.huduser.gov/portal/datasets/il/il2021/2021MedCalc.odn.

The RHNA allocates housing need based on future estimates of housing unit growth need over the RHNA planning period (2021-2029). The RHNA identifies the projected number of DUs that will be needed to accommodate estimated future growth need during the planning period (2021-2029) at specified levels of affordability. On March 4, 2021 SCAG adopted the final RHNA allocations and distributed the RHNA allocation to all local jurisdictions. The RHNA quantifies Menifee's local share of the housing needs for the region by income category. Income categories are based on the most current Median Family Income (MFI) for Riverside County. ***Table 3-4, City of Menifee 2021-2029 RHNA*** outlines the RHNA requirement for the 2021-2029 Housing Element, and indicates the City's projected housing need for the 6th Cycle RHNA planning period for each of the four income categories.

Table 3-4: City of Menifee 2021-2029 RHNA

Income Level	% of Median Family Income (MFI)[1]	RHNA Allocation (Housing Units)
Very Low Income	0-50%	1,761
Low Income	51-80%	1,051
Moderate Income	81-120%	1,106
Above Moderate Income	>120%	2,691
Total		***6,609***

Sources: SCAG. Final RHNA Methodology. Retrieved from: https://scag.ca.gov/sites/main/files/file-attachments/scag-final-rhna-methodology-030520.pdf?1602189316

Assembly Bill 1233, signed into law on October 5, 2005, requires that if a jurisdiction fails to make available adequate housing sites for the prior planning period, within one year of the new cycle, the jurisdiction must rezone/upzone adequate housing sites to accommodate the shortfall. This requirement, known as "carryover," is in addition to the housing need identified in the new RHNA cycle. Thus, the PEIR must also address DUs that were required, but not accommodated by the 5th Cycle Housing Element Program.

The City's 19 carryover 5th Cycle sites are incorporated into to the candidate sites analysis of the Project. However, these sites do not require rezoning and would be fulfilled through existing parcels zoned for HDR land uses.

3.4 Proposed Project

2021-2029 Housing Element Overview and Organization

The City of Menifee Housing Element is a required GP element. In compliance with CGC §65583, the Housing Element identifies, analyzes, and makes adequate provision for the existing and projected housing needs of all the City's economic segments.

Regulations within CGC §§65580–65589.8 requires that jurisdictions evaluate their Housing Elements every eight years. The City of Menifee 2021-2029 Housing Element is proposed to ensure consistency with current State Housing laws and cover the 6th Cycle Housing Element Update (2021-2029). The Project represents a comprehensive update to the City's last adopted Housing Element (i.e., the 5th Cycle). The HEU will include revised goals and policies, and new, modified, and continuing implementation programs.

The Housing Element will provide the City with a coordinated and comprehensive strategy for promoting the production of safe, decent, and affordable housing for all within the City. The HEU will be prepared to ensure the City establishes policies, procedures, and incentives in its land use planning and development activities that result in maintenance and expansion of the housing supply to adequately accommodate households currently living and expected to live in the City. The HEU will institute policies intended to guide City decision-making and establish an Implementation Program to achieve housing goals through the year 2029.

The HEU will be comprised of the following components:

Chapter 1: Introduction contains a summary of the content, organization and statutory considerations of the Housing Element;

Chapter 2: Community Profile contains analysis of the City's population, household and employment base, and the characteristics of the housing stock;

Chapter 3: Housing Constraints, Resources, and Affirmatively Furthering Fair Housing examines governmental and non-governmental constraints on production, maintenance, and affordability of housing and provides a summary of housing resources, including sites identification and funding and financial considerations;

Chapter 4: Policy Plan addresses Menifee's identified housing needs, including housing goals, policies and programs.

Appendices provides various appendices with supplementary background resources including:

- **Appendix A –** Review of Past Performance of 5th Cycle Housing Policy Plan
- **Appendix B –** Summary of 6th Cycle Adequate Sites Analysis
- **Appendix C –** Summary of Community Outreach
- **Appendix D –** Glossary of Housing Terms

Housing Element Implementation

As noted above, various amendments to planning documents, including GP updates and rezoning efforts may be necessary for clarification and consistency purposes. However, in accordance with the State CEQA Guidelines, all later activities in the HEU program will be examined in the light of this PEIR to determine whether an additional environmental document must be prepared.

Candidate Housing Sites

To comply with State law (CGC §65583), the City prepared an inventory to identify specific housing sites that may be suitable for residential development that can accommodate the lower-income DUs allocated to the City in the 6th Cycle RHNA. ***Appendix A, Candidate Housing Sites Inventory*** includes a parcel-specific listing of candidate housing sites that are available to accommodate the City's full share of the regional housing need (i.e., RHNA allocation) by income level during the planning period.

Approved specific plans containing entitlements for residential uses were found to accommodate a large portion of the required moderate and above moderate housing units. These specific plans include:

- The Cantalena Specific Plan;
- The Cimarron Ridge Specific Plan;
- The Menifee North Specific Plan;
- The Newport Estates Specific Plan;
- The Rockport Ranch Specific Plan;
- The Legado Specific Plan; and
- The Audie Murphy Ranch Specific Plan.

The City also plans to accommodate very low and low-income housing development through the utilization of existing medium to high density residential zones as well as specific plan areas. To fully generate adequate potential for very low and low-income housing units, the City proposes to rezone select residential and EDC zoned parcels to higher density residential zones. A separate 48 parcels were identified specifically for the Land Use Element which would be rezoned to RR-1 designations.

Buildout Projections for Future Site Development

A "project" as defined by State CEQA Guidelines §15378(a) "means the whole of an action, which has a potential for resulting in either a direct physical change in the environment" or a reasonably foreseeable indirect physical change in the environment." The HEU portion of the Project is comprised of 69 candidate housing sites with the potential of generating 8,696 future housing development to meet the City's allocation of 6,609 RHNA housing units. The City does not propose any site development on a candidate housing site/parcel. Future housing development could occur on these candidate housing sites/parcels, if ultimately included within the Housing Element, as local conditions dictate with timing at the discretion of each individual property owner.

This PEIR evaluates development of 8,696 HEU DUs as well as 66 DUs through the 48 Land Use Element parcels (any combination thereof). See ***Appendix A, Candidate Housing Sites Inventory*** for a list of potential HEU housing sites. The HEU candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the HEU. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

Future housing development facilitated by the Project could be constrained by market conditions or various environmental conditions or impacts.

Market constraints on potential future housing development are created by environmental and regulatory frameworks that reduce the potential profitability of housing development. Environmental constraints on potential future housing development are created by the time, effort, and costs associated with mitigating environmental impacts.

Future Development Constraints

Where environmental impacts are significant and unavoidable, pursuant to State CEQA Guidelines §15093, the City Council would be required to balance, as applicable, the economic, legal, social, technological, or other benefits of the HEU against its unavoidable environmental risks when determining whether to approve the HEU. However, as concluded throughout this PEIR, the Project's potential significant environmental effects would all be avoided or substantially lessened through compliance with the established regulatory framework and specified mitigation measures. It is noted, as discussed above, in accordance with the State CEQA Guidelines, all later activities in the HEU program will be examined in the light of this PEIR to determine whether an additional environmental document must be prepared.

Future Development

As will be outlined in the Housing Element and associated zoning provisions, the Housing Element will develop a RHNA implementation plan, which will include the rezoning of specific parcels to accommodate increased housing density, along with CEQA mitigation measures identified in this PEIR's Mitigation Monitoring and Reporting Program to which future projects, as applicable, must adhere to, for the site to develop consistent with the HEU's purpose and to avoid or lessen any potentially significant environmental impacts.

Future housing projects may tier from this PEIR or a finding may be made that sufficient environmental clearance occurred with this PEIR (State CEQA Guidelines §§15152, 15162 and 15168). This PEIR comprehensively considers a series of related projects with the intent to streamline subsequent review of future housing development projects consistent with the Housing Element's intent.

Future development facilitated by the HEU programs would be subject to subsequent environmental and other discretionary review and permitting, in accordance with the Menifee MC. Specifically, design review and subsequent discretionary review would be required for most subdivision map actions. Subsequent environmental review may be required for discretionary actions to entitle future development projects, including but not limited to Design Review, certain Subdivision actions, and Use Permits. Subsequent discretionary actions must be examined in the light of this PEIR to determine whether an additional environmental document needs to be prepared. Most projects would require subsequent discretionary approvals. Future housing development projects on the candidate housing sites would be required to go through the City's established entitlement process. These re-zoned housing sites would provide the adequate housing to accommodate the lower-income RHNA growth need for the City's 2021-2029 Housing Element. Future housing developments may also qualify for density bonuses based on the provisions of Menifee MC §9.180.

Addressing Requirements of State Housing Legislation

As part of the HEU, the City is required to identify sites that complies with recent State Housing legislation, primarily AB 1397 and SB 166.

These legislative requirements are described below.

Assembly Bill 1397 (2017)

Assembly Bill 1397 amended CGC §§65580, 65583, and 65583.2 to increase the City's Housing Element obligations to identify and zone sufficient housing sites to address the City's share of need for lower-income housing. This includes stricter requirements for the adequacy of housing sites, including non-vacant sites and sites that were identified in previous Housing Elements.

The bill outlines the following requirements for housing sites designated to meet the City's RHNA:

- Land Inventory housing sites must be "available" and must include non-vacant sites with "realistic development potential."
- If greater than 50 percent of the housing sites/parcels are identified to accommodate the City's lower-income RHNA need on non-vacant land, there is a presumption existing uses on these sites/parcels will pose an impediment to housing development. The City must overcome this assumption of impediment through documentation or substantial evidence that supports the impediment can be overcome.
- Sites/parcels that will be used to accommodate RHNA that were identified in two or more prior Housing Elements but not developed must permit by-right development and require at least 20 percent of the housing on those sites/parcels be affordable to lower-income households.
- Parcels identified to meet the lower-income RHNA should be between 0.5 acre and 10 acres in size. Parcels outside of that range must demonstrate a past range, the City must demonstrate a past performance of developing those sites for affordable housing.
- Sites cannot be presumed to accommodate the maximum density permitted, but rather a net developable acreage must be determined.

Senate Bill 166 (2017)

The purpose of SB 166 is to ensure that jurisdictions at all times have sites available and identified in their Housing Elements to meet their unmet RHNA allocation. In the event that at any time during the 6th Cycle planning period, the City does not have sufficient sites to meet their RHNA need, the City will be required to take remedial action by identifying and if necessary, rezoning, alternative sites to replace the ones not developed at the affordability or densities projected in the candidate housing sites inventory. Additionally, the bill outlines the following requirements:

- No reduction of density without strict findings, including that the City is able to maintain an adequate number of sites to meet the unmet RHNA allocation.
- Approval of fewer units than attributed to the site in the Housing Element is prohibited without strict findings.
- If required, additional rezoning of sites may be subject to CEQA.

During the process of determining candidate housing sites able to meet the City's RHNA allocation, the City considered relevant state legislative requirements and their applicability to potential sites within the City.

Safety Element Update

The GP Safety Element will be updated to be consistent with CGC §65302(g) and to address any relevant safety issue to reduce the potential short and long-term risk to the public from fires, floods, droughts, earthquakes, landslides, climate changes and other hazards. The Safety Element must identify hazards and hazard abatement as well as methods of minimizing risks to guide local decisions related to zoning, subdivisions and entitlement permits and economic disruptions.

As the Safety Element directly relates to the topics in the Land Use Element and the Environmental Justice Policies, any relevant policy will also be updated in these elements for consistency. Fire hazard goals policies of the Safety Element will include input from the Fire Department/CalFire and will identify Fire Hazard Severity Zones based on latest updated California Department of Forestry High Fire Hazard Severity Zone Maps. Finally, State law requires the Draft Safety Element to be submitted to the State Board of Forestry and Fire Protection for review 90 days prior to adoption.

The Safety Element Update will include the addition of climate change adaptability goals and policies based on a Climate Change Assessment conducted for the City. The Climate Change Assessment discusses hazards that the City may face as an effect of increased climate change. These effects include increased risks due to temperature changes, extreme temperature days, and increased wildfire risks due to the effects of climate change. New policies based on the conclusions of the Climate Change Assessment would be incorporated into the Safety Element Update to account for potential risks due to fire susceptibility, heat damage, and drought.

Land Use Element Update

In coordination with the HEU, the GP Land Use Element will be evaluated to identify future growth and development patterns. The analysis will outline the existing land uses with undeveloped and underutilized parcels to ensure adequate land for housing, commercial, industrial and public facility uses within the City limits and sphere of influence. The analysis will help identify potential land use conflicts and will be an opportunity to address amendments necessary as part of the Housing Element Update. This will ensure consistency with the Housing Element Update. General Plan Amendments (GPAs) will be proposed as necessary for rezoning of select parcels to higher development densities such as HDR with these changes incorporated into the updated Land Use Element and Land Use Map. The rezoning of these parcels will facilitate increased housing development to accommodate the RHNA. The GPAs will also address updates to the City's EDC land use policies which would allow and encourage higher density residential development within EDC land use areas through the rezoning of specific parcels from EDC to HDR. The General Plan Land Use Element Update that includes the proposed land use amendment of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. These parcels are generally large single-family residential lots or vacant parcels with sparse vegetations, storage yards, and outbuildings. The zone change request does not include any development proposal or removal of existing residential structures.

This EDC-CC area comprises approximately 392 acres of which approximately 66 acres is proposed (48 parcels) for rezone. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units excluding infrastructure, road and sidewalk improvements, and existing structures. The current EDC-CC zoning promotes mixed use development of residential (25 percent), commercial retail (10 percent), commercial office (35 percent), and business park (30 percent). The amendment of the parcels to the RR-1 designation would allow for the development of single-family residential on 1-acre minimum lot size. The change in zoning would exclude all other nonresidential uses, except as otherwise permitted by the Development Code. The rezoning of the 48 EDC-CC parcels would consistent with the existing established low density rural residential character of the area. The remainder of the EDC-CC will be unaffected by the amendment.

Additional updates to the City's EDC land use policies would remove the 15 percent residential limitation placed on the land use type, not allow standalone residential development, and amend the EDC Subarea use descriptions and preferred use mix.

Environmental Justice Policies

Under SB 1000, cities are required to incorporate environmental justice goals and policies into the GP if the they have disadvantaged communities within their jurisdiction and when updating/revising two or more elements of the GP. CalEnviroScreen 3.0 is an online Global Info Systems (GIS) mapping tool used to identify disadvantaged communities in the State. While this tool does not show any disadvantaged communities (DACs) for the City of Menifee (i.e., DACs as defined by SB 535), the Governor's Office of Planning and Research (OPR) guidance recommends that identification of DACs, involve mapping of areas of the City with household incomes that are at or below 80 percent of the area median income, to comply with SB 1000.

For disadvantaged communities identified within the City, the City will analyze existing policies and programs to help identify and develop policies directing resources to disadvantaged communities to improve health, recreation, and economic mobility through cleaner air, better access to transportation, education and employment. This will help inform more equitable development and design to improve community resilience. Environmental justice policies will be located in various Elements of the General Plan, where appropriate.

3.5 Project Objectives

In accordance with State CEQA Guidelines §15124, the following primary objectives support the Project's purpose, assist the Lead Agency in developing a reasonable range of alternatives to be evaluated in this PEIR, and ultimately aid decision-makers in preparing findings and overriding considerations, if necessary. The Project's purpose is to address the housing needs and objectives of the City and to meet the State Housing law requirements. The Project has the following objectives:

- **Objective 1:** Facilitate a variety of housing strategies to meet Housing Element production targets in a way that complements the existing character of the community.

- **Objective 2:** Provide goals, policies and programs which ensure the safety of the community in the face of increased risks associated with climate change.
- **Objective 3:** Update the City's regulations to further protect residents from new natural and manmade hazards.
- **Objective 4:** Create a more equitable community and environment for all members of the Menifee community.
- **Objective 5:** Incorporate previously approved specific plans in the efforts to accommodate increased housing availability.
- **Objective 6:** Provide an economically and socially diverse balance of housing options that are affordable for a variety of income levels and housing needs.
- **Objective 7:** Accomplish the housing goals of the previous 5th Cycle housing update.

3.6 Intended Uses of this EIR

List of Reviewing and Approving Agencies

Project approval is subject to actions set forth by State, and local regulations. As discussed above, various approvals may be required for the housing sites ultimately included in the Updated Housing Element, as well as ancillary amendments to other planning documents. When these actions are considered as part of the Project, it is anticipated that commentary, review, and approval from the following agencies will be required:

City of Menifee

- County of Riverside
- Southern California Association of Governments
- Western Riverside Council of Governments
- California Department of Housing and Community Development
- California Office of Planning and Research
- California Air Resources Board
- California Department of Transportation, District 8
- California Department of Conservation
- California Department of Fish and Game, Region 6
- Native American Heritage Commission
- State Lands Commission
- California Department of Parks and Recreation
- California Public Utilities Commission

- California Department of Forestry and Fire Protection
- California Energy Commission
- California Department of Toxic Substances Control
- California Department of Resources, Recycling, and Recovery
- California Department of Water Resource
- California Office of Historic Preservation
- California Department of Education
- California Department of Food and Agriculture

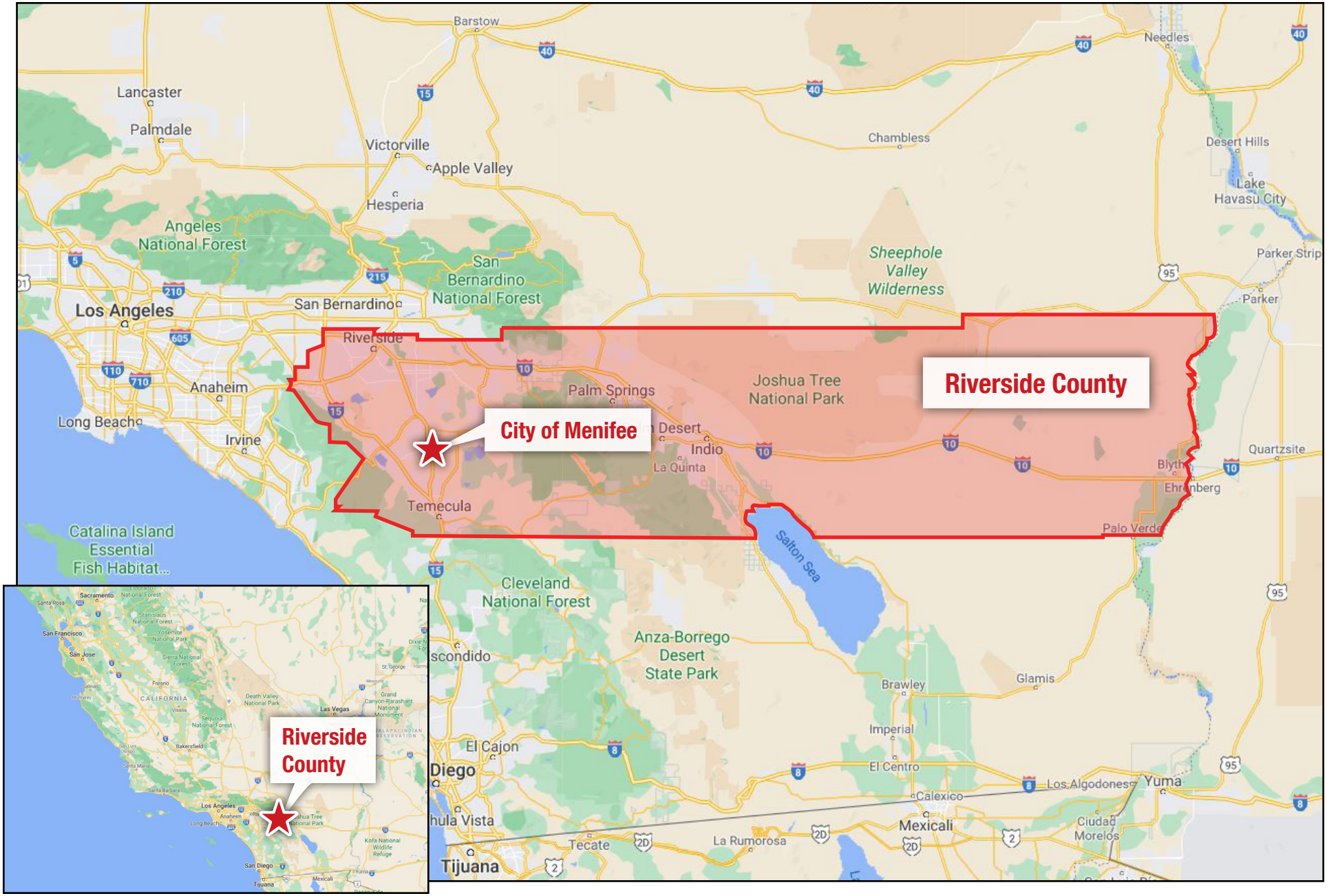
List of Permits and Other Approvals

The Project evaluated in this PEIR is comprised of 69 candidate housing sites for future housing development to meet the City's RHNA allocation of 6,609 DUs as well as an additional 48 parcels identified for rezoning in the Land Use Element Update. The Project does not propose any site development on the candidate housing sites. Future housing development would occur on the candidate housing sites, if ultimately included within the Updated Housing Element, and as market conditions allow at the discretion of the individual property owners. The Project includes two actions requiring discretionary approval. These include:

- General Plan Amendment GPA PLN21-0022
    - This GPA would adopt the proposed changes to the Housing Element, Land Use Element, Safety Element, and Environmental Justice policies. in compliance with State law. These changes include updates to land use designations of the candidate housing site parcels, which would allow for higher density residential developments. These changes would also include updates to land use policies dictating residential development limitations placed on EDC land use areas. Other updates to the EDC areas include:
        - Amendments to EDC land use and zoning consistent with rezone program of the Housing Element
        - New residential allowances within the EDC (i.e., removal 15 percent limitation on residential
        - Prohibition of stand-alone residential in the EDC
        - Amending of the EDC Subarea use descriptions and preferred use mix
        - Amending of land use and zoning of EDC-CC island area to RR-1 consistent with existing established residential area
- Change of Zone ZC PLN21-0021
    - Once approved, this ZC would update the zoning designation of selected parcels to accommodate higher housing development densities such as HDR. This ZC would also address zoning changes made to parcels within the City's EDC land use areas to allow

greater residential development in order to accommodate the City's RHNA allocation. Other updates to the EDC areas include:

- Amendments to EDC land use & zoning consistent with rezone program of the Housing Element
- New residential allowances within the EDC (i.e., removal 15% limitation on residential
- Prohibition of stand-alone residential in the EDC
- Amending of the EDC Subarea use descriptions and preferred use mix
- Amending of land use and zoning of EDC-CC island area to RR-1 consistent with existing established residential area

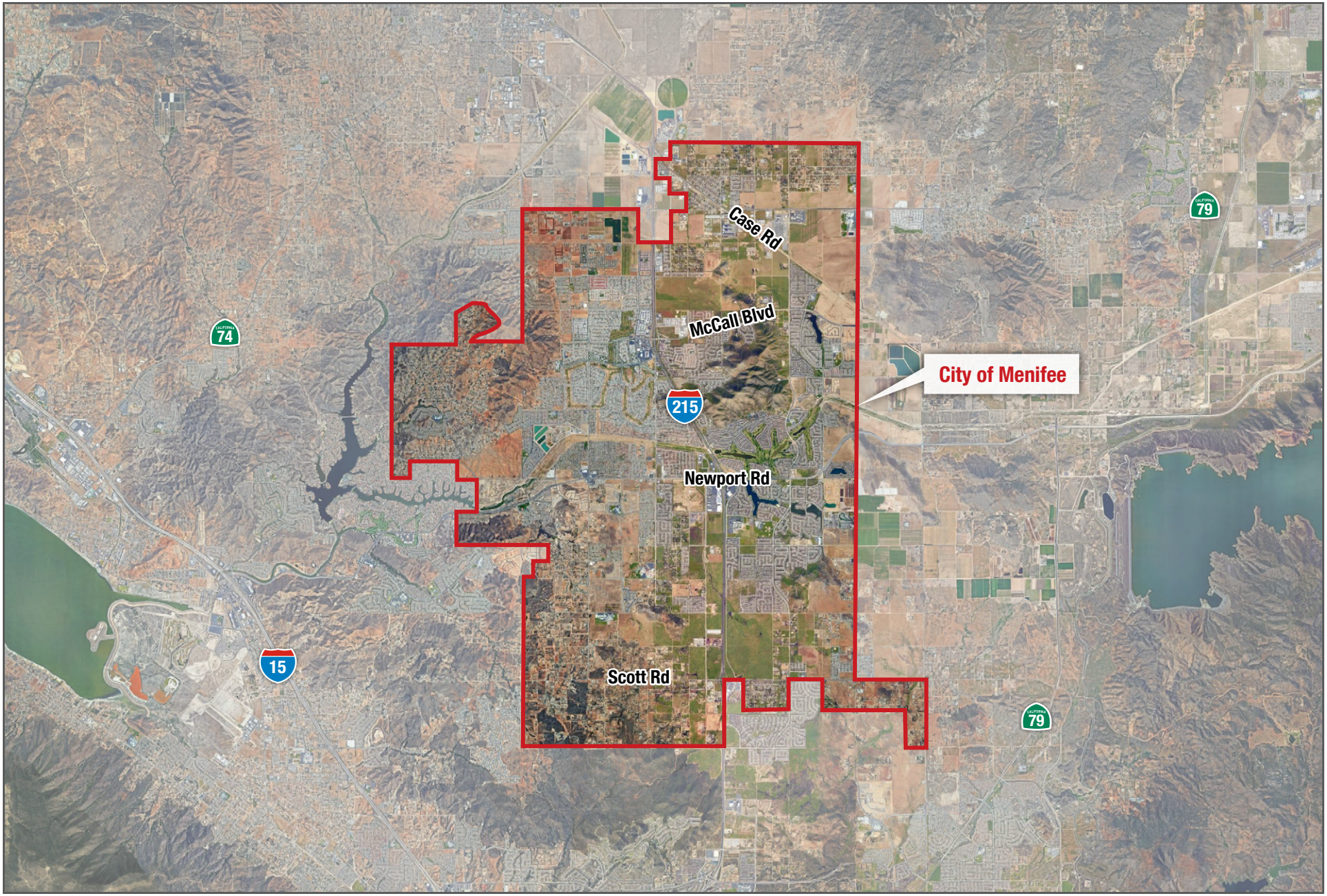


Source: Google Maps, 2021

FIGURE 3-1: Regional Vicinity Map
City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn



Source: Google Earth, 2021

FIGURE 3-1: Local Vicinity Map

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

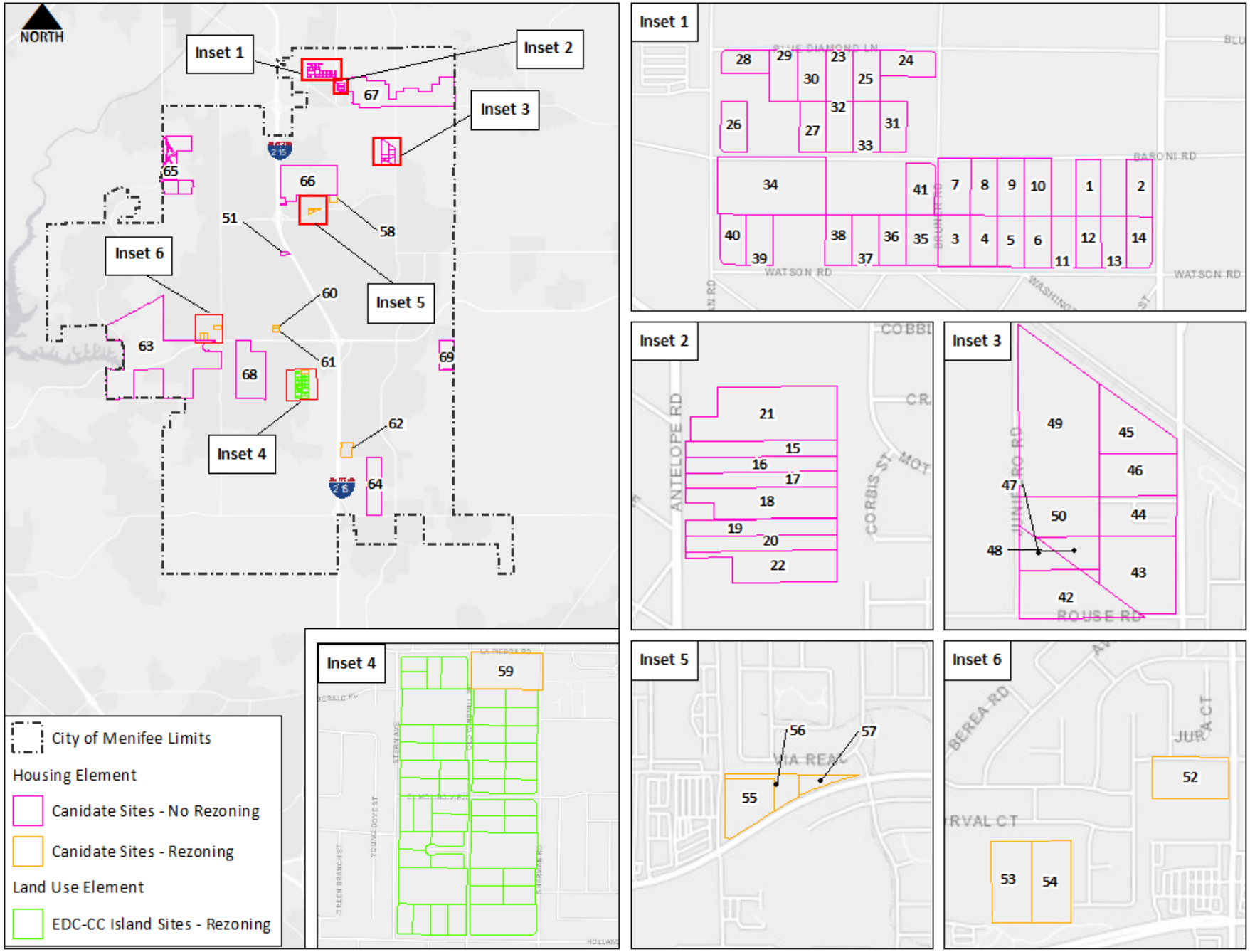


FIGURE 3-3: Candidate Housing Sites

City of Menifee 6th Cycle Housing Element Update Project

Kimley»Horn

4.0 ENVIRONMENTAL IMPACT ANALYSIS

4.1 Introduction

This section of the Program Environmental Impact Report (PEIR) is intended to provide a general overview of the existing environmental setting, surrounding area, and other appliable pieces of background information. Implementation of the City of Menifee 6th Housing Cycle Housing Element Update (HEU or Project) would occur over the eight-year housing element planning period of 2021 through 2029. The Project includes the identification of candidate housing sites which are anticipated to reasonably accommodate the City of Menifee's (City's) Regional Housing Needs Assessment (RHNA) allocation. The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City and in instances where the Project could facilitate direct and indirect modifications to the City's physical environment. Further analysis of specific developments was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development due to the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

Other Project components discussed in this PEIR include an update to the City of Menifee General Plan (Menifee GP) Land Use Element and Safety Element. The Land Use Element update involves the expansion of allowed housing density in order to accommodate the City's RHNA allocation more effectively. The Safety Element update includes new policies meant to address potential climate change effects and hazards that may be present in the City. Environmental justice policies are also proposed that would further guide the City's growth and development that is environmentally equitable to the various communities.

Potential impacts are assessed against the existing conditions, long-term implementation, criteria for determining the significance of potential environmental impacts, analyses of the type and magnitude of environmental impacts, and feasible mitigation measures that would reduce or avoid significant environmental impacts.

4.2 Environmental Issue Areas Analyzed and Definition of Terms

Organized in accordance of Appendix G of CEQA Guidelines, the following sections provide an integrated discussion of the affected environment, regulatory and environmental settings, and environmental impacts with feasible mitigation measures, which may minimize or avoid potentially significant impacts associated with the implementation of the Project. The purpose of these sections is to also inform state and local decision-makers, and the public of the environmental factors that may result due to the implementation of the Project.

The environmental setting, potential environmental impacts, and mitigation measures related to each environmental resource area are described in the following sections:

- Section 4.1 Aesthetics
- Section 4.2 Agriculture and Forestry Resources
- Section 4.3 Air Quality
- Section 4.4 Biological Resources
- Section 4.5 Cultural Resources
- Section 4.6 Energy
- Section 4.7 Geology and Soils
- Section 4.8 Greenhouse Gas Emissions
- Section 4.9 Hazards and Hazardous Materials
- Section 4.10 Hydrology and Water Quality
- Section 4.11 Land Use and Planning
- Section 4.12 Mineral Resources
- Section 4.13 Noise
- Section 4.14 Population and Housing
- Section 4.15 Public Services
- Section 4.16 Recreation
- Section 4.17 Transportation
- Section 4.18 Tribal Cultural Resources
- Section 4.19 Utilities and Services
- Section 4.20 Wildfire

4.3 Significance Terminology

Each potentially significant environmental issue area is addressed in Program Environmental Impact Report (PEIR) ***Section 4.1, Aesthetics*** through ***Section 4.20, Wildfire*** and is organized into the following subsections:

- **"Environmental Setting"** provides an overview of the existing physical environmental conditions in the study area that could be affected by implementation of the Project (i.e., the "affected environment"). In accordance with California Environmental Quality Act (CEQA) Guidelines §15125, each environmental resource section will include a description of the existing physical environmental conditions in the vicinity of the Project to provide the "baseline condition" against which Project-related impacts are compared. Typically, the baseline condition is the physical condition that exists when the Notice of Preparation (NOP) is published; however, a different baseline may be used in specific cases where it is deemed appropriate. For the Project, the environmental setting described in each of the following sections will be that which existed on the date the NOP was published.
- **"Regulatory Setting"** identifies the plans, policies, laws, and regulations that are relevant to each resource area and describes permits and other approvals necessary to implement the Project. As noted above, the EIR needs to address possible conflicts between the Project and the requirements of federal, state, regional, or local agencies, including consistency with adopted land use plans, policies, or other regulations for the area. Compliance with these applicable laws and regulations is mandatory unless otherwise noted. Therefore, as it relates to the impact analysis, compliance is assumed because the laws in effect require it, and mitigation would generally not be required when compliance with an existing law or regulation would either avoid or reduce a significant impact to a level below significance.

- **"Standards of Significance"** provides the criteria used in this document to define the level at which an impact would be considered significant in accordance with CEQA. Significance criteria used in this EIR are based on the checklist presented in Appendix G of the State CEQA Guidelines, factual or scientific information and data, and regulatory standards of Federal, state, and local agencies. For some resource areas, the thresholds are quantitative (e.g., transportation), while for other resource areas, the thresholds are qualitative (e.g., aesthetics). The thresholds of significance are intended to assist the reader in understanding how an impact is determined to be significant or less than significant.
- **"Project Impacts and Mitigation"** are listed numerically and sequentially throughout each section, for each threshold issue and question. State CEQA Guidelines §15126.2(a) states that direct, indirect, short-term, long-term, on-site, and/or off-site impacts must be addressed, as appropriate, for the environmental issue being analyzed. This PEIR utilizes the following terms to describe the level of significance of impacts identified by the environmental analysis:
  - **No Impact**: This term is used when the Project would have no adverse effect on an environmental resource.
  - **Less than Significant**: This term is used to refer to impacts resulting from implementation of the Project that are not likely to exceed the defined threshold of significance. This term is also used to refer to potentially significant impacts that are reduced to a level that does not exceed the defined thresholds of significance after implementation of mitigation measures.
  - **Significant**: This term is used to refer to impacts resulting from implementation of the Project that exceed the defined thresholds of significance before identification of any mitigation measures. State CEQA Guidelines §15382 states that a "significant effect" is "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the Project including land, air, water, flora, fauna, ambient noise, and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment [but] may be considered in determining whether the physical change is significant." For impacts that exceed a threshold of significance, mitigation measures that avoid or reduce the potential impact are identified, which may cause the impact to be reclassified as less than significant if it is sufficiently reduced or the impact may remain significant, in which case it is referred to as a significant and unavoidable impact (or unavoidable significant impact).
- **"Mitigation Measures"** are provided in the PEIR to "describe feasible measures which could minimize significant adverse impacts" as required by State CEQA Guidelines §15126.4. The State CEQA Guidelines define feasibility as "capable of being accomplished in a successful manner within a reasonable period of time taking into account economic, legal, social, technological, or other considerations." This subsection lists the mitigation measures that could reduce the severity of impacts. Each mitigation measure is identified by resource area, numerically, and sequentially if proposed.
- **"Significant and Unavoidable Impacts"** identifies any impacts that after mitigation, remain significant and unavoidable.

- **"Cumulative Impacts"** identifies potential environmental impacts of past, present and reasonably foreseeable future projects, in combination with implementation of the Project.

4.4 Cumulative Impact Analysis

State CEQA Guidelines §15355 provides the following definition of cumulative impacts:

"Cumulative impacts" refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts.

- The individual effects may be changes resulting from a single project or a number of separate projects.
- The cumulative impact from several projects is the change in the environment which results from the Project's incremental impact when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

State CEQA Guidelines §15130 further addresses the discussion of cumulative impacts, as follows:

- A PEIR should not discuss impacts which do not result in part from the Project evaluated in the PEIR.
- If the combined cumulative impact associated with the Project's incremental effect and the effects of other projects is not significant, the PEIR should briefly indicate why the cumulative impact is not significant and is not discussed in further detail in the PEIR.
- If the combined cumulative impact associated with the Project's incremental effect and the effects of other projects is significant, the PEIR must determine whether the Project's contribution is cumulatively considerable.
- The PEIR may conclude the Project's contribution to a significant cumulative impact is less than cumulatively considerable and thus is not significant, if the Project is required to implement or fund its fair share of a mitigation measure or measures designed to alleviate the cumulative impact.

Pursuant to State CEQA Guidelines §15130(b), the discussion of cumulative impacts shall be guided by the standards of practicality and reasonableness, and should include the following elements:

1. Either:
    A. A list of past, present, and probable future projects producing related or cumulative impacts, including, if necessary, those projects outside the control of the Agency, or
    B. A summary of projections contained in an adopted local, regional or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. Such plans may include: a general plan, regional transportation plan, or plans for the reduction of greenhouse gas emissions. A summary of projections may also be contained in an adopted or certified prior environmental document for such a plan. Such projects may be supplemented with additional information such as a regional modeling program. Any such

document shall be referenced and made available to the public at a location specified by the lead agency.

2. When utilizing a list, as suggested in paragraph (1) of subdivision (b), factors to consider when determining whether to include a related project should include the nature of each environmental resource being examined, the location of the project and its type. Location may be important, for example, when water quality impacts are at issue since projects outside the watershed would probably not contribute to a cumulative effect. Project type may be important, for example, when the impact is specialized, such as a particular air pollutant or mode of traffic.
3. Lead agencies should define the geographic scope of the area affected by the cumulative effect and provide a reasonable explanation for the geographic limitation used.
4. A summary of the expected environmental effects to be produced by those projects with specific reference to additional information stating where that information is available.
5. A reasonable analysis of the cumulative impacts of the relevant projects, including examination of reasonable, feasible options for mitigating or avoiding the project's contribution to any significant cumulative effects.

In addition to the Project-specific impacts, the environmental analysis within this EIR identifies the potential environmental effects associated with cumulative development. CEQA Guidelines §15130 et seq. requires this EIR to analyze the cumulative impacts of the Project in conjunction with other developments that affect or could affect the project area. Furthermore, CEQA requires that the cumulative impacts must reflect the level of significance of each impact and their likelihood of occurring.

To determine the Project's potential cumulative impacts, this PEIR uses a summary of information contained in an adopted plan (i.e., the Menifee GP). The cumulative impacts analyses are provided in ***Section 4.1, Aesthetics*** through ***4.20, Wildfire***. These analyses describe the potential environmental changes to the existing physical conditions that may occur as a result of the Project together with the Menifee GP's projected development.

As previously noted, CEQA allows the discussion of cumulative impacts to be based upon a summary of projections contained in an adopted local, regional, or statewide plan, or related planning document, that describes or evaluates conditions contributing to the cumulative effect. The Menifee GP contains land use, population, and employment growth projections for the City. The Menifee GP was developed with consideration for the City's regional setting in Riverside County. Regional planning goals published by the Southern California Association of Governments (SCAG goals were reviewed and integrated into the Menifee GP, as applicable. The Menifee GP identifies a broad, comprehensive projection of growth within the City's planning area.

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4.1 AESTHETICS

This section of the Program Environmental Impact Report (PEIR) discusses the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project) potential impacts to the City of Menifee's (City's) aesthetic quality and visual resources. The analysis conducted in this section will be based on existing aesthetic conditions present in the City as well as applicable Federal, State, and local regulations. Analysis of potential aesthetic impacts from development associated with the Housing Element Update (HEU), Land Use Element Update, Safety Element Update, and Environmental Justice policy areas will identify impacts which may be significant. In cases where impacts may be significant, mitigation measures are proposed that may minimize aesthetic impacts, as needed.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and are therefore not reasonably foreseeable.

4.1.1 Environmental Setting

This section discusses the existing environmental setting for visual character, scenic vistas, scenic highways, and light and glare conditions within the HEU, Land Use Element Update, Safety Element Update, and Environmental Justice policies area.

Visual Resource Terminology and Concepts

A landscape's visual sensitivity is affected by the viewing distances at which it is seen as well as the travel speed at which a person is viewing the landscape (high speeds on a highway, low speeds on a hiking trail, or stationary at a residence). When viewing the same landscape, people may have different responses to that landscape and any proposed visual changes, based upon their values, familiarity, concern, or expectations for that landscape and its scenic quality. Because each person's attachment to and value for a landscape is unique, visual changes to that landscape inherently affect viewers differently. However, generalizations can be made about viewer sensitivity to scenic quality and visual changes.

The following terms and concepts are used in the discussion below to describe and assess the aesthetic setting and Project impacts.

Scenic Vista. An area that is designated, signed, and accessible to the public for the express purposes of viewing and sightseeing. This includes any such areas designated by a federal, state, or local agency.

Scenic Highway. Any stretch of public roadway that is designated as a scenic corridor by a federal, state, or local agency.

Sensitive Receptors. Viewer responses to visual settings are inferred from a variety of factors, including distance and viewing angle, types of viewers, number of viewers, duration of view, and viewer activities. The viewer type and associated viewer sensitivity are distinguished among project viewers in recreational, residential, commercial, and industrial areas. Viewer activities can range from a circumstance that encourages a viewer to observe the surroundings more closely (such as recreational activities) to one that discourages close observation (such as commuting in heavy traffic). Viewers in recreational areas are considered to have high sensitivity to visual resources. Residential viewers generally have moderate sensitivity but extended viewing periods. Viewers in commercial and industrial areas are considered to have low sensitivity.

Viewshed. A project's viewshed is defined as the surrounding geographic area from which the project is likely to be seen, based on topography, atmospheric conditions, land use patterns, and roadway orientations. "Project viewshed" is used to describe the area surrounding a project site where a person standing on the ground or driving a vehicle can view the project site.

Visual Character. Visual character typically consists of landforms, vegetation, water features, and cultural modifications that impart an overall visual impression of an area's landscape. Scenic areas typically include open space, landscaped corridors, and viewsheds. Visual character is influenced by many different landscape attributes including color contrasts, landform prominence, repetition of geometric forms, and uniqueness of textures among other characteristics.

Visual Character

Southern California is known largely for a mixture of visual characteristics including beaches, mountains, valleys, and deserts. The City's visual character is defined by hills, low mountains, valleys, and hydrological features. Salt Creek, a shallow watercourse, bisects the City and runs from east to west. The Paloma Valley wash tributary also crosses the southern portion of the City. Most hillsides are covered with coastal sage scrub interspersed with boulder outcrops.

Development within the City includes mostly urban and suburban residential structures as well as commercial, office, and agricultural land uses. The commercial and office uses within the City are generally located near the center of the City, with the residential and agricultural land uses located away from the center. Portions of the City labeled as Romoland, Menifee Lakes, Sun City, and Quail Valley have been previously developed as suburban neighborhoods with mostly residential uses and planned developments. Since the adoption of the City of Menifee General Plan (GP) in 2013 the City has continued to be developed with additional residential and commercial uses as well as adopt specific plans containing thousands of housing units. However, the City still contains a stock of open space areas and undeveloped parcels.

Scenic Vistas

Scenic vistas are visual resources that have been noted as having specifically significant value to a community. In general, scenic vistas can be defined as views or vistas generally panoramic in nature and identified as viewpoints or vistas (e.g., formal turn-outs along roadways) or as identified within a planning

document. Among the City's varied landscape and elevations, Quail Hill is 2,250 feet above sea level considered the highest peak in the City followed by Bell Mountain at 1,850 feet above sea level. Bell Mountain is located in the southeastern portion of the City and Quail Hill is located in the western portion of the City. Salt Creek, described in the preceding paragraph, is considered an important landmark for the City. The City of Menifee GP Policies CD4.4 through CD-4.11 include requirements which ensure the proper protection and preservation of the aesthetic quality of the City's scenic resources.

Scenic Highways and Corridors

The City has identified scenic corridors along major roadways which provide special views of the City's scenic vistas. The City's scenic corridors include: Interstate 215 (I-215) running north from the southern border of the City to McCall Boulevard, McCall Boulevard running east from I-215 to Menifee Road, Menifee Road running north to the City's northern boundary, and State Route 74 (SR-74) running east from I-215 to the City's eastern border. Scenic Corridors are specifically regulated to avoid development practices which would obscure or detract from the City's natural resources. This includes policies which limit structures such as billboards and above ground utility infrastructure.

No State Scenic Highways traverse the City. According to the California Department of Transportation (Caltrans), the nearest State-designated highway is a portion of SR-74 running from the western boundary of San Bernardino National Forest to Route 11 in Palm Desert. This State Scenic Highway is located approximately 17 miles east of the City. The portion of I-215 that crosses north-south through the City is eligible as a county scenic highway, while the portion of SR-74 within the City boundaries is eligible as a State scenic highway.

Light and Glare

Light and glare in the City are typical of what can be found in both urban and rural environments. Stationary sources of lighting in the City can be generated from building interiors and exterior sources (i.e., building illumination, security lighting, parking lot lighting, street lighting, and landscape lighting) associated with uses within the City. Other sources of light and glare include vehicle headlights or streetlights. The City applies the outdoor lighting standards of the California Green Building Code, which generally requires dark sky compliant lighting for residential environments which can be found within the City. Additional lighting standards enacted by the City can be found within the Menifee Municipal Code (Menifee MC) §9.210.060 which requires that new lighting sources be shielded and directed downward to contain light emission on the property and reduce illumination and glare in a manner that minimizes impacts to surrounding properties and public rights-of-way. Furthermore, the code establishes light zones within the City which apply specific lighting standards to residential, commercial, industrial, parks, and rural areas.

4.1.2 Regulatory Setting

State

California Building Standards Code

The 2019 California Building Code (CBC), Title 24 of the California Code of Regulations (CCR), is administered by the California Building Standards Commission (CBSC). The CBC, as amended and adopted by each local jurisdiction, regulates the design of all new buildings within the State of California. The CBC also contains standards for outdoor lighting that are intended to improve energy efficiency and reduce light pollution and glare by regulating light power and brightness, shielding, and sensor controls.

California Scenic Highway Program

The California Scenic Highway Program is managed by CalTrans. The program was created in 1963 with the goal of protecting the aesthetic significance of the State's scenic highways. The California Scenic Highways Program was created through the adoption of the Streets and Highways Code (§260 through 263). Accordingly, a highway may be designated as scenic based on certain criteria, including how much of the natural landscape can be seen by travelers, the landscape's scenic quality, and the extent to which development intrudes on the traveler's enjoyment of the view. The California Scenic Highway Program's Scenic Highway System List identifies scenic highways that are either eligible for designation or have already been designated as such. The California Scenic Highway Program also includes provisions for the Corridor Protection Program, which includes ordinances and planning policies required by jurisdictions in order to maintain lands visible from the designated scenic highways (Caltrans, 2020).

Local

City of Menifee General Plan

The Menifee GP, adopted in 2013, includes 8 general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

Policy LU-1.4 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.

Circulation Element

Goal C-6 Scenic highway corridors that are preserved and protected from change which would diminish the aesthetic value of lands adjacent to the designated routes.

Policy C-6.1 Design developments within designated scenic highway corridors to balance the objectives of maintaining scenic resources with accommodating compatible land uses.

Policy C-6.2 Work with federal, state, and county agencies, and citizen groups to ensure compatible development within scenic corridors.

Policy C-6.3 Utilize design and land development strategies to gradually transition graded road slopes into a natural configuration consistent with the topography of the areas within scenic highway corridors.

Policy C-6.4 Incorporate riding, hiking, and bicycle trails and other compatible public recreational facilities within scenic corridors.

Policy C-6.5 Ensure that the design and appearance of new landscaping, structures, equipment, signs, or grading within eligible county scenic highway corridors are compatible with the surrounding scenic setting or environment.

Open Space Element

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

Policy OSC-3.1 Identify and preserve the view corridors and outstanding scenic vistas within the city.

Community Design Element

Goal CD-3 Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.

Policy CD-3.1 Preserve positive characteristics and unique features of a site during the design and development of a new project; the relationship to scale and character of adjacent uses should be considered.

Policy CD-3.3 Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes but is not limited to appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).

Policy CD-3.20 Avoid the blocking of public views by solid walls.

Goal CD-4 Recognize, preserve, and enhance the aesthetic value of the city's enhanced landscape corridors and scenic corridors.

Policy CD-4.8 Preserve and enhance view corridors by undergrounding and/or screening new or relocated electric or communication distribution lines, which would be visible from the city's scenic highway corridors.

Policy CD-4.9 Require specialized design review for development along scenic corridors, including but not limited to, building height restrictions, setback requirements, and site-orientation guidelines.

Goal CD-6 Attractive landscaping, lighting, and signage that conveys a positive image of the community.

Policy CD-6.4 Require that lighting and fixtures be integrated with the design and layout of a project and that they provide a desirable level of security and illumination.

4.1.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Have a substantial adverse effect on a scenic vista;
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway;
- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, the Project has a significant environmental impact if it would conflict with applicable zoning and other regulations governing scenic quality; or
- Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning aesthetic resources. The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. This analysis considers the existing regulatory framework (i.e., laws, ordinances, regulations, and standards) that avoid or reduce the potentially significant environmental impact. The determination that the Project would or would not result in "substantial" adverse effects concerning aesthetics considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

4.1.4 Project Impacts and Mitigation

Impact 4.1-1: Would the proposed project, have a substantial adverse effect on a scenic vista?

Level of Significance: Less than Significant Impact

The City contains a mixture of natural and manmade landmarks which are important to the City's visual character. These landmarks include the windmill at the Countryside Marketplace, Mt. San Jacinto College, the Medical Center, Bell Mountain, and Salt Creek. City Hall is located in the heart of the City north of Newport Road and immediately west of I-215. Mt. San Jacinto College is located east of I-215 and in the southeast corner of the La Piedra Road and Antelope Road intersection. The Menifee Global Medical Center is located in the northeast portion of the City in the northeast corner of the McCall Boulevard and Aspel Road intersection. These landmarks are considered aesthetic resources within the City but would not be considered scenic vistas. Scenic vistas within the City would consist of Bell Mountain, located in the southeastern portion of the City, and Salt Creek, which crosses through the center portion of the City. The area encompassing Bell Mountain is zoned for Rural Mountainous residential uses which allow for the development of a single family residential dwelling unit (DU) on a minimum of 10 acres of land. This land use type encourages and enables a more agrarian usage including animal husbandry, agriculture, and recreational uses. Governmental uses are also allowed within this land use type. Portions of Salt Creek are located within Specific Plan areas. Portions of Salt Creek outside of Specific Plan areas are designated as open space recreational land use areas. This land use designation allows for the development of parks, trails, and drainage corridors which can be used as recreational facilities. This ensures that the natural character of the area is not diminished.

The Project does not directly propose the development of additional housing units within the City. Instead, the Project includes provisions which will allow for the potential development of an additional (8,696) DUs within the City, specifically in order to meet the City's Regional Housing Needs Assessment (RHNA) allocation. The Project therefore includes the identification of potential housing candidate sites throughout the City which could accommodate future housing development. A complete list of the 69 candidate sites is available as ***Appendix A, Candidate Housing Sites*** of this PEIR. Because the Project does not propose the physical development of housing units within the City, the Project would therefore not directly physically obstruct or detract from the City's scenic vistas.

Furthermore, Project does not identify candidate sites within the Bell Mountain area. However, candidate site #63 contains portions of Salt Creek. Candidate site #63 is the Audie Murphy Ranch Specific Plan which is a mixed use specific plan consisting of residential, recreational, and public land uses. According to the Audie Murphy Ranch Specific Plan Land Use Plan, the areas that border Salt Creek are intended for recreational uses such as parks and low density residential uses. The area within Salt Creek is not noted for development.[1]

The Project also includes an update to the Menifee GP Land Use Element which includes GP land use amendments to accommodate the rezoning of select parcels within the City to increase allowable housing

[1] T&B Planning. (2014). *Audie Murphy Ranch Specific Plan No. 209, Amendment No. 5*. Page II-3. Tustin, CA: T&P Planning.

density. The Land Use Element Updates reflect land use changes to areas with existing residential and Economic Development Corridor (EDC) land use designations. The updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element,
- Addressing residential in the EDC including removal of 15 percent overall limitation on residential and no stand-alone residential,
- Amending EDC Subarea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

The General Plan Land Use Element Update includes the proposed land use amendment of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. The amendment of the parcels to the RR-1 designation would allow for the development of single-family residential on 1-acre minimum lot size at one dwelling unit per acre. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 additional housing units. This rezone would act as a clean up to maintain the existing low density residential character and pattern of development for this area. The combination of RHNA housing units facilitated by the HEU and the EDC-CC rezone parcels proposed specifically for the General Plan Land Use Element Update would therefore total 8,762 housing units. These updates are necessary for the Project to accommodate the proposed future housing needs to comply with Assembly Bill 1397. Sites proposed for GP land use amendments and rezoning do not include areas within or nearby the noted scenic vistas within the City. None of the proposed changes to the Safety Element nor the Environmental Justice policy updates would impact or affect the scenic vista.

Future housing development would occur on the candidate housing sites, if ultimately included within the Housing Element, and as market conditions allow at the discretion of the individual property owners. Therefore, City regulations such as the appropriate placement of buildings and supporting structures (e.g., parking areas), and limiting building heights, would minimize impacts on existing views and scenic vistas. Additionally, future housing developments facilitated by the Project would be required to adhere to all State and local requirements for avoiding violation of standards during construction and operations, including the Menifee MC Development Code (Menifee MC §9). Considering these requirements, the HEU would not have a substantial adverse effect on a scenic vista. Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to the scenic vista to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect scenic vistas. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.1-2: ***Would the proposed project, substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?***

Level of Significance: Less Than Significant Impact

There are no scenic highways in the Project area. As described in ***Section 4.1.1, Environmental Setting***, the City's Community Plan lists two roadways within the City that are eligible for scenic highways. SR-74 is an eligible candidate for a State scenic highway, and I-215 is eligible for a County of Riverside (County) scenic highway. See ***Figure 4.1-1, City of Menifee Scenic Highways*** for a visualization of each eligible highway. Furthermore, the City has identified multiple roadways as scenic corridors. These roadways include:

- I-215,
- SR-74,
- McCall Boulevard, and
- Menifee Road.

These roads have been determined by the City to allow for special views of the available natural resources and landmarks. These roadways are therefore afforded greater protection in order to maintain those views. ***Figure 4.1-2, City of Menifee Scenic Corridors*** displays the roadways considered as scenic corridors within the City. The Project does not propose any physical modifications to the City which would directly affect the City's eligible scenic highways or scenic corridors. However, the Project would facilitate future potential housing development within the vicinity of the eligible scenic highways and scenic corridors.

Multiple candidate sites (candidate sites #s 43 - 46, 51, 55 - 57, 60, 61, 66, and 67) are located adjacent to either eligible scenic highways or scenic corridors. ***Figure 3-1, Candidate Sites*** displays the location of each candidate housing site. Candidate sites 43 through 46 are located directly west of Menifee Road in the southwest corner of the Mathews Road and Menifee Road intersection. Candidate site 51 is located generally west of I-215 on the east side of Bradley Road at Oakmont Drive. These candidate sites are identified for their ability to accommodate future high density housing development. Despite the increased development intensity associated with the rezone sites, the parcels would be built out in a manner that would be congruent with the continued development of an already urbanized area. Therefore, future development of these parcels, as facilitated by the Project would not create a new impact to the City's scenic resources nearby or within scenic highways.

Candidate housing site 66 is the Legado Specific Plan. This candidate site is located immediately east of I-215 and is in the southwest corner of the Rouse Road and Antelope Road intersection. Similar to the

other sites described above, this site would comprise of specific plan parcels and would not involve the rezoning of specific parcels. Therefore, future development facilitated by the Project would remain consistent with previously anticipated land uses and development within the City and would not conflict with or detract from scenic resources within or nearby scenic highways and corridors. As previously stated, no candidate sites noted to be rezoned are within the vicinity of scenic resources, scenic highways, or scenic corridors. None of the proposed changes to the Safety Element nor the Environmental Justice policy updates would impact or affect scenic resources. Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect scenic resources or scenic highways. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.1-3: ***Would the proposed project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings (Public views are those that are experienced from publicly accessible vantage point)? If the Project is in an urbanized area, the Project has a significant environmental impact if it would conflict with applicable zoning and other regulations governing scenic quality.***

Level of Significance: Less than Significant Impact

The City contains a mixture of urban, suburban, commercial, industrial, and agricultural land uses as well as multiple open space areas classified for recreational use and the preservation of the City's natural character. As previously stated, the City has designated roadways within the City as important scenic corridors established to preserve views of landmarks and import scenic resources. These roadways are listed in the Impact 4.1-2 discussion, above. Many of the Project's candidate housing sites contain vacant parcels that are currently undeveloped. However, these parcels have previously been designated for development and would remain consistent with the forecasted development patterns predicted for the candidate sites. Some candidate sites are noted to be rezoned (candidate sites 52 - 62). ***Appendix A, Candidate Housing Sites*** contains a compiled list of the Project's candidate sites and their existing land uses.

Candidate sites 52 – 62 consist of EDC zones. These sites are intended for rezoning to High Density Residential (HDR) zones, Medium Density Residential (MDR) zones, and Low Medium Density Residential

(LMDR) zones. This will allow for the development of DUs at a higher density. The parcels identified for potential rezoning are in areas of the City which have been previously developed for residential use. Future development of those sites, despite their initial vacancy, would not create uses that conflict with the existing character of the City's communities.

All potential future housing developments facilitated by the Project would be reviewed to confirm compliance with all applicable requirements to protect and enhance the City's visual character and public views, including the Menifee GP, Menifee MC, and the City's review process including compatibility with surrounding land uses. Appropriate landscaping, setbacks, height, building articulation, and other design features would be required. Future housing developments facilitated by the Project would also be required to adhere to all State requirements for avoiding impacts to visual character and public view standards. Considering these requirements, the Project would not substantially degrade the existing visual character or quality of public views. Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Goal HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect the City's visual character. Therefore, impacts would be less than significant, and no mitigation is required. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.1-4: Would the proposed project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Level of Significance: Less than Significant Impact

Future housing development facilitated by the Project could add new sources of light and glare. Potential new light sources would be primarily exterior nighttime lighting fixtures, parking area lighting, light glow from windows, doors and skylights, and accent lighting. The introduction of concentrated or multiple sources of nighttime lighting in close proximity to low-density areas could result in potential impacts. However, future housing development facilitated by the HEU would be required to comply with all applicable requirements related to light and glare, including the California Green Building Standards Code (Part 11 of Title 24), the Menifee GP, and the Menifee MC §9.210.060, which all generally require that outdoor lighting be directed downward and shielded away from surrounding properties and public rights-of-way. Further, Outdoor lighting plans, as described in Menifee MC §9.210.070(A), are required to include detailed descriptions of the location of all proposed outdoor lighting fixtures, including their elevation and the portion of the area to be illuminated by each lighting fixture.

Future housing development facilitated by the HEU could also add new sources of glare. Glare is commonly associated with reflective surfaces, such as glass, rooftop solar panels, windows, heat-reflective roofing materials, and other building elements. Menifee MC §9.215.050 requires that sources of glare be properly shielded from nearby receptors. Further, to minimize glare, future project applicants may be required to install glass with low reflectivity, which would be required to meet California Building Code Title 24 standards. To minimize glare associated with rooftop solar panels, panels could be installed flat, treated with anti-reflective coatings, and manufactured from modern glass technology. Considering these requirements, the Project would not create a new source of substantial light or glare. Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 Housing Design. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Goal HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect the City's visual character. Therefore, impacts would be less than significant, and no mitigation is required. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.1.5 Significant and Unavoidable Impacts

No significant and unavoidable impact has been identified.

4.1.6 Cumulative Impacts

Anticipated Project-related impacts, in conjunction with cumulative development allowed per existing regulations, is expected to increase housing development citywide, generally within existing developed area; therefore, future housing development facilitated by the Project could result in impacts to aesthetics. Potential aesthetic impacts of future housing development on the candidate housing sites facilitated by the Project would be site-specific and would require evaluation on a case-by-case basis at the project level in accordance with the Project and Menifee GP. Each cumulative development project (except by-right pursuant to State Housing law) would require separate discretionary approval and evaluation under CEQA, which would address potential impacts to visual resources and identify necessary mitigation measures, where appropriate. Consequently, future housing development facilitated by the Project would not result in significant cumulative environmental impacts in conflict with aesthetics requirements for preserving visual character, public views, scenic vistas and resources, or requirements for minimizing and controlling potential light and glare. Therefore, the Project would not cause a cumulatively considerable impact on aesthetics, and no mitigation is required.

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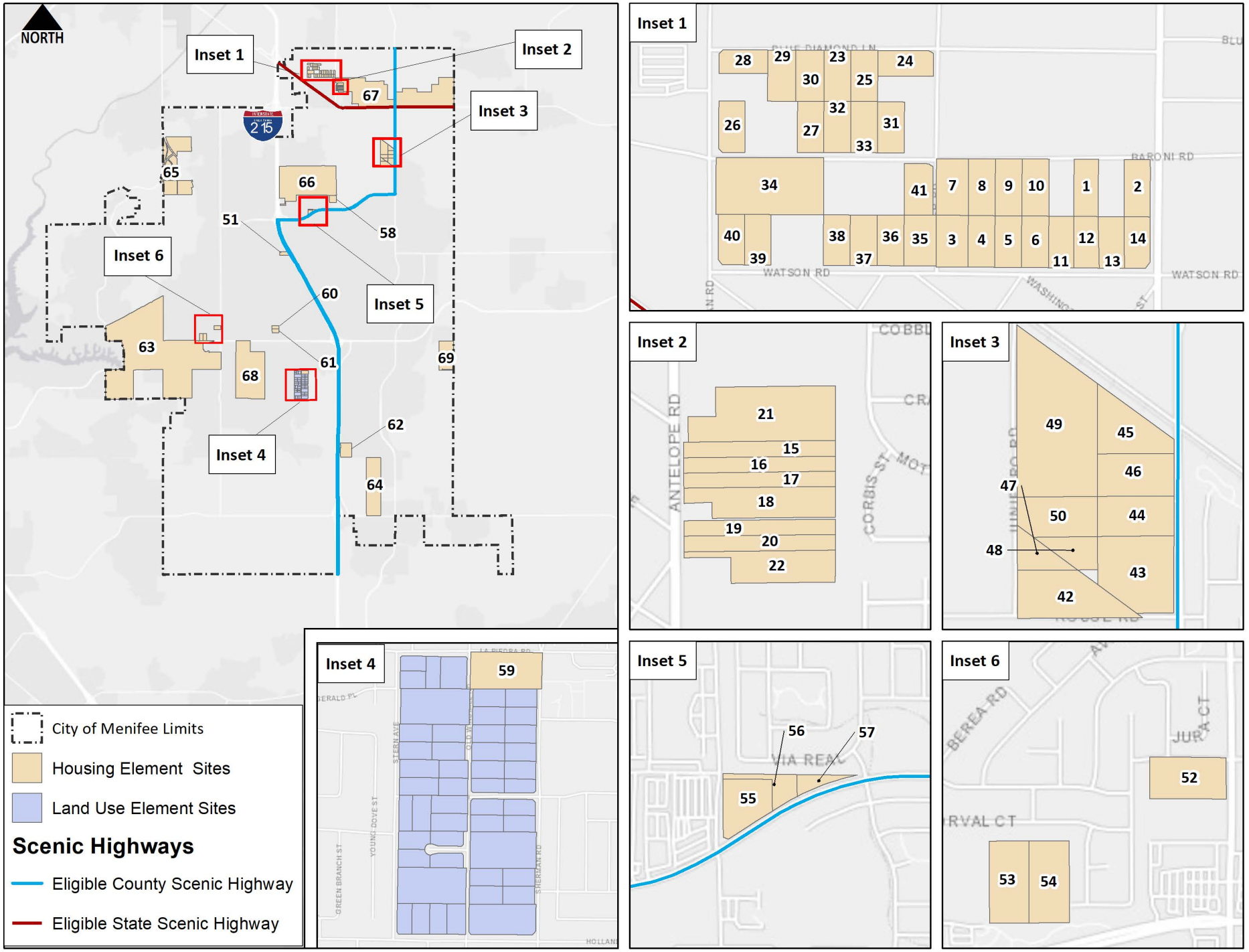


FIGURE 4.1-1: City of Menifee Scenic Highways

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

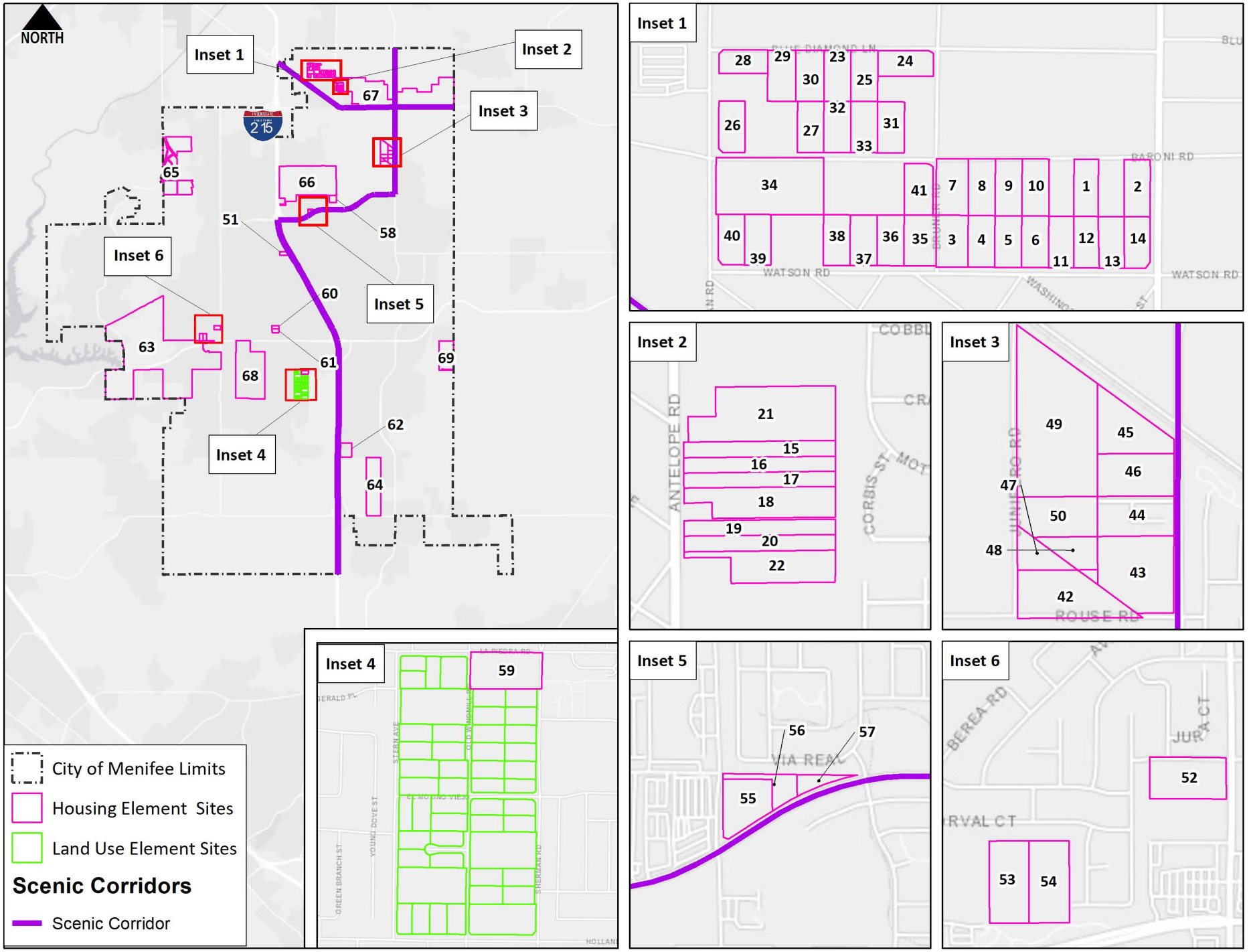


FIGURE 4.1-2: City of Menifee Scenic Corridors

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

4.2 AGRICULTURE AND FORESTRY RESOURCES

This section of the Programmatic Environmental Impact Report (PEIR) analyzes the potential for the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project) to affect the agricultural and forestry resources within the City of Menifee (City). This impact discussion includes an assessment of the City's existing conditions including any current Williamson Contract sites and agriculturally significant land areas. The analysis is further guided by applicable federal, State, and local policies and regulations. In instances where a significant environmental impact could occur, mitigation measures are proposed to reduce the impact to less than significant levels.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the HEU. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.2.1 Environmental Setting

The City of Menifee, despite its developed and urbanized core, contains agricultural uses and areas designated for agricultural use. According to ***Figure 4.2-1, Agricultural Uses within the City of Menifee***, the City has designated various areas as either Agricultural, Rural Residential, or Rural Mountainous land use zones. These land use areas allow for different degrees of agricultural uses. For Agricultural land use areas, the City of Menifee Municipal Code (Menifee MC) §9.125.020 allows for the creation of row crops, groves, nurseries, dairies, poultry farms, and other related uses. These areas allow for the development of only one single family residence per 10 acres of land. The Rural Mountainous and Rural Residential land use areas allow for limited animal keeping and agricultural uses. These land use areas would not contain large scale or substantial agricultural uses. The City's General Plan Land Use Map (see ***Figure 4.2-1, Agricultural Uses within the City of Menifee***) shows one parcel designated for Agricultural use; however, the land use of this parcel was recently amended to Specific Plan with approval of the Rockport Ranch Specific Plan for residential development (map to be updated). However, Rural Residential and Rural Mountainous land uses are located on the higher elevation areas of the City, including Quail Valley.

Portions of land within the City are delineated by the United States Department of Agriculture (USDA) as land suitable for agricultural production. These areas are selected for their soil composition and ability to yield important crops. These areas are referred to as Prime Farmland, Unique Farmland and Farmland of Statewide Importance.

Prime Farmland has the best combination of physical and chemical features able to sustain long-term agricultural production. Farmland of Statewide Importance is similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Unique Farmland consists of lesser quality soils used for the production of the State's leading agricultural crops. According to the City of Menifee General Plan (Menifee GP), the City contained approximately 429 acres of Prime Farmland,

242 acres of Farmland of Statewide Importance and 150 acres of Unique Farmland in 2008.[1] Further, the City noted that four parcels comprising approximately 77 acres of land were under Williamson Contracts in which property owners are able to commit their land to farming uses for at least 10 years in return for tax benefits. The City's Prime Farmland, Unique Farmland, and Farmland of Statewide Importance are shown in ***Figure 4.2-1, Agricultural Uses within the City of Menifee***.

4.2.2 Regulatory Setting

Federal

Farmland Protection Policy Act

The Farmland Protection Policy Act (FPPA) was enacted to minimize the impact of Federal programs on the conversion of farmland to non-agricultural uses. To the extent possible, the FPPA ensures Federal programs are administered to be compatible with State and local regulations to protect farmland. The FPPA does not authorize the Federal government to regulate the use of private or non-federal land. For the purposes of the FPPA, farmland includes prime farmland, unique farmland, and land of statewide or local importance.

State

Farmland Mapping and Monitoring Program

The primary purpose of the Farmland Mapping and Monitoring Program (FMMP) is to monitor the conversion of the State's agricultural lands. The California Department of Conservation (DOC) Division of Land Resource Protection works with landowners, local governments, and researchers to conserve the State's farmland and open space resources based on information provided in the FMMP. The FMMP produces maps and statistical data for analyzing impacts on the State's agricultural resources. Agricultural land is rated according to soil quality and irrigation status, and the best quality land is categorized as Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The FMMP categories are defined as follows:

- **Prime Farmland:** This land category has the best combination of physical and chemical features for sustaining long-term agricultural production. It has the soil quality, growing season, and moisture supply needed to produce crops with sustained high yields. The land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Farmland of Statewide Importance:** This category is similar to Prime Farmland but with minor shortcomings (e.g., greater slopes or less ability to store soil moisture). The land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.
- **Unique Farmland:** This category consists of lesser quality soils used for the production of the State's leading agricultural crops. This land is usually irrigated but may include non-irrigated

[1] City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 27, 2021)

orchards or vineyards. The land must have been cropped at some time during the four years prior to the mapping date.

- **Farmland of Local Importance:** This land category is important to the local agricultural economy as determined by each county's Board of Supervisors and a local advisory committee.
- **Grazing Land:** This type of land is occupied with vegetation suited to grazing livestock. This category was developed in cooperation with the California Cattleman's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit is 40 acres.
- **Urban and Built-Up Land:** This type of land is occupied by structures with a building density of at least one unit to 1.5 acres, or approximately six structures to a ten-acre parcel. Common examples include residential, industrial, commercial, institutional facilities, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, and water control structures.
- **Other Land:** This type of land is not included in any other mapping category. Common examples include low-density rural developments, brush, timber wetland, riparian area not suitable for livestock grazing, and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development that is greater than 40 acres is mapped as Other Land.
- **Water:** This classification includes perennial water bodies with an extent of at least 40 acres.
- **Optional Designation – Land Committed to Non-Agricultural Use:** This type of land is defined as existing farmland, grazing land, and vacant areas, which have a permanent commitment for development.

Land Conservation Act of 1965 (Williamson Act)

The California Land Conservation Act, better known as the Williamson Act, is a State policy administered by local governments, who enter into agreements with local landowners. In return, the landowners receive property tax assessments based on farming and open space uses, as opposed to full market value, thus resulting in a lower tax burden. Local governments are not mandated to administer the Williamson Act, but those that do have some latitude to tailor the program to suit local goals and objectives. The purpose of the Williamson Act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. Williamson Act contracts have a minimum term of 10 years, with renewal occurring automatically each year (local governments can establish initial contract terms for longer periods of time). The Williamson Act contracts run with the land and are binding on all successors in interest of the landowner. Only land located within an agricultural preserve is eligible for Williamson Act contracts.

Local

City of Menifee General Plan

The Menifee GP, adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

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

Policy LU-1.8 Ensure new development is carefully designed to avoid or incorporate natural features, including washes, creeks, and hillsides.

Open Space and Conservation Element

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

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

City of Menifee Municipal Code

City of Menifee Development Code

Menifee MC §9.130.020(A) describes the City's Agricultural and residential zones. Agricultural zones within the City allow for uses including row crops, groves, nurseries, dairies, poultry farms, and other similar agricultural uses. Limited agriculture is also permitted in rural residential zones within the City as described in Menifee MC §§9.130.020(B)- 9.130.020(F). These zones include rural mountainous (RM); rural residential, 5-acre minimum (RR5); rural residential, 2-acre minimum (RR2); rural residential, 1-acre minimum (RR1); rural residential, and 0.5-acre minimum (RR1/2) zones, respectively.

4.2.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- 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.
- Conflict with existing zoning for agricultural use, or a Williamson Act contract.

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

Methodology

This analysis considers the *State CEQA Guidelines, Appendix G thresholds*, as described above, in determining whether Project implementation would result in a substantial temporary or permanent impact to agriculture or forestry resources. The evaluation was based on a review of regulations and determining their applicability for the Project. Agriculture and forestry information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent impacts to agriculture or forestry resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.2.4 Project Impacts and Mitigation

Impact 4.2-1: ***Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?***

Level of Significance: Less than Significant.

As stated in ***Section 4.2.1, Environmental Setting***, the City has designated 429 acres, 242 acres, and 150 acres of agriculturally zoned lands within the City as prime farmland, unique farmland, and farmland of statewide importance, respectively.[2] As shown in ***Figure 4.2-1, Agricultural Uses within the City of Menifee,*** prime farmland within the City is located in the northeastern portion of the City. No candidate sites contain unique farmland. Only one candidate housing site contains prime farmland or farmland of statewide importance. Candidate site 69, the Rockport Ranch Specific Plan contains both prime farmland and farmland of statewide importance. However, development of this specific plan has been previously approved by the City and would not be initiated by this Project. The Project also does not directly propose development at any of the identified candidate housing sites. Instead, the Project would involve the creation of policies and guidelines which would facilitate accommodation of the City's 6,609-unit Regional Housing Needs Assessment (RHNA) allocation through the facilitation of the future development of 8,696

[2] City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 14, 2021)

additional housing units. In addition to the Housing Element Update (HEU) component of the Project, the General Plan Land Use Element Update would amend the designation of 48 additional parcels in the Economic Development Corridor (EDC) from EDC-CC to RR-1 (1 unit per acre). Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units. The Project would therefore facilitate future development of up to 8,762 housing units. However, the Project does not directly involve the modification of physical land areas within the City. Policy updates associated with the Housing Element, Land Use Element, and Environmental Justice Element would not affect the City's farmland or forestry resources. Therefore, a less than significant impact would occur, and no mitigation would be required.

Mitigation Measures

No mitigation is required.

Impact 4.2-2: Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Level of Significance: No Impact

Only land located within an agricultural preserve is eligible for Williamson Act contracts. According to the Menifee GP, the City's Williamson contracts were removed in 2007 and would therefore not apply at this time.[3] As previously stated, only one candidate site includes land designated as either prime farmland or farmland of statewide importance. However, none of the candidate sites contain Williamson contract sites. Furthermore, the Project does not propose the direct development of additional housing units. Instead, the Project would facilitate future housing developments which would require further environmental analysis at the time of their development. Therefore, because no candidate sites would be located on land subject to Williamson Act contracts, no impacts would occur, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.2-3: Would the project conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production?

Level of Significance: No Impact

None of the candidate housing sites are designated or zoned for forestry uses, nor are they adjacent to any zoning for forest land or timberland. Future housing development facilitated by the Project would allow for residential development on vacant and developed sites that are zoned for residential development and economic development corridor sites that would be amended in the Land Use Element Update component of the Project. Further, the Project would not require or involve the rezoning of forest land, timberland, or timberland zoned Timberland Production. Therefore, no impact would occur, and no mitigation is required.

[3] Ibid.

Mitigation Measures

No mitigation is required.

Impact 4.2-4: Would the project result in a loss of forest land or conversion of forest land to non-forest use?

Level of Significance: No Impact

See the discussion in Impact 4.2-3, above. The City contains a diverse landscape which includes hills, mountains, valleys, and waterways. Furthermore, the City is defined by a desert climate and drought tolerant vegetation such as desert sage. As such, the City's landscape does not include forests suitable for forestry or used as recreational areas. Furthermore, the Project does not propose the direct modification of land within the City. Therefore, the Project would not affect forest land and no impact would occur.

Mitigation Measures

No mitigation is required.

Impact 4.2-5: 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?

Level of Significance: No Impact

See discussions for Impact 4.2-4 and Impact 4.2-3, above. As previously stated, future housing development facilitated by the Project would occur on properties currently designated and zoned for residential use and EDC zoned parcels. Other updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element,
- Addressing residential in the EDC including removal of 15 percent overall limitation on residential and no stand-alone residential,
- Amending EDC Subarea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

Potential rezones associated with the Project would occur only on sites identified for the Project, of which none are zoned for agricultural use. No candidate housing sites identified for the Project include parcels zoned for agricultural uses. See ***Appendix A, Candidate Sites*** and ***Figure 3-3, Candidate Sites*** for a list of all candidate sites and their included parcels with land use and zoning designations. Because the Project would not directly modify farmland within the City, no impacts to agricultural or forest land resources would occur, and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.2.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.2.6 Cumulative Impacts

The anticipated Project-related impacts, in conjunction with cumulative development allowed per existing regulations, is expected to increase housing development citywide in an existing developed area. While less than significant impacts to agriculture or forestry resources are anticipated, it is noted that each cumulative development project would require separate discretionary approval and evaluation under CEQA, which would address potential agriculture and forestry resource impacts and identify necessary mitigation measures, where appropriate. The candidate housing sites are located largely within a developed area where no agriculture and forestry resources identified. Although candidate site 83.0 (Rockport Ranch Specific Plan) includes prime farmland and farmland of statewide significance, the specific plan has been previously approved and would not be modified further by this Project. Therefore, the Project would not cause a cumulatively considerable impact on agriculture and forestry resources, and no mitigation is required.

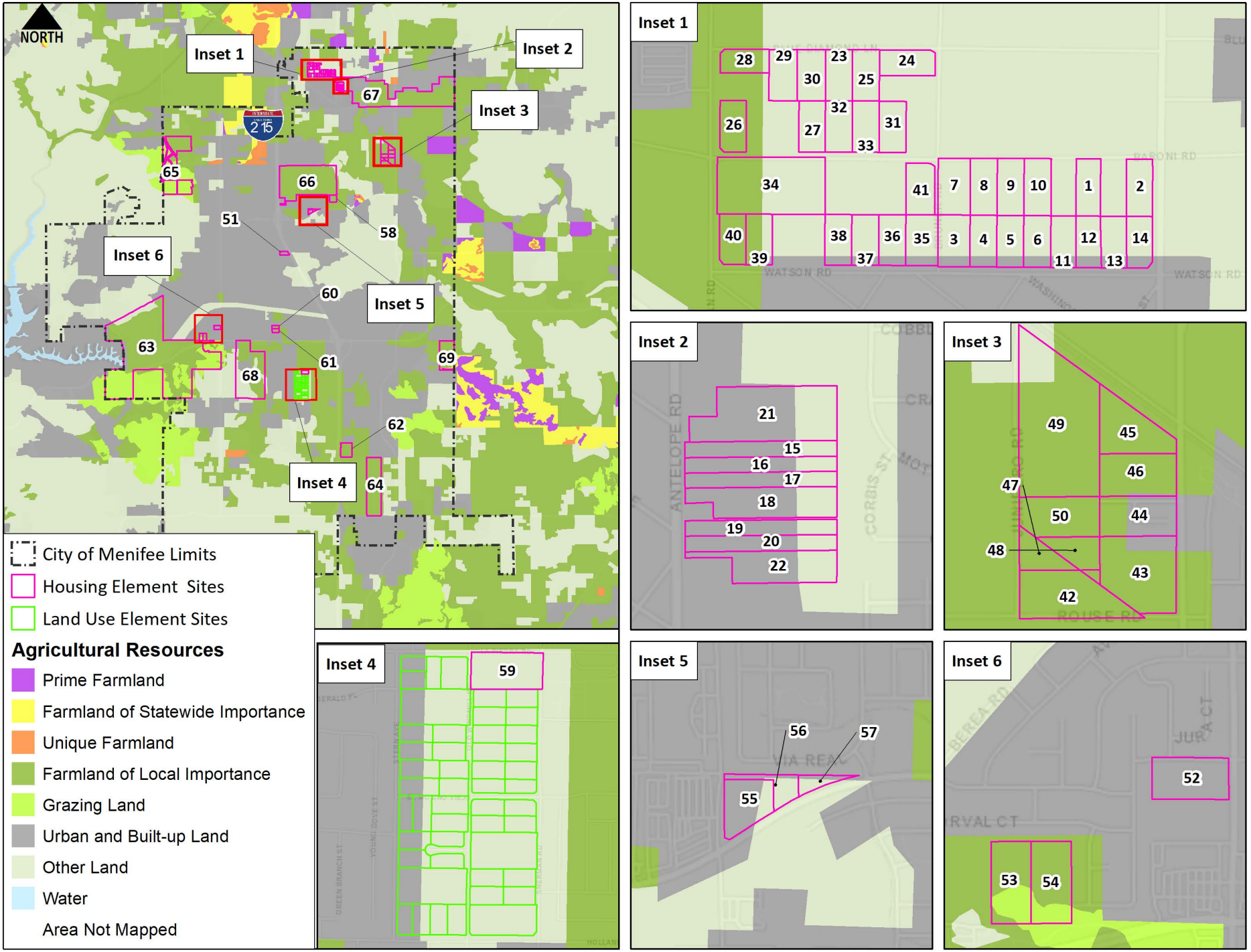


FIGURE 4.2-1: Agricultural Resources within the City of Menifee

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

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4.3 AIR QUALITY

This section of the Programmatic Environmental Impact Report (PEIR) assesses the potential air quality impacts stemming from the implementation of the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). The existing air quality setting within the region and the City of Menifee (City) is described in order to provide a baseline for further analysis. Relevant federal, state, and local regulations and policies are identified in order to provide a framework for subsequent analysis. In the event that an impact is anticipated to be significant, mitigation measures will be proposed in order to reduce the impact's significance.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because further information was not available and subsequent analysis would therefore be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.3.1 Environmental Setting

The California Air Resources Board (CARB) divides the state into 15 air basins that share similar meteorological and topographical features. The South Coast Air Quality Management District (SCAQMD) covers an area of approximately 10,743 acres of land consisting of the South Coast Air Basin (SCAB) and the portions of the Mojave Desert Air Basin (MDAB) and Salton Sea Air Basin (SSAB) within Riverside County (County). The City is located within the SCAB which contains Orange County and portions of Los Angeles, San Bernardino, and Riverside counties. Management of SCAB's air quality is conducted by SCAQMD. The SCAB is bounded by the Pacific Ocean to the west and the San Bernardino, San Gabriel, and San Jacinto mountains to the north and east. The San Diego Air Basin (SDAB) is directly south of the SCAB immediately south of the Orange County and Riverside County borders.

The climate of the SCAB is defined by the movement of warm air masses descending over cool, moist marine layers in the coastal portions. The SCAB also experiences ample sunlight which accelerates the production of ozone in the area due to chemical reactions between compounds in the atmosphere and the energy contained in the sunlight.[1]

Wind patterns across the SCAB are characterized by westerly or southwesterly on-shore winds during the day and easterly or northeasterly breezes at night. Wind speed is typically higher during the dry summer months than during the rainy winter. Between periods of wind, air stagnation may occur in both the morning and evening hours. Air stagnation is one of the critical determinants of air quality conditions on any given day. During winter and fall, surface high-pressure systems over the SCAB, combined with other

[1] South Coast Air Quality Management District (SCAQMD). (2017). *Final 2016 Air Quality Management Plan*. Page 1-4. Diamond Bar, CA: South Coast Air Quality Management District.

meteorological conditions, result in very strong, downslope Santa Ana winds. These winds normally continue for a few days before predominant meteorological conditions are reestablished.

The mountain ranges to the east affect the diffusion of pollutants by inhibiting the eastward transport of pollutants. Air quality in the SCAB generally ranges from fair to poor and is similar to air quality in most of coastal Southern California. The entire region experiences heavy concentrations of air pollutants during prolonged periods of stable atmospheric conditions.

In addition to the characteristic wind patterns that affect the rate and orientation of horizontal pollutant transport, two distinct types of temperature inversions control the vertical depth through which air pollutants are mixed. These inversions are the marine inversion and the radiation inversion. The height of the base of the inversion at any given time is called the "mixing height." The combination of winds and inversions is a critical determinant leading to highly degraded air quality for the SCAB in the summer and generally good air quality in the winter.

Criteria Air Pollutants

Criteria air pollutants are those that are emitted into the ambient air by stationary and mobile sources and for which the federal and state governments have established ambient air quality standards, or criteria, for outdoor concentrations to protect public health. These standards are designed to protect the most sensitive persons from illness or discomfort. The six criteria air pollutants include carbon monoxide (CO), volatile organic compounds (VOCs), nitrogen dioxide (NO_2), sulfur dioxide (SO_2), particulate matter [coarse particulate matter (PM_{10}) and fine particulate matter ($PM_{2.5}$)], and lead.

Ozone

Ozone (O_3) is a strong-smelling, pale blue, reactive, toxic chemical gas consisting of three oxygen atoms. It is a secondary pollutant formed in the atmosphere by a photochemical process involving the sun's energy and O_3 precursors. These precursors are mainly oxides of nitrogen (NO_X) and VOCs. Ozone exists in the upper atmosphere (stratospheric ozone) and at the Earth's surface in the troposphere. The O_3 that the U.S. Environmental Protection Agency (EPA) and the California Air Resources Board (CARB) regulate as a criteria air pollutant is produced close to the ground level, where people live, exercise, and breathe. Ozone is a major component of smog.[2]

Human health effects associated with O_3 include irritation and inflammation of mucous membranes and lung airways. This can lead to wheezing, coughing and pain when inhaling deeply as well as a general decrease in lung capacity. O_3 can also further aggravate existing lung and heart issues. Non-human risks with an overabundance of O_3 include damage to vegetation and reducing potential crop yield.[3]

[2] *Ibid. Page G-7.*
[3] California Air Pollution Control Officers Association (CAPCOA). (2021). *Health Effects.* Retrieved from: http://www.capcoa.org/health-effects/#CRITERIA_AIR_POLLUTANTS. (Accessed May 25, 2021).

Particulate Matter

Particulate matter consists of a mixture of solid particles and liquid droplets found in the air and in our atmosphere. Particulate matter can include substances such as dust, dirt, soot, or smoke. The size of particulate can either be too small to be seen without an electron microscope, or large enough to be seen with the naked eye.[4] The creation of particulate matter normally involves emission from sources like power plants, steel mills, chemical plants, unpaved roads, parking lots, wood burning stoves and fireplaces, and motor vehicles.[5]

PM_{10} include inhalable particles with diameter that are 10 micrometers (µm) to 2.5µm and $PM_{2.5}$ include inhalable particles that are 2.5µm or smaller. Particulate matter are capable of entering the lungs and bloodstream, causing serious health issues. These issues include respiratory complications, irritation of airways, coughing, or difficulty breathing. Particulate matter can aggravate existing conditions like asthma and form new conditions like bronchitis. Exposure to harmful particulate matter can lead to irregulate heart rhythm, nonfatal heart attacks, and premature death in people with heart or lung disease. Particulate matter in a conglomerated state can impair vision.[6]

Carbon Monoxide

CO is a colorless, odorless gas formed by the incomplete combustion of hydrocarbon, or fossil fuels. CO is emitted almost exclusively from motor vehicles, power plants, refineries, industrial boilers, ships, aircraft, and trains. In urbanized areas, such as the majority of the City, automobile exhaust accounts for the majority of CO emissions. [7]

An abundance of CO can lead to a loss of efficiency in blood transport within the body's cardiovascular system. This can also affect the nervous system. A decreased blood flow can lead to impaired vision, dizziness, and unconsciousness. Extended exposure to carbon monoxide can lead to death for whomever is exposed, due to the lack of oxygen.[8]

Nitrogen Dioxide

NO_2 is a reddish brown gas that is formed mainly due to fuel combustion in motor vehicles and industrial sources such as electricity production.[9] NO_2 is formed from fuel combustion under high temperature or pressure. NO_2 in the atmosphere is the oxidation of the primary air pollutant nitric oxide, which is a colorless, odorless gas. In addition, NO_2 is an important precursor to acid rain and may affect both terrestrial and aquatic ecosystems. Exposure to NO_2 can lead to irritation of the lungs and heart. There is

[4] United States Environmental Protection Agency (EPA). (2020). *Particulate Matter (PM) Basics*. Retrieved from: https://www.epa.gov/pm-pollution/particulate-matter-pm-basics#PM. (Accessed May 25, 2021)
[5] California Air Pollution Control Officers Association (CAPCOA). (2021). *Health Effects.* Retrieved from: http://www.capcoa.org/health-effects/#CRITERIA_AIR_POLLUTANTS. (Accessed May 25, 2021).
[6] Ibid.
[7] United States Environmental Protection Agency (EPA). (2020). *Basic Information about Carbon Monoxide (CO) Outdoor Air Pollution*. Retrieved from: https://www.epa.gov/co-pollution/basic-information-about-carbon-monoxide-co-outdoor-air-pollution#What%20is%20CO. (Accessed May 25, 2021)
[8] California Air Pollution Control Officers Association (CAPCOA). (2021). *Health Effects.* Retrieved from: http://www.capcoa.org/health-effects/#CRITERIA_AIR_POLLUTANTS. (Accessed May 25, 2021).
[9] Ibid.

also the added risk of tissue damage and burning due to acid rain. NO_2 is also a precursor for O_3 and therefore can lead to risks associated with its creation.[10]

Sulfur Dioxide

SO_2 is a strong smelling, colorless gas. Ocean-going vessels, which may use oil high in sulfur content, can be major sources of SO_2. SO_2 and other sulfur oxides contribute to ambient $PM_{2.5}$.[11] The main sources of SO_2 are coal and oil used in power plants and industries; as such, the highest levels of SO_2 are generally found near large industrial complexes. In recent years, SO_2 concentrations have been reduced by the increasingly stringent controls placed on stationary source emissions of SO_2 and limits on the sulfur content of fuels.

SO_2 is an irritant gas that attacks the throat and lungs and can cause acute respiratory symptoms and diminished ventilator function in children. When combined with particulate matter, SO_2 can injure lung tissue and reduce visibility and the level of sunlight. SO_2 can also yellow plant leaves and erode iron and steel.

Lead

Lead in the atmosphere occurs as particulate matter. Sources of lead include leaded gasoline; the manufacturing of batteries, paints, ink, ceramics, and ammunition; and secondary lead smelters. Prolonged exposure to atmospheric lead poses a serious threat to human health. Health effects associated with exposure to lead include gastrointestinal disturbances, anemia, kidney disease, and in severe cases, neuromuscular and neurological dysfunction. Of particular concern are low-level lead exposures during infancy and childhood. Such exposures are associated with decrements in neurobehavioral performance, including intelligence quotient performance, psychomotor performance, reaction time, and growth. Children are highly susceptible to the effects of lead.

Non-Critical Air Pollutants

Toxic Air Contaminants

A substance is considered toxic if it has the potential to cause adverse health effects in humans, including increasing the risk of cancer upon exposure, or acute and/or chronic noncancer health effects. A toxic substance released into the air is considered a toxic air contaminant (TAC). TACs include both organic and inorganic chemical substances. They may be emitted from a variety of common sources including gasoline stations, automobiles, dry cleaners, industrial operations, and painting operations. TACs are identified by federal and state agencies based on a review of available scientific evidence. In California, TACs are identified through a two-step process that was established in 1983 under the Toxic Air Contaminant Identification and Control Act. This two-step process of risk identification and risk management and reduction was designed to protect residents from the health effects of toxic substances in the air. In addition, the California Air Toxics "Hot Spots" Information and Assessment Act, Assembly Bill (AB) 2588,

[10] *Ibid.*
[11] South Coast Air Quality Management District (SCAQMD). (2017). *Final 2016 Air Quality Management Plan*. Page G-9. Diamond Bar, CA: South Coast Air Quality Management District.

was enacted by the legislature in 1987 to address public concern over the release of TACs into the atmosphere. The law requires facilities emitting toxic substances to provide local air pollution control districts with information that will allow an assessment of the air toxics problem, identification of air toxics emissions sources, location of resulting hotspots, notification of the public exposed to significant risk, and development of effective strategies to reduce potential risks to the public over five years.

Examples include certain aromatic and chlorinated hydrocarbons, certain metals, and asbestos. TACs are generated by a number of sources, including stationary sources, such as dry cleaners, gas stations, combustion sources, and laboratories; mobile sources, such as automobiles; and area sources, such as landfills. Adverse health effects associated with exposure to TACs may include carcinogenic and noncarcinogenic effects. Noncarcinogenic effects typically affect one or more target organ systems and may be experienced on either short-term (acute) or long-term (chronic) exposure to a given TAC.

Diesel Particulate Matter

Diesel particulate matter (DPM) differs from other TACs in that it is not a single substance but rather a complex mixture of hundreds of substances that makes up diesel exhaust. Diesel exhaust is composed of two phases: gas and particle, both of which contribute to health risks. More than 90 percent of DPM is less than 1 micrometer in diameter (about 1/70th the diameter of a human hair), and thus is a subset of $PM_{2.5}$.[12] The chemical composition and particle sizes of DPM vary between different engine types (heavy-duty, light-duty), engine operating conditions (idle, accelerate, decelerate), fuel formulations (high/low sulfur fuel), and the year of the engine.

Due to their extremely small size, these particles can be inhaled and eventually trapped in the bronchial and alveolar regions of the lung. Some short-term (acute) effects of diesel exhaust include eye, nose, throat, and lung irritation, and diesel exhaust can cause coughs, headaches, light-headedness, and nausea. DPM poses the greatest health risk among the TACs.

Odor

Odors are generally regarded as an annoyance rather than a health hazard. Manifestations of a person's reaction to odors can range from psychological (e.g., irritation, anger, or anxiety) to physiological (e.g., circulatory and respiratory effects, nausea, vomiting, and headache). The ability to detect odors varies considerably among the population and overall is quite subjective. People may have different reactions to the same odor. For instance, an odor that is offensive to one person may be perfectly acceptable to another (e.g., coffee roaster). An unfamiliar odor is more easily detected and is more likely to cause complaints than a familiar one. Known as odor fatigue, a person can become desensitized to almost any odor, and recognition may only occur with an alteration in the intensity. The occurrence and severity of odor impacts depend on the nature, frequency, and intensity of the source, wind speed and direction, and the sensitivity of receptors.

[12] California Air Resources Board (CARB). (2020). Overview: Diesel Exhaust & Health. Retrieved from CARB: https://ww2.arb.ca.gov/resources/overview-diesel-exhaust-and-health (Accessed May 25, 2021)

Local Ambient Air Quality

The primary sources of short-term emissions of various air pollutants in urban areas includes those from temporary construction-related activities including VOC and NO_x (ozone precursors), PM_{10}, and $PM_{2.5}$, which are emitted by construction equipment during various activities that may include but are not limited to grading, excavation, building construction, or demolition. Additionally, soil disturbance during construction activities emit fugitive dust, a fraction of which is comprised of PM_{10} and $PM_{2.5}$. Long-term air pollutant emission impacts are those associated with mobile sources (e.g., vehicle trips), energy sources (e.g., electricity and natural gas), and area sources (e.g., architectural coatings and the use of landscape maintenance equipment). Additionally, a variety of industrial and commercial processes (e.g., food processing plants, glass manufacturers, gas stations, dry cleaning) also emit criteria pollutant emissions.

CARB monitors ambient air quality at approximately 250 air monitoring stations across the State. These stations usually measure pollutant concentrations 10 feet above ground level; therefore, air quality is often referred to in terms of ground-level concentrations. Existing levels of ambient air quality, historical trends, and projections near the Project are documented by measurements made by the SCAQMD. Pollutants of concern in the SCAB include O_3, PM_{10}, and $PM_{2.5}$. ***Table 4.3-1, Ambient Air Quality Data*** summarizes the monitored maximum concentrations and number of exceedances of state level California Ambien Air Quality Standards (CAAQS) or federal air quality standards called the National Ambient Air Quality Standards (NAAQS). These state and federal standards help provide a framework for monitoring and minimizing air criteria air pollutants in order to support continued public health. The data used in the table was sourced from the Lake Elsinore-W Flint Street Monitoring Station for the years of 2016, 2017, 2018, and 2019.

Table 4.3-1: Ambient Air Quality Data

Criteria Pollutant	2016	2017	2018	2019
Ozone (O_3)				
1-hour Maximum Concentration (ppm)	0.124	0.121	0.116	0.108
8-hour Maximum Concentration (ppm)	0.064	0.098	0.096	0.089
Number of Days Standard Exceeded				
CAAQS 1-hour (>0.09 ppm)	15	23	16	4
NAAQS 8-hour (>0.070 ppm)	44	54	30	28
Carbon Monoxide (CO)				
1-hour Maximum Concentration (ppm)	1.219	1.152	1.128	1.605
Number of Days Standard Exceeded				
NAAQS 1-hour (>35 ppm)	0	0	0	0
CAAQS 1-hour (>20 ppm)	0	0	0	0
Nitrogen Dioxide (NO_2)				
1-hour Maximum Concentration (ppm)	0.051	0.049	0.041	0.038
Number of Days Standard Exceeded				
NAAQS 1-hour (>0.100 ppm)	0	0	0	0
CAAQS 1-hour (>0.18 ppm)	0	0	0	0

Criteria Pollutant	2016	2017	2018	2019
Particulate Matter (PM_{10})				
National 24-hour Maximum Concentration	99.7	134.1	105.3	93.8
State 24-hour Maximum Concentration	—	—	—	—
State Annual Average Concentration (CAAQS=20 µg/m3)	—	—	—	—
Number of Days Standard Exceeded				
NAAQS 24-hour (>150 µg/m3)	0	0	0	0
CAAQS 24-hour (>50 µg/m3)	—	—	—	—
Particulate Matter ($PM_{2.5}$)				
National 24-hour Maximum Concentration	—	—	—	—
State 24-hour Maximum Concentration	31.5	27.2	31.3	17.6
Number of Days Standard Exceeded				
NAAQS 24-hour (>35 µg/m3)	—	—	—	—
Sulfur Dioxide (SO_2)[1]				
1-hour Maximum Concentration (ppm)	0.006	0.003	0.002	0.002
Number of Days Standard Exceeded				
Days above 1-hour federal standard (35 ppm)	0	0	0	0
Days above 8-hour federal standard (9 ppm)	0	0	0	0

Source: California Air Resources Board (CARB). (2019). *CARB Aerometric Data Analysis and Management System Database.* Retrieved from: https://www.arb.ca.gov/adam (Accessed May 25, 2021); California Air Resources Board (CARB). (2019). *CARB Air Quality and Meteorological Information System.* Retrieved from: https://www.arb.ca.gov/aqmis2/aqdselect.php (Accessed May 25, 2021)
NAAQS = National Ambient Air Quality Standards
CAAQS = California Ambient Air Quality Standards
ppm = parts per million
µg/m^3 = micrograms per cubic meter
"–"= not measured
1. Data Sourced from the Riverside – Rubidoux Monitoring Station

Sensitive Receptors

Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution include children, the elderly, athletes, and people with cardiovascular and chronic respiratory diseases. Facilities and structures where people sensitive to air pollution live or spend considerable amounts of time are known as sensitive receptors. Places where air pollution-sensitive individuals are most likely to spend time include schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities (collectively referred to as sensitive receptors).

Figure 4.3-1, Sensitive Receptors displays the sensitive receptors within the City, including schools located near the candidate housing sites. The figure also displays the City's healthcare facilities such as the Menifee Valley Medical Center. Most candidate housing sites are near residential land uses, the Project focuses mainly on the identification or modification of existing residential parcels.

4.3.2 Regulatory Setting

Federal

Federal Clean Air Act

Air quality is federally protected by the Federal Clean Air Act (FCAA) and its amendments. Under the FCAA, the U.S. EPA developed the primary and secondary NAAQS for the criteria air pollutants including O_3, NO_2, CO, SO_2, PM_{10}, $PM_{2.5}$, and lead. Proposed projects in or near nonattainment areas could be subject to more stringent air-permitting requirements. The FCAA requires each state to prepare a State Implementation Plan (SIP) to demonstrate how it will attain the NAAQS within the federally imposed deadlines.

The U.S. EPA can withhold certain transportation funds from states that fail to comply with the planning requirements of the FCAA. If a state fails to correct these planning deficiencies within two years of Federal notification, the U.S. EPA is required to develop a Federal implementation plan for the identified nonattainment area or areas. The provisions of 40 Code of Federal Regulations Parts 51 and 93 apply in all nonattainment and maintenance areas for transportation-related criteria pollutants for which the area is designated nonattainment or has a maintenance plan. The U.S. EPA has designated enforcement of air pollution control regulations to the individual states. Applicable federal standards are summarized in ***Table 4.3-2, State and Federal Ambient Air Quality Standards***.

State

California Clean Air Act

The California Clean Air Act (CCAA), signed into law in 1988, requires all areas of the state to achieve and maintain the CAAQS by the earliest practical date. CARB is the state air pollution control agency and is a part of the California Environmental Protection Agency (CalEPA). CARB is the agency responsible for coordination and oversight of state and local air pollution control programs in the state, and for implementing the requirements of the CCAA. CARB oversees local district compliance with state and federal laws, approves local air quality plans, submits the SIPs to the U.S. EPA, monitors air quality, determines and updates area designations and maps, and sets emissions standards for new mobile sources, consumer products, small utility engines, off-road vehicles, and fuels.

California Ambient Air Quality Standards

The CCAA requires CARB to establish CAAQS. Similar to the NAAQS, CAAQS have been established for the following pollutants: O_3, CO, NO_2, SO_2, PM_{10}, $PM_{2.5}$, lead, vinyl chloride, hydrogen sulfide, sulfates, and visibility-reducing particulates. In most cases, the CAAQS are more stringent than the NAAQS. The CCAA requires that all local air districts in the state endeavor to achieve and maintain the CAAQS by the earliest practical date. The CCAA specifies that local air districts should focus particular attention on reducing the emissions from transportation and area-wide emission sources and provides districts with the authority to regulate indirect sources. The CAAQS and NAAQS are presented in ***Table 4.3-2, State and Federal Ambient Air Quality Standards***.

Table 4.3-2: State and Federal Ambient Air Quality Standards

Pollutant	Averaging Time	State Standards	Federal Standards
Ozone (O_3) [2, 5, 7]	8 Hour	0.070 ppm (137 µg/m³)	0.070 ppm
	1 Hour	0.09 ppm (180 µg/m³)	NA
Fine Particulate Matter ($PM_{2.5}$) [3, 4, 6, 9]	24-Hour	NA	35 µg/m³
	Annual Arithmetic Mean	12 µg/m³	12 µg/m³
Particulate Matter (PM_{10}) [1, 3, 6]	24-Hour	50 µg/m³	150 µg/m³
	Annual Arithmetic Mean	20 µg/m³	NA
Carbon Monoxide (CO)	8 Hour	9.0 ppm (10 mg/m³)	9 ppm (10 mg/m³)
	1 Hour	20 ppm (23 mg/m³)	35 ppm (40 mg/m³)
Nitrogen Dioxide (NO_2)	1 Hour	0.18 ppm (339 µg/m³)	0.10 ppm[11]
	Annual Arithmetic Mean	0.030 ppm (57 µg/m³)	0.053 ppm (100 µg/m³)
Sulfur Dioxide (SO_2) [8]	24 Hour	0.04 ppm (105 µg/m³)	0.14 ppm (365 µg/m³)
	1 Hour	0.25 ppm (655 µg/m³)	0.075 ppm (196 µg/m³)
	Annual Arithmetic Mean	NA	0.03 ppm (80 µg/m³)
Lead (Pb) [10, 11]	30-Day Average	1.5 µg/m³	NA
	Calendar Quarter	NA	1.5 µg/m³
	Rolling 3-Month Average	NA	0.15 µg/m³
Sulfates (SO_{4-2})	24 Hour	25 µg/m³	NA
Hydrogen Sulfide (H_2S)	1 Hour	0.03 ppm (0.45 µg/m³)	NA
Vinyl Chloride (C_2H_3Cl)[10]	24 Hour	0.01 ppm (26 µg/m³)	NA

Source: South Coast Air Quality Management District (SCAQMD). (2017). *Final 2016 Air Quality Management Plan*. Pages 2-8 through 2-10. Diamond Bar, CA: South Coast Air Quality Management District

Tanner Air Toxics Act and Air Toxics Hot Spots Information and Assessment Act

TACs in California primarily are regulated through the Tanner Air Toxics Act (AB 1807) and the Air Toxics Hot Spots Information and Assessment Act of 1987 (AB 2588, also known as the Hot Spots Act). As discussed above, Hazardous Air Pollutants (HAPs)/TACs are a broad class of compounds known to cause morbidity or mortality (e.g., cancer risk). HAPs/TACs are found in ambient air, especially in urban areas, and are caused by industry, agriculture, fuel combustion, and commercial operations (e.g., dry cleaners). Because chronic exposure can result in adverse health effects, TACs are regulated at the regional, state, and federal level.

AB 1807 sets forth a formal procedure for CARB to designate substances as TACs. Research, public participation, and scientific peer review are necessary before CARB can designate a substance as a TAC. To date, CARB has identified more than 21 TACs and adopted the U.S. EPA's list of HAPs as TACs. In 1998, DPM was added to CARB's TACs list. Once a TAC is identified, CARB adopts an Airborne Toxic Control Measure for sources that emit that particular TAC. If a safe threshold exists at which no toxic effect occurs from a substance, the control measure must reduce exposure below that threshold. If no safe threshold exists, the measure must incorporate Best Available Control Technology (BACT) to minimize emissions.

The Hot Spots Act requires existing facilities that emit toxic substances above a specified level to prepare a toxic emissions inventory and a risk assessment if the emissions are significant, notify the public of significant risk levels, and prepare and implement risk reduction measures.

CARB Air Quality and Land Use Handbook

In April 2005, CARB released the final version of its Air Quality and Land Use Handbook: A Community Health Perspective. This guidance document is intended to encourage local land use agencies to consider the risks from air pollution before they approve the siting of sensitive land uses (e.g., residences) near sources of air pollution, particularly TACs (e.g., freeway and high traffic roads, commercial distribution centers, rail yards, ports, refineries, dry cleaners, gasoline stations, and industrial facilities). These advisory recommendations include general setbacks or buffers from air pollution sources. However, unlike industrial or stationary sources of air pollution, the siting of new sensitive land use does not require air quality permits or approval by air districts, and as noted above, the CARB handbook provides guidance only rather than binding regulations.

CAPCOA Health Risk Assessments for Proposed Land Use Projects

The California Air Pollution Control Officer's Association (CAPCOA), which is a consortium of air district managers throughout the state, provides guidance material to addressing air quality issues in the state. As a follow up to CARB's 2005 Air Quality and Land Use Handbook, CAPCOA prepared the Health Risk Assessments for Proposed Land Use Projects. CAPCOA released this guidance document to ensure that the health risk of projects be identified, assessed, and avoid or mitigated, if feasible, through the California Environmental Quality Act (CEQA) process. The CAPCOA guidance document provides recommended methodologies for evaluating health risk impacts for development projects.

CalEnviroScreen

OEHHA has developed CalEnviroScreen 3.0, which is a mapping tool that helps identify California communities that are most affected by many sources of pollution, and where people are often especially vulnerable to pollution's effects. CalEnviroScreen uses environmental, health, and socioeconomic information to produce scores for every census tract in the State. The scores are mapped so that different communities can be compared. An area with a high score is one that experiences a much higher pollution burden than areas with low scores.

Regional

South Coast Air Quality Management District

The SCAQMD is the air pollution control agency for Orange County and the urban portions of Los Angeles, Riverside, and San Bernardino Counties. The agency's primary responsibility is ensuring that state and federal ambient air quality standards are attained and maintained in the SCAB. The SCAQMD is also responsible for adopting and enforcing rules and regulations concerning air pollutant sources, issuing permits for stationary sources of air pollutants, inspecting stationary sources of air pollutants, responding to citizen complaints, monitoring ambient air quality and meteorological conditions, awarding grants to reduce motor vehicle emissions, conducting public education campaigns, and many other activities. All projects are subject to SCAQMD rules and regulations in effect at the time of construction.

The SCAQMD is also the lead agency in charge of developing the Air Quality Management Plan (AQMP), with input from the Southern California Association of Governments (SCAG) and CARB. The AQMP is a

comprehensive plan that includes control strategies for stationary and area sources, as well as for on-road and off-road mobile sources. SCAG has the primary responsibility for providing future growth projections and the development and implementation of transportation control measures. CARB, in coordination with federal agencies, provides the control element for mobile sources.

The 2016 AQMP was adopted by the SCAQMD Governing Board on March 3, 2017. The purpose of the AQMP is to set forth a comprehensive and integrated program that will lead the SCAB into compliance with the federal 24-hour $PM_{2.5}$ air quality standard, and to provide an update to the SCAQMD's commitments towards meeting the federal 8-hour O_3 standards. The AQMP incorporates the latest scientific and technological information and planning assumptions, including SCAG growth projections and updated emission inventory methodologies for various source categories.

The SCAQMD has published the CEQA Air Quality Handbook (approved by the SCAQMD Governing Board in 1993 and augmented with guidance for Local Significance Thresholds [LST] in 2008). The SCAQMD guidance helps local government agencies and consultants to develop environmental documents required by CEQA and provides identification of suggested thresholds of significance for criteria pollutants for both construction and operation (see discussion of thresholds below). With the help of the CEQA Air Quality Handbook and associated guidance, local land use planners and consultants are able to analyze and document how proposed and existing projects affect air quality in order to meet the requirements of the CEQA review process. The SCAQMD periodically provides supplemental guidance and updates to the handbook on their website.

SCAG is the regional planning agency for Los Angeles, Orange, Ventura, Riverside, San Bernardino, and Imperial Counties and serves as a forum for regional issues relating to transportation, the economy, community development, and the environment. Under federal law, SCAG is designated as a Metropolitan Planning Organization and under State law as a Regional Transportation Planning Agency and a Council of Governments.

The state and federal attainment status designations for the SCAB are summarized in ***Table 4.3-3, South Coast Air Basin Attainment Status***. The SCAB is currently designated as a nonattainment area with respect to the State 1-hour O_3, PM_{10}, and $PM_{2.5}$ standards, as well as the national 8-hour O_3 and $PM_{2.5}$ standards. The SCAB is designated as attainment or unclassified for the remaining state and federal standards.

Table 4.3-3: South Coast Air Basin Attainment Status

Pollutant	State	Federal
Ozone (O_3) (1 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Ozone (O_3) (8 Hour Standard)	Non-Attainment	Non-Attainment (Extreme)
Particulate Matter ($PM_{2.5}$) (24 Hour Standard)	–	Non-Attainment (Serious)
Particulate Matter ($PM_{2.5}$) (Annual Standard)	Non-Attainment	Non-Attainment (Moderate)
Particulate Matter (PM_{10}) (24 Hour Standard)	Non-Attainment	Attainment (Maintenance)

Pollutant	State	Federal
Particulate Matter (PM_{10}) (Annual Standard)	Non-Attainment	–
Carbon Monoxide (CO) (1 Hour Standard)	Attainment	Attainment (Maintenance)
Carbon Monoxide (CO) (8 Hour Standard)	Attainment	Attainment (Maintenance)
Nitrogen Dioxide (NO_2) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Nitrogen Dioxide (NO_2) (Annual Standard)	Attainment	Attainment (Maintenance)
Sulfur Dioxide (SO_2) (1 Hour Standard)	Attainment	Unclassifiable/Attainment
Sulfur Dioxide (SO_2) (24 Hour Standard)	Attainment	Unclassifiable/Attainment
Lead (Pb) (30 Day Standard)	Attainment	–
Lead (Pb) (3 Month Standard)	–	Non-Attainment (Partial)
Sulfates (SO_{4-2}) (24 Hour Standard)	Attainment	–
Hydrogen Sulfide (H_2S) (1 Hour Standard)	Unclassified	–

Source: South Coast Air Quality Management District (SCAQMD). (2017). *Final 2016 Air Quality Management Plan*. Pages 2-8 through 2-10. Diamond Bar, CA: South Coast Air Quality Management District

The following list contains SCAQMD rules that would be required of construction activities associated with the future development facilitated by the Project:

- Rule 402 (Nuisance) – This rule prohibits the discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health, or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property. This rule does not apply to odors emanating from agricultural operations necessary for the growing of crops or the raising of fowl or animals.
- Rule 403 (Fugitive Dust) – This rule requires fugitive dust sources to implement best available control measures for all sources, and all forms of visible particulate matter are prohibited from crossing any property line. This rule is intended to reduce PM_{10} emissions from any transportation, handling, construction, or storage activity that has the potential to generate fugitive dust. PM_{10} suppression techniques are summarized below.
  - Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
  - All on-site roads are paved as soon as feasible, watered regularly, or chemically stabilized.

- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down following the workday to remove soil from pavement.

- Rule 1113 (Architectural Coatings) – This rule requires manufacturers, distributors, and end-users of architectural and industrial maintenance coatings to reduce VOC emissions from the use of these coatings, primarily by placing limits on the VOC content of various coating categories.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Circulation Element

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

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

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

Policy C-2.2 Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low-speed roadways for connectivity wherever it is safe to do so.

Policy C-2.3 Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Policy C-2.4 Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.

Goal C-3 A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Policy C-3.2 Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.

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

Policy 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.

Goal C-4 Diversified local transportation options that include neighborhood electric vehicles and golfcarts.

Policy C-4.1 Encourage the use of neighborhood electric vehicles and golf carts instead of automobiles for local trips.

Open Space and Conservation Element

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

Policy OSC-9.1 Meet state and federal clean air standards by minimizing particulate matter emissions from construction activities.

Policy 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.

Policy OSC-9.3 Comply with regional, state, and federal standards and programs for control of all airborne pollutants and noxious odors, regardless of source.

Policy 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.

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.

Goal OSC-10 An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.

Policy OSC-10.1 Align the City's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.

Policy OSC-10.2 Align the City's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.

Policy OSC-10.3 Participate in regional greenhouse gas emission reduction initiatives.

Policy OSC-10.4 Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

City of Menifee Municipal Code

The City of Menifee Municipal Code (Menifee MC) §8.26.170 presents the City's policies regarding dust management during grading activities. Dust can contribute harmful particulate matter into the local atmosphere when allowed to freely travel through the air. To circumvent potential risks, the City

reinforces Best Management Practices (BMPs) proposed through the National Pollutant Discharge Elimination System (NPDES) program as required by SCAQMD.

4.3.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the CEQA Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Conflict with or obstruct implementation of the applicable air quality plan.
- Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard.
- Expose sensitive receptors to substantial pollutant concentrations.
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Methodology

This analysis considers the thresholds of *State CEQA Guidelines,* Appendix G as described above, in determining whether the Project would result in the direct or indirect impacts on air quality. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses rely on an analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects on air quality considers the relevant policies and regulations established by local and regional agencies, and the Project's compliance with these policies.

The significance criteria established by SCAQMD may be relied upon to make the above determinations. According to the SCAQMD, an air quality impact is considered significant if the Project would violate any ambient air quality standard, contribute substantially to an existing or projected air quality violation, or expose sensitive receptors to substantial pollutant concentrations. The SCAQMD has established thresholds of significance for air quality during construction and operational activities of land use development projects, as shown in ***Table 4.3-6, South Coast Air Quality Management District Emissions Thresholds (Maximum Pounds Per Day)***.

Table 4.3-4: South Coast Air Quality Management District Emissions Thresholds (Maximum Pounds Per Day)

Criteria Air Pollutants and Precursors	Construction-Related	Operational-Related
Reactive Organic Gases (ROG)	75	55
Carbon Monoxide (CO)	550	550
Nitrogen Oxides (NO_X)	100	55
Sulfur Oxides (SO_X)	150	150
Coarse Particulates (PM_{10})	150	150
Fine Particulates ($PM_{2.5}$)	55	55

Source: South Coast Air Quality Management District. (2007). CEQA Air Quality Handbook, 1993 (PM2.5 threshold adopted June 1, 2007).

In addition to the daily thresholds listed above, future development facilitated by the Project would also be subject to the ambient air quality standards. These are addressed through an analysis of localized CO impacts. The significance of localized impacts depends on whether ambient CO levels near the Project area above state and federal CO standards are (the more stringent California standards are 20 ppm for 1-hour and 9 ppm for 8-hour). The SCAB has been designated as attainment under the 1-hour and 8-hour standards. Localized Significance Thresholds

In addition to the CO hotspot analysis, the SCAQMD developed LSTs for emissions of NO_2, CO, PM_{10}, and $PM_{2.5}$ generated at new development sites. LSTs represent the maximum emissions that can be generated at a project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. LSTs are based on the ambient concentrations of that pollutant within the project's source receptor area (SRA), as demarcated by the SCAQMD, and the distance to the nearest sensitive receptor. LST analysis for construction is applicable for all projects that disturb 5 acres or less on a single day.

While these supplemental analyses are not conducted for the Project due to its programmatic nature and since it does not involve physical development, future development facilitated by the Project would be required to comply with this regulation.

4.3.4 Project Impacts and Mitigation

Impact 4.3-1: ***Would the proposed project, conflict with or obstruct implementation of the applicable air quality plan?***

Level of Significance: Less than Significant Impact

The Project does not include physical alterations to the City which could directly create changes to the City's existing air quality or regional air quality. Instead, the Project proposes multiple regulatory changes to the City's GP. The Project components include an update to the City's Housing Element to coincide with the 2021 – 2029 planning period. The Housing Element Update (HEU) would create new policies and programs within the City's housing element in order to ensure greater housing availability for residents of various income levels. Policies and programs included in the housing element update would facilitate the expansion of available housing in the City to meet the City's Regional Housing Needs Assessment (RHNA) allocation of 6,609 dwelling units (DUs). In order to ensure that the RHNA allocation is met, the City has identified candidate housing sites which would allow for the future development of additional DUs. These candidate housing sites are spread throughout the City. ***Appendix A, Candidate Housing Sites*** summarizes the candidate sites as well as their included parcels. ***Figure 3-3, Candidate Housing Sites*** shows the location of the identified candidate housing sites within the City.

The Project also includes an update to the Menifee GP Land Use Element which includes General Plan land use amendments to accommodate the rezoning of 48 parcels within the City's Economic Development Corridor – Community Core (EDC-CC) land use area to Rural Residential 1-acre minimum (RR1) designations. This rezone would act as a clean up to maintain the existing low density residential character and pattern of development for this area. The Land Use Element Updates reflect land use changes to areas

with existing residential and Economic Development Corridor (EDC) land use designations. The updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element;
- Addressing residential in the EDC including removal of 15 percent overall limitation on residential and no stand-alone residential;
- Amending EDC Subarea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

These updates are necessary for the Project to accommodate the proposed future housing needs to comply with AB 1397. The Project's facilitation of future development would inevitably lead to a further population growth for the City. However, this anticipated increase in population, based on average household size, is still within the growth projections analyzed by SCAG in their current Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). See ***Section 4.14, Population and Housing*** for further discussion regarding population growth due to Project implementation.

A safety element update is included in the Project which would modify and create policies within the Menifee GP to enhance the City's resilience against hazards such as fire risks, flooding risks, and public safety. Updates to the safety element include requirements for compliance with the California Fire Code (CFC) and California Building Code (CBC). A Climate Vulnerability Assessment (CVA) was produced for the City in order to identify potential hazards facing the City as a result of continued climate change effects. Continued climate change effects were anticipated to include air quality impacts. Multiple byproducts of reasonably foreseeable climate change were found to impact the general air quality of the City. Through the continued use of motor vehicles, for example, combustion byproducts such as O_3 and NO_2 can be produced. Further accumulation of these compounds threatens the City's ability to meet standards set by the CAAQS and NAAQS for these criteria pollutants. However, as concluded in Section 3.1, Air Quality of the CVA, the impact from air quality to most populations, and to public health and quality of life is considered low. This conclusion was based on the City's above average household income and high adult population.

Policies proposed for the safety element update include those that would reduce the emission of motor vehicle combustion pollutants like O_3 and NO_2. The proposed policies for the safety element update include:

- **Proposed Policy S-7.1**: Continue to require environmental analysis for proposed projects which may produce harmful levels of greenhouse gas.
- **Proposed Policy S-7.4**: Promote alternative forms of energy production such as solar or wind power.

Implementation of these policies will directly address vehicle emissions as well as emissions from the combustion of nonrenewable fuels. Furthermore, future developments facilitated by the Project would continue to be required adhere to federal, state, and local air quality regulations. This includes the

SCAQMD thresholds of significance summarized in ***Table 4.3-4, South Coast Air Quality Management District Emissions Thresholds (Maximum Pounds Per Day)***, as well as the established LSTs. Project components, therefore, do not include the revision or modification of adopted air quality plans or directly conflict with the established air quality standards adopted for both the City and region. Additionally, the following updated goals and policies from the Housing Element, Land Use Element, and Environmental Justice additions would reduce any potential impacts to a level of less than significant:

Mitigation Measures

No mitigation measures are required.

Impact 4.3-2: ***Would the proposed project, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?***

Level of Significance: Less than Significant Impact with Mitigation Applied

The Project does not directly propose the development of additional housing units within the City. Instead, the Project involves regulatory modifications which could facilitate the development of additional housing in the future.

Future development facilitated by the Project would involve the emission of pollutants through their construction and operations. Additional housing units would involve the burning of fossil fuels during construction as well as the potential generation of particulate matter through fugitive dust and fuel combustion. Construction vehicles such as hauling trucks, and ground moving machinery would contribute to temporarily increased pollutant emissions. Construction activities such as demolition, site grading, and road paving would also result in the generation of emissions. Fugitive dust emissions may have a substantial, temporary impact on local air quality. In addition, fugitive dust may be a nuisance to those living and working in the Project vicinity. Uncontrolled dust from construction can become a nuisance and potential health hazard to those living and working nearby.

Future housing development facilitated by the Project would be subject to discretionary permits and would occur as market conditions allow and at the discretion of the individual property owners. This means that any future development on candidate housing sites would be required to incorporate measures related to improving air quality (both directly and indirectly). This typically includes measures for reducing Vehicular Miles Traveled (VMT), educating the community as to the relationship between air pollution and water pollution in the deposition onto streets and other surfaces of airborne contaminants, and encouraging reductions and modifications to air pollution generating activities and sources to reduce the deposition of airborne pollutants. SCAQMD Rules 402 and 403 (e.g., prohibition of nuisances, watering of inactive and perimeter areas, track out requirements, etc.) would be applied to future developments on a project-by-project basis in order to minimize those potential negative air quality effects. Emissions resulting from construction would be temporary and construction activities and associated emissions would cease following completion of each housing development.

Operations-generated emissions are primarily associated with motor vehicle use and area sources, such as the use of landscape maintenance equipment and architectural coatings. Future development

operational emissions would be associated with area sources, energy sources, and mobile sources (i.e., motor vehicle use). Each of these sources are described below.

- **Area Source Emissions.** Area source emissions would be generated due to household equipment, architectural coating, and landscaping that may be conducted on each future development site.
- **Energy Source Emissions.** Energy source emissions would be generated due to electricity and natural gas usage associated with the future development operations. Primary uses of electricity and natural gas by the Project would be for common household appliances and other powered items.
- **Mobile Source.** Mobile sources are emissions from motor vehicles, including tailpipe and evaporative emissions. Depending upon the pollutant being discussed, the potential air quality impact may be of either regional or local concern. For example, ROG, NO_2, PM_{10}, and $PM_{2.5}$ are all pollutants of regional concern. NO_2 and VOC react with sunlight to form O_3, known as photochemical smog. Additionally, wind currents readily transport PM_{10}, and $PM_{2.5}$. However, CO tends to be a localized pollutant, dispersing rapidly at the source. Operations-generated vehicle emissions are based on the trip generations and would be incorporated into future studies and CalEEMod as recommended by the SCAQMD.

In analyzing cumulative impacts for future housing development facilitated by the HEU, an analysis must specifically evaluate a development's contribution to the cumulative increase in pollutants for which the CARB is designated as nonattainment for the CAAQS and NAAQS. The CARB has been designated as a federal nonattainment area for O_3, PM_{10}, and $PM_{2.5}$. The CARB has been designated as a state nonattainment area for O_3, $PM_{2.5}$, and lead. The nonattainment status is the result of cumulative emissions from all sources of these air pollutants and their precursors within the CARB. The non-attainment status of these and other criteria pollutants are summarized in ***Table 4.3-3, South Coast Air Basin Attainment Status.*** Future housing developments would be required to demonstrate that VOC, NO_2, CO, SO_2, PM_{10}, or $PM_{2.5}$ emissions would be below the significance thresholds for both construction and operational activities.

Future development facilitated by the Project would be required to comply with local standards set by SACQMD including the established thresholds of significance which are summarized in ***Table 4.3-4, South Coast Air Quality Management District Emissions Thresholds (Maximum Pounds Per Day).*** Furthermore, future development would be required to analyze potential conflicts in development with SCAQMD's LSTs. These standards represent the maximum emissions that can be generated through the development and operation of a project without expecting to cause or substantially contribute to an exceedance of the most stringent state or federal ambient air quality standards. Considering these requirements, future development on candidate housing sites facilitated by the Project may result in a cumulatively considerable net increase of a criteria pollutant for which the CARB is in nonattainment under an applicable federal or state ambient air quality standard. Therefore, mitigation is proposed which would strive to minimize potential emissions by future development facilitated by the Project. Once implemented, mitigation would reduce this impact to less than significant levels.

Mitigation Measures

MM AQ-1: Prior to the issuance of grading permits for future housing development facilitated by the Project, the City shall confirm that the Grading Plan, Building Plans and Specifications require all construction contractors to comply with any SCAQMD standards designed to minimize construction emissions of criteria pollutants including O_3, PM_{10}, and $PM_{2.5}$. Applicable standards include those regarding dust and particulates (rules 402 and 403). The measures include, but are not limited to, the following:

- Portions of a construction site to remain inactive longer than a period of three months will be seeded and watered until grass cover is grown or otherwise stabilized.
- All on-site roads will be paved as soon as feasible or watered periodically or chemically stabilized.
- All material transported off-site will be either sufficiently watered or securely covered to prevent excessive amounts of dust.
- The area disturbed by clearing, grading, earthmoving, or excavation operations will be minimized at all times.
- Where vehicles leave a construction site and enter adjacent public streets, the streets will be swept daily or washed down at the end of the workday to remove soil tracked onto the paved surface.

Impact 4.3-3: Would the proposed project, expose sensitive receptors to substantial pollutant concentrations?

Level of Significance: Less than Significant Impact

As discussed above, the Project does not propose any development; however, the Project facilitates future housing development consistent with State Housing laws. The candidate housing sites were evaluated in this PEIR at a programmatic level, as discussed above. As a result, no air modeling was conducted for this analysis.

Future housing development facilitated by the Project could include emissions of pollutants identified by the state and federal government as TACs or HAPs. State law has established the framework for the state's TAC identification and control program, which is generally more stringent than the federal program and aimed at TACs that are a problem in the state. The greatest potential for TAC emissions during construction would be diesel particulate emissions from heavy equipment operations and heavy-duty trucks and the associated health impacts to sensitive receptors. However, it is unlikely that future housing development would require the extensive operation of heavy-duty construction equipment, which would be subject to a CARB Airborne Toxics Control Measure for in-use diesel construction equipment to reduce diesel particulate emissions, nor would future housing developments involve extensive use of diesel trucks, which are also subject to a CARB Airborne Toxics Control Measure.

The following measures are required by state law to reduce DPM emissions:

- Fleet owners of mobile construction equipment are subject to the CARB Regulation for in-use off-road diesel vehicles (13 CCR 2449), the purpose of which is to reduce DPM and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles.
- All commercial diesel vehicles are subject to Title 13, Section 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to five minutes; electric auxiliary power units should be used whenever possible.

The SCAQMD has set its CEQA significance thresholds based on the FCAA, which defines a major stationary source (in extreme O_3 nonattainment areas such as the SCAB) as emitting 10 tons per year. The thresholds correlate with the trigger levels for the federal New Source Review (NSR) Program and SCAQMD Rule 1303 for new or modified sources. The NSR Program[13] was created by the FCAA to ensure that stationary sources of air pollution are constructed or modified in a manner that is consistent with attainment of health-based federal ambient air quality standards. The federal ambient air quality standards establish the levels of air quality necessary, with an adequate margin of safety, to protect the public health. Therefore, projects would have to ensure that they do not exceed the SCAQMD's LSTs and mass emissions thresholds, or violate any air quality standards, or contribute substantially to an existing or projected air quality violation and pose no criteria pollutant health impacts.

According the SCAQMD's 2016 AQMP, O_3, NO_2, and VOC have been decreasing in the SCAB since 1975 and are projected to continue to decrease in the future. Although vehicle miles traveled in the SCAB continue to increase, NO_2, and VOC levels are decreasing because of the mandated controls on motor vehicles and the replacement of older polluting vehicles with lower-emitting vehicles. NO_2 emissions from electric utilities have also decreased due to the use of cleaner fuels and renewable energy. As discussed in impact discussion 4.3-1, the Project would involve the proposal of additional Safety Element policies to combat potential negative air quality effects associated with increased fuel combustion. These proposed policies include:

- **Proposed Policy S-7.1**: Continue to require environmental analysis for proposed projects which may produce harmful levels of greenhouse gas.
- **Proposed Policy S-7.4**: Promote alternative forms of energy production such as solar or wind power.

Although the SCAB is currently an attainment area for CO, there is a potential for the formation of microscale CO "hotspots" to occur immediately around points of congested traffic. Hotspots can form if traffic occurs during periods of poor atmospheric ventilation that is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and/or is operating on roadways already congested with existing traffic. Typically, high CO concentrations are associated with congested roadways. Similar to the decline of O_3, NO_2, and VOC above, CO concentrations have steadily declined in the state due to advancement of motor vehicle technology, turnover of older vehicles, introduction of

[13] Code of Federal Regulation (CFR) [i.e. PSD (40 CFR 52.21, 40 CFR 51.166, 40 CFR 51.165 (b)), Non-attainment NSR (40 CFR 52.24, 40 CFR 51.165, 40 CFR part 51, Appendix S).

cleaner fuels, and implementation of control technology on industrial facilities. As well, SCAQMD thresholds of significance and LSTs described in impact discussion 4.3-2 and ***Section 4.3.3, Standards of Significance*** would be required for future developments facilitated by the Project in order to minimize the generation of harmful pollutants. Furthermore, SCAQMD Rules such as Rule 1470, which applies to stationary fueled internal Combustion Engines. This rule encourages the use of mitigating practices such as the installation of DPM filters and the submittal of Compliance Status Reports to SCAQMD. Considering these requirements, future development on candidate housing sites would not expose sensitive receptors to substantial pollutant concentrations. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.3-4: ***Would the proposed project, in other emissions (such as those leading to odors) adversely affecting a substantial number of people?***

Level of Significance: Less than Significant

The SCAQMD CEQA Air Quality Handbook identifies certain land uses as sources of odors. These land uses include agriculture (farming and livestock), wastewater treatment plants, food processing plants, chemical plants, composting facilities, refineries, landfills, dairies, and fiberglass molding. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources.

However, future housing development facilitated by the Project could result in odors generated from vehicles and/or equipment exhaust emissions during construction. These odors are a temporary short-term impact that is typical of construction projects and would disperse rapidly. The Project would not include any of the land uses that have been identified by the SCAQMD as odor sources. Therefore, the Project would not create objectionable odors and a less than significant impact would occur.

Mitigation Measures

No mitigation measures are required.

4.3.5 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.3.6 Cumulative Impacts

The anticipated impacts associated with the Project, including future development on candidate housing sites facilitated by the Project, in conjunction with cumulative development in the City, would increase urbanization in an already generally urbanized area and could result in increased emissions of pollutants from construction and operations. Additionally, the SCAB has been designated as a federal nonattainment area for O_3, $PM_{2.5}$, and lead. The SCAB has been designated a state nonattainment area for O_3, PM_{10}, and $PM_{2.5}$. However, PM_{10} and $PM_{2.5}$ emissions associated with construction generally result in nearfield

impacts. The nonattainment status is the result of cumulative emissions from all sources of these air pollutants and their precursors within the SCAB.

Potential land use impacts are site-specific and would require evaluation of future housing development on a case-by-case basis. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential air quality impacts and identify necessary mitigation measures, where appropriate.

Consequently, future housing development facilitated by the Project would not result in significant environmental impacts from pollutant emissions, nor would future housing development conflict with or obstruct a state or local plan, ordinance, or standards aimed at avoiding or minimizing pollutant emissions. Therefore, the Project, including future housing development facilitated by the Project, would not cause a cumulatively considerable air quality impact, and no mitigation measures are required.

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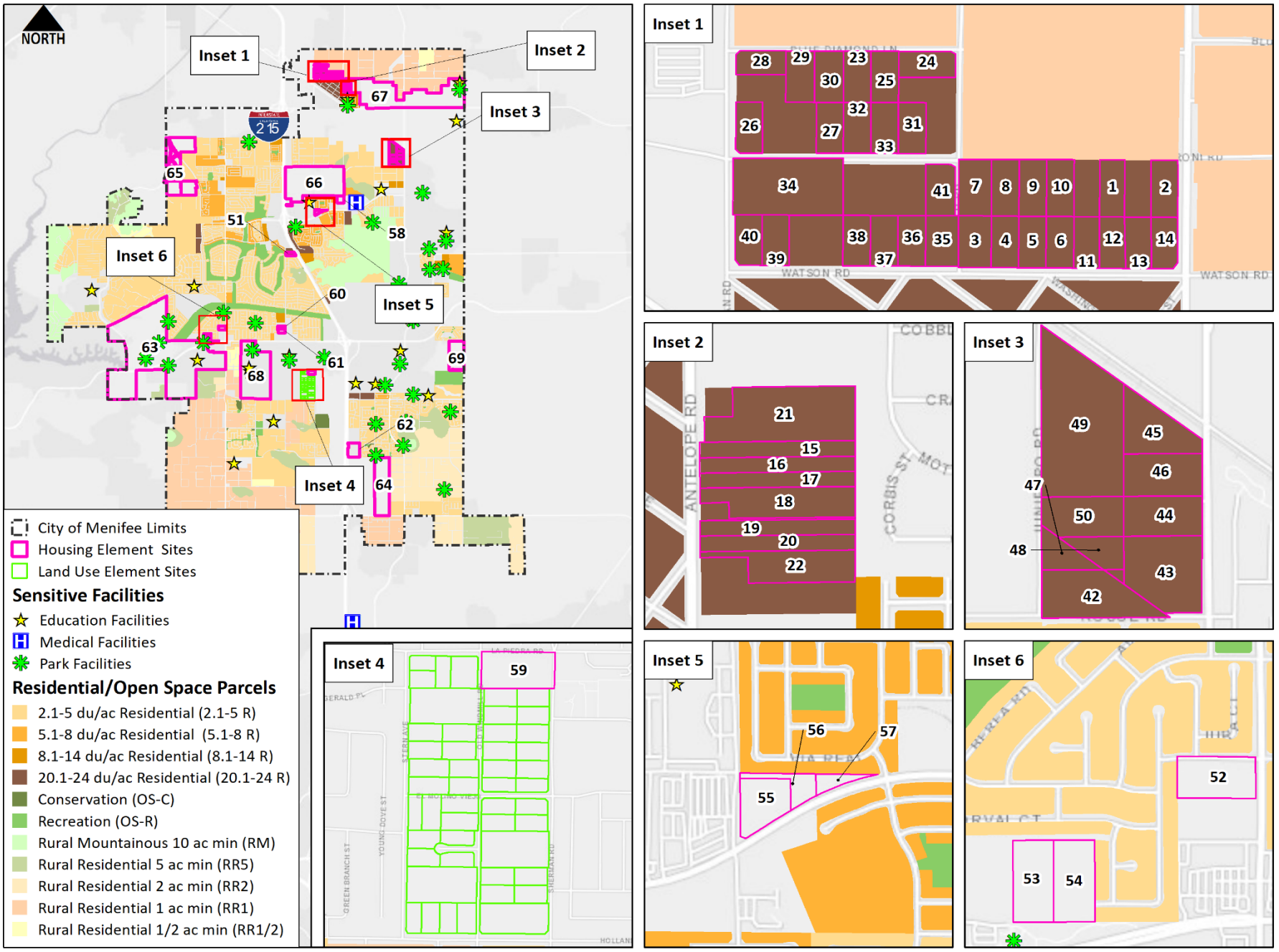


FIGURE 4.3-1: Sensitive Receptors

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

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4.4 BIOLOGICAL RESOURCES

This section of the Programmatic Environmental Impact Report (PEIR) is intended to analyze the potential impacts to biological resources based on implementation of the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). The analysis conducted in this section will be based on existing aesthetic conditions present in the City as well as applicable federal, State, and local regulations. Analysis of potential aesthetic impacts from development on candidate housing sites will identify impacts which may be significant. In cases where impacts may be significant, mitigation measures are proposed that may minimize aesthetic impacts, as needed.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.4.1 Environmental Setting

This section describes existing biological conditions found within the City and within the candidate housing sites. Generally, in order to establish existing biological conditions, a literature review would be conducted to review which special status plants and wildlife may exist at a site, followed by a site visit to map and assess vegetation quality to support special-status plants or wildlife (as well as to map non-special-status species), and to determine if focused wildlife surveys were necessary. The literature review would use the United States Fish and Wildlife Service (USFWS) National Wetlands Inventory, USFWS Critical Habitat and Occurrence Data, California Natural Diversity Database (CNDDB), and California Native Plant Society (CNPS) Inventory of Rare, Threatened, and Endangered Plants of California. These sources would generate a list of potential special-status plant species and special-status wildlife species that could be located within a candidate housing site. Field surveys by a qualified biologist would be conducted to confirm whether or not the identified species are present at a site. Pending the results of the field survey, measures would be developed, if required, to mitigate impacts. No biological surveys were conducted for this analysis, given it is being conducted at a programmatic level, as explained above.

The City exists within the Western Riverside Multiple Species Habitat Conservation Plan (WRMSHCP) Area encompassing 1.26 million acres of Riverside County (County). The WRMSHCP covers multiple species and multiple Habitats within a diverse landscape, from urban centers to undeveloped foothills and montane forests, all under multiple jurisdictions in order to preserve biological diversity and maintain the region's quality of life.

Vegetation

The City contains vegetation consistent with dry, hot regions nearby desert biomes and away from large bodies of water. Sensitive vegetation communities within the City are communities that are of highly limited distribution. Reasons for the sensitive status of vegetation communities include restricted range,

regional cumulative losses, and a high number of endemic sensitive plant and wildlife species that occur in the vegetation communities. These communities are considered sensitive whether or not they have been disturbed.

The WRMSHCP area is broken down into 14 vegetative communities which are described below, in ***Table 4.4-1, WRMSHCP Vegetative Communities***.

Table 4.4-1: WRMSHCP Vegetative Communities

Vegetation Community	Plan Area	Description
Montane Coniferous Forest	29,910 acres	Montane coniferous forest, contain relatively dense stands of trees including such communities as Jeffrey pine, lodgepole pine forest, lower montane coniferous forest, mixed evergreen forest, Southern California white fir forest and subalpine coniferous forest.
Woodland and Forests Black Oak	34,300 acres	Woodlands and forests are composed of black oak forest, broad-leaved upland forest, oak woodlands and peninsular juniper woodland Vegetation Communities. This Vegetation Community can occur along streams, within canyons and in varied topography. Woodlands and forests occur throughout the WRMSHCP Area.
Coastal Sage Scrub	156,450 acres	Coastal sage scrub is commonly characterized with low-statured, aromatic, drought deciduous shrubs and subshrub species. Composition of coastal sage scrub communities varies substantially depending on the physical circumstances and the successional status of the community.
Riversidean Alluvial Fan Sage Scrub	7,940 acres	Riversidean alluvial fan sage scrub is a Mediterranean shrubland type that occurs in washes and on gently sloping alluvial fans. Alluvial scrub is made up predominantly of drought deciduous soft-leaved shrubs, but with significant cover of larger perennial species typically found in chaparral.
Desert Scrub	14,570 acres	Desert scrub occurs largely in the southeastern portion of the WRMSHCP Area. Desert scrub is typically composed of shrubs while the herbaceous cover generally is dominated by a mixture of perennial bunch grasses. Annual grasses and forbs may also occur within big sagebrush scrub.
Chaparral	434,950 acres	Chaparral is a shrub-dominated Vegetation Community that is composed largely of evergreen species that range from 1 to 4 m in height.
Playas and Vernal Pools	7,910 acres	Vernal pools are temporary water bodies in wetlands that contain substrate near the surface that restricts the downward percolation of water. Vernal pools are well-known for containing high percentage of endemic species as well as rare, threatened, or endangered species.
Grassland	154,140 acres	Two general types of grasslands occur in Southern California: (1) Non-native dominated, primarily annual grassland ("nonnative grassland"); and (2) Native dominated, perennial grassland ("valley and foothill grassland"). The only valley and foothill grasslands mapped within the Plan Area are distributed on the Santa Rosa Plateau. Non-native grasslands occur throughout the majority of the WRMSHCP Area, usually within close proximity to urbanized or agricultural land uses.

Vegetation Community	Plan Area	Description
Riparian Scrub, Woodland, Forest	15,030 acres	Riparian forest, woodland, and scrub subtypes are distributed in waterways and drainages throughout much of the Western portion of the County. Riparian communities typically consist of one or more deciduous tree species with an assorted understory of shrubs and herbs.
Meadows and Marshes	1,020 acres	Meadow and marsh Vegetation Communities occur in both flowing and still water. Communities with this designation includes including coastal and valley freshwater marsh, undifferentiated marsh, and wet montane meadow.
Cismontane Alkali Marsh	1,260 acres	Cismontane alkali marshes contain mostly low, perennial, herbaceous plants adapted to places where standing water or saturated soils remain for longer periods. High evaporation and low input of freshwater render these marshes somewhat alkaline.
Water	12,210 acres	Open water typically contains limited vegetation or remains unvegetated due to a lack of light penetration. However, open water may contain suspended organisms such as algae, phytoplankton, and desmids. Open water includes inland depressions, ponds, lakes, reservoirs, stream channels containing standing water and often occur in conjunction with riparian and upland Vegetation Communities. Depth may vary from hundreds of meters to a few centimeters.
Developed/Disturbed Land	218,260 acres	Developed or disturbed lands consist of areas that have been disced, cleared, or otherwise altered. Developed lands may include roadways, existing buildings, and structures.
Agricultural Land	169,480 acres	Agricultural lands include areas occupied by dairies and livestock feed yards or areas that have been tilled for use as croplands or groves/ orchards.

Source: Riverside County Transportation and Land Management Agency (RCTLMP). (2003). Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Pages 2-17 through 2-28. Encinitas, CA: Dudek and Associates.
WRMSHCP = Western Riverside Multiple Species Habitat Conservation Plan

The City exists within the Sun City/Menifee Area Plan of the WRMSHCP which contains two subunit areas: the Warm Springs Creek/French Valley (Subunit 1) and Lower Sedco Hills (Subunit 2). According to the Criteria of the MSHCP Conservation Area map for the Sun City/Menifee Area Plan, the City contains woodlands and forests; coastal sage scrub; chaparral; grassland; riparian scrub, woodland, forest; water; developed land; and agricultural vegetation communities.[1]

The Menifee General Plan (Menifee GP) summarizes the vegetation available within the City. Vegetation communities within the City included chaparral, coast live oak woodland, dairy/livestock fields, field cropland, grove/orchard, non-native grassland, oak woodland, open water/reservoir/pond, residential/ urban/exotic, riparian scrub, Riversidean sage scrub, and southern cottonwood/willow riparian.[2] The consistency of these vegetation communities with those described in the WRMSHCP are summarized in ***Table 4.4-2, City of Menifee Consistency with WRMSHCP Vegetation Communities***.

[1] Riverside County Transportation and Land Management Agency (RCTLMP). (2003). Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Page 3-379. Encinitas, CA: Dudek and Associates.
[2] City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Exhibit OSC-7: Biological Resources. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1088/ExhibitOSC-7_Biological_Resources_HD0913?bidId= (Accessed May 12, 2021)

Table 4.4-2: City of Menifee Consistency with WRMSHCP Vegetation Communities

Menifee General Plan Designation	Equivalent WRMSHCP Designation
Chaparral	Chaparral
Coast Live Oak Woodland	Woodland and Forests
Oak Woodland	
Dairy/Livestock Fields	Agricultural Land
Field Cropland	
Grove/Orchard	
Non-Native Grassland	Grassland
Open Water/Reservoir/Pond	Water
Residential/Urban/Exotic	Developed/Disturbed Land
Riparian Scrub	Riparian Scrub, Woodland, Forest
Southern Cottonwood/Willow Riparian	
Riversidean Sage Scrub	Coastal Sage Scrub

Source: Riverside County Transportation and Land Management Agency (RCTLMP). (2003). Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Pages 2-17 through 2-28. Encinitas, CA: Dudek and Associates.
City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Exhibit OSC-7: Biological Resources. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1088/ExhibitOSC-7_Biological_Resources_HD0913?bidId= (Accessed May 12, 2021)
WRMSHCP = Western Riverside Multiple Species Habitat Conservation Plan

As shown in ***Table 4.4-2, City of Menifee Consistency with WRMSHCP Vegetation Communities*** above, the 12 vegetative communities identified in the Menifee GP are consistent with eight of the classifications found in the WRMSHCP. ***Figure 4.4-1, City of Menifee Vegetative Communities*** displays the City's various vegetative communities.

Menifee Municipal Code (Menifee MC) §9.200 is the City's Tree Preservation Ordinance. This ordinance provides definitions and policies regarding trees within the City such as nuisance trees, protected trees, and heritage trees.

Wildlife Corridors

Habitat linkages and wildlife corridors are defined as areas that connect suitable wildlife habitat in a region otherwise fragmented by rugged terrain, changes in vegetation, or human disturbance. Natural features such as canyon drainages, ridgelines, or areas with vegetation cover provide corridors for wildlife travel. Habitat linkages and wildlife corridors are important because they provide access to mates, food, and water; allow the dispersal of individuals away from high population density areas; and facilitate the exchange of genetic traits between populations. Wildlife movement corridors are considered sensitive by resource and conservation agencies.

Wildlife corridors occur most often in land that has been undeveloped for urban or suburban uses such as residential communities or other high human occupation uses. A large wildlife corridor present in the City is Salt Creek which runs west to east across the center portion of the City and acts as a drainage corridor.

Special Status Species

A special status plant species is:

(1) listed by State or Federal agencies as threatened or endangered or are proposed for listing (State of California 2015b, 2015c, 2015d); or

(2) On California Rare Plant Rank 1B (considered endangered throughout its range) or California Rare Plant Rank 2 (considered endangered in California but more common elsewhere) of the California Native Plant Society (CNPS) Inventory of Rare and Endangered Vascular Plants of California (Inventory). Noteworthy plant species are those that are on California Rare Plant Rank 3 (more information about the plant's distribution and rarity needed) and California Rare Plant Rank 4 (plants of limited distribution) of the CNPS Inventory.

Special Status Plant Species

Three plant species marked for conservation occur within Subunit 1 of the Sun City/Menifee Area Plan of the WRMSHCP. These species include:

- Long-spined spine flower (*Chorizanthe polygonoides var. longispina*)
- Munz's onion (*Calochortus palmeri var. munzii*)
- Palmer's grapplinghook (*Harpagonella palmer*)

These plant species only occur within Subunit 1 with none of them occurring within Subunit 2. Furthermore, these species are considered for conservation and have been designated as adequately conserved within the WRMSHCP area. These species are not, however, federal or state listed special status species.

Special Status Wildlife Species

Seven wildlife species are known to historically occur within the City and Sun City/Menifee Area Plan of the WRMSHCP. These species include:

- Bell's sage sparrow (*Amphispiza belli belli*)
- Bobcat (*Lynx rufus*)
- Burrowing owl (*Athene cunicularia hypugaea*)
- Coastal California gnatcatcher (*Polioptila californica californica*)
- Grasshopper sparrow (*Ammodramus savannarum*)
- Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*)
- Quino checkerspot butterfly (*Euphydryas editha quino*)

All of the above listed wildlife species occur within Subunit 1 while all of the species except bobcat and burrowing owl occur within Subunit 2. Further, the list above contains five species listed as federal or state special status species. These species are bell's sage sparrow, burrowing owl, coastal California gnatcatcher, Southern California rufous-crowned sparrow, and the quino checkerspot butterfly.

In addition, where trees, shrubs or other vegetation occurs, there is a potential for nesting or migratory birds to be present that are regulated under the Migratory Bird Treaty Act (MBTA). Therefore, any future development would be required to comply with all Federal, State, and local regulations.

Jurisdictional Waters

Wetlands are ecosystems that flood with water, either permanently or seasonally. Wetlands may occur in channels, floodplains, seeps, springs, and along the margins of open bodies of freshwater (e.g., ponds, lakes). All wetland areas, wetland buffer areas, and non-wetland waters of the U.S. are considered sensitive. These communities are regulated by the U.S. Army Corps of Engineers (USACE), CDFW, Regional Water Quality Control Board, California Coastal Commission (Coastal Commission), and/or USFWS, depending upon the location and characteristics of the vegetation, soils, and hydrology present. The respective role each agency plays with respect to wetland resources is described below in ***Section 4.4.2, Regulatory Framework***.

In addition to wetlands, analyses for jurisdictional waters also include discussions, as applicable, for navigable waters, interstate waters, territorials' seas like oceans, interstate waters, impoundments, and tributaries. As shown in ***Table 4.4-2, City of Menifee Consistency with WRMSHCP Vegetation Communities***, the City does not currently contain wetlands designated areas.

4.4.2 Regulatory Setting

Federal

Federal Endangered Species Act

The Federal Endangered Species Act (FESA), as amended, protects, and conserves any species of plant or animal and their habitats that are threatened or endangered with extinction. The "take" of endangered species is prohibited under FESA §9. The term "take" in this instance means to "harass, harm, pursue, hunt, wound, kill, trap, capture, collect, or attempt to engage in any such conduct." FESA §7 requires federal agencies to consult with the USFWS on proposed federal actions that may affect any endangered, threatened, or proposed species or critical habitat that may support the species. FESA §4(a) requires that critical habitat be designated by the USFWS "to the maximum extent prudent and determinable, at the time a species is determined to be endangered or threatened." This provides guidance for planners/managers and biologists by indicating locations of suitable habitat and where preservation of a species has high priority. FESA §10 provides the regulatory mechanism for incidental take of a listed species by private interests and nonfederal government agencies during lawful activities. Habitat Conservation Plans (HCPs) for the impacted species must be developed in support of incidental take permits to minimize impacts to the species and formulate viable mitigation measures.

Migratory Bird Treaty Act

The Migratory Bird Treaty Act of 1918 (MBTA; 16 USC §703-712 et seq.) is a federal statute that affirms and implements four international conservation treaties that the United States entered into with Canada, Mexico, Japan, and Russia. This treaty is intended to protect shared migratory bird resources and ensures

the sustainability of populations. The MBTA governs the transportation of migratory birds, their eggs, their parts, and their nests. It also prohibits the sale, purchase, barter, or offering of these items, except under a valid permit or as permitted in the implementing regulations. USFWS administers permits concerning migratory birds in accordance with the MBTA. According to the Code of Federal Regulations (CFR), one can locate this list of protected migratory bird species under CFR Title 50 Part 10.13 (10.13 list).[3] The 10.13 list was last updated in 2020, incorporating the most current scientific information on taxonomy and natural distribution.

Clean Water Act, §404

The United States Army Corps of Engineers (Corps) regulates discharge of dredged or fill material into waters of the United States, including wetlands under the Clean Water Act (CWA).[4] Activities in waters of the United States regulated under this program include fill for development, water resource projects, infrastructure development and mining Projects. A permit is required before dredged or fill material may be discharged into waters of the United States, which entails assessment of potential adverse impacts to Corps wetlands and jurisdictional waters and any mitigation measures that the Corps requires unless the activity is exempt from §404 regulation (e.g., certain farming and forestry activities). Section 7 consultation with USFWS may be required for impacts to a federally listed species. If cultural resources may be present, §106 review may also be required. When a §404 permit is required, a §401 Water Quality Certification is also required from the Regional Water Quality Control Board (RWQCB).[5]

Clean Water Act, §§401 and 402

Section 401(a)(1) of the CWA specifies that any applicant for a federal license or permit to conduct any activity that may result in any discharge into navigable waters shall provide the federal permitting agency with a certification, issued by the state in which the discharge originates, that any such discharge will comply with the applicable provisions of the CWA. In California, the applicable RWQCB must certify that the Project will comply with water quality standards. Permits requiring §401 Certification include Corps §404 permits and National Pollutant Discharge Elimination System (NPDES) permits issued by the U.S. Environmental Protection Agency (EPA) under §402 of the CWA. NPDES permits are issued by the applicable RWQCB. The majority of the City is in the jurisdiction of the Santa Ana RWQCB (Region 8) with a small portion of the City's southeast corner in the San Diego Regional Water Quality Control Board (SDRWQCB).

[3] Code of Federal Regulations for MBTA. Retrieved from: https://www.ecfr.gov/cgi-bin/text-idx?SID=b85587342ebe4f607983dfb6d1e07461&mc=true&node=se50.1.10_113&rgn=div8

[4] Permit Program under CWA. Retrieved from: https://www.epa.gov/cwa-404/permit-program-under-cwa-section-404#:~:text=Section%20404%20of%20the%20Clean%20Water%20Act%20(CWA)%20establishes%20a,the%20United%20States%2C%20including%20wetlands.&text=Proposed%20activities%20are%20regulated%20through,required%20for%20potentially%20significant%20impacts.

[5] EPA. (2019*). Exemptions to Permit Requirements under CWA Section 404.* Accessed December 29, 2020. Available at https://www.epa.gov/cwa-404/exemptions-permit-requirements-under-cwa-section-404

State

California Fish and Game Code, §1600

The California Fish and Game Code §1600 requires a Project proponent to notify the California Department of Fish and Wildlife (CDFW) of any proposed alteration of streambeds, rivers, and lakes. The intent is to protect habitats that are important to fish and wildlife. CDFW may review and place conditions on the Project, as part of a Streambed Alteration Agreement (SAA), that address potentially significant adverse impacts within CDFW's jurisdictional limits.

California Fish and Game Code, §3503.5, 3511, 3515

Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, §3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, §3515 states that it is unlawful to take any non-game migratory bird protected under the MBTA.

California Endangered Species Act

The California Endangered Species Act (CESA), enacted in 1970 and amended in 1984, is a California law that conserves and protects plant and animal species at risk of extinction. It generally parallels the main provisions of the FESA and is administered by the CDFW. Plant and animal species may be designated threatened or endangered under CESA after a formal listing process by the California Fish and Game Commission (CFGC). With already approximately 250 species currently listed, a CESA-listed species, or any part or product of the plant or animal, may not be imported into the state, exported out of the state, "taken" (i.e., killed), possessed, purchased, or sold without proper authorization. Implementation of CESA has reduced and avoided impacts to California's most imperiled plants and animals, has protected hundreds of thousands of acres of vital habitat, and has led to a greater scientific understanding of California's incredible biodiversity. Candidate species may be afforded temporary protection as though they were already listed as threatened or endangered at the discretion of the Fish and Game Commission. Unlike the FESA, CESA does not include listing provisions for invertebrate species. Under certain conditions and if the take is incidental to otherwise lawful activities, CESA has provisions for take through Incidental Take Permits (ITP); 2081b or memorandum of understanding (MOU). In addition, some sensitive mammals and birds are protected by the state as "fully protected species." California "species of special concern" are species designated as vulnerable to extinction due to declining population levels, limited ranges, and/or continuing threats. This list is primarily a working document for the CDFW's CNDDB, which maintains a record of known and recorded occurrences of sensitive species. Informally listed taxa are not protected per se but warrant consideration in the preparation of biological resources assessments.

Porter-Cologne Water Quality Control Act

The Porter-Cologne Act provides for statewide coordination of water quality regulations. The SWRCB was established as the statewide authority and nine separate RWQCBs were developed to oversee water quality on a day-to-day basis.

The SWRCB is the primary agency responsible for protecting water quality in California. As discussed above, the RWQCBs regulate discharges to surface waters under the CWA. In addition, the RWQCBs are responsible for administering the Porter-Cologne Act.

Pursuant to the Porter-Cologne Act, the state is given authority to regulate waters of the state, which are defined as any surface water or groundwater, including saline waters. As such, any person proposing to discharge waste into a water body that could affect its water quality must first file a Report of Waste Discharge if §404 of the CWA is not required for the activity. "Waste" is partially defined as any waste substance associated with human habitation, including fill material discharged into water bodies.

Natural Community Conservation Planning Act

In 1991, the California Natural Community Conservation Planning Act (NCCP Act; CFGC §1900 et seq.) was approved and the NCCP Coastal Sage Scrub program was initiated in Southern California. California law (CFGC §2800 et seq.) established the NCCP program "to provide for regional protection and perpetuation of natural wildlife diversity while allowing compatible land use and appropriate development and growth." The NCCP Act encourages preparation of plans that address habitat conservation and management on an ecosystem basis rather than one species or habitat at a time.

CDFW Lake and Streambed Alteration Program

The Lake and Streambed Alteration Program requires that an entity shall not substantially divert or obstruct the natural flow of, or substantially change or use any material from the bed, channel, or bank of, any river, stream, or lake, or deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake.

Local

Western Riverside Multiple Species Habitat Conservation Plan

The WRMSHCP is a comprehensive, multi-jurisdictional HCP focused on the habitats existing in the western portion of the County. The plan covers the County area west of the crest of the San Jacinto Mountains to the Orange County line, as well as the jurisdictional areas of the Cities of Temecula, Murrieta, Lake Elsinore, Canyon Lake, Norco, Corona, Riverside, Moreno Valley, Banning, Beaumont, Calimesa, Perris, Hemet, and San Jacinto. The City is a jurisdictional entity within the WRMSHCP. Specifically, the City is within the Sun City/Menifee Area Plan of the WRMSHCP.

City of Menifee General Plan

Open Space and Conservation Element

Goal OSC-8 Protected biological resources, especially sensitive and special status wildlife species and their natural habitats.

Policy OSC-8.1 Work to implement the Western Riverside County Multiple Species Habitat Conservation Plan in coordination with the Regional Conservation Authority.

Policy 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.

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

Policy 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.

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

City of Menifee Municipal Code

Menifee MC §9.200 contains the City's Tree Preservation Ordinance, which includes definitions and policies for trees within the City. Nuisance trees are defined as those that poses hazards to residents either through the blockage of signs, damage to public facilities, or the life and property of the City's residents. Protected trees include parkway trees and heritage trees. Heritage trees are those that have significant history and age or are located in a historically significant location.

4.4.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California or Department of Fish and Wildlife or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on any sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- Have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.

- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites.
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- Conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan, or other approved local, regional, or state HCP.

Methodology

This analysis considers the *State CEQA Guidelines,* Appendix G thresholds, as described above, in determining whether Project implementation would result in a substantial impact to biological resources (i.e., sensitive species and vegetation communities, protected wetlands, wildlife corridors), or if the Project would be consistent with habitat conservations plans. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs, the CNDDB and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent impact to biological resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies.

4.4.4 Project Impacts and Mitigation

Impact 4.4-1 ***Would the proposed project, have a substantial adverse effect, either directly or through habitat modifications, on any species identified as candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California or Department of Fish and Wildlife or U.S. Fish and Wildlife Service?***

Level of Significance: Less than Significant Impact with Mitigation Applied

The Project consists of updates to the City's housing element, land use element, safety element, and environmental justice policies. The environmental justice policy updates would be aimed at creating avenues for resources to be distributed to disadvantaged communities to improve health, recreation, and economic mobility through cleaner air, better access to transportation, education, and employment. The safety element update component would involve the creation of policies which would address hazards that the City may face due to growing climate change effects. A Climate Change Assessment was conducted for the City which discussed specific hazards that the City may face as an effect of increased climate change. These hazards included rising temperatures, extreme temperature days, and increased wildfire risks. The Project also includes updates to the City Housing Element which would comply with California Government Code (CGC) §§65580–65589.8. The Housing Element Update (HEU) would not directly propose the development of new housing units. However, the HEU would include provisions which would facilitate the future development of housing units to meet the City's Regional Housing Needs Assessment (RHNA) allocation of 6,609 housing units. 69 candidate housing sites were identified for the Housing Element Update which could generate an additional 8,696 housing units. An additional 48 parcels

were identified for the Land Use Element Update which could generate an additional 66 housing units. Combined the candidate sites could potentially accommodate 8,762 additional housing units. The land use element update is proposed which would adopt the land use and zoning designation changes to 113 of the candidate sites as well as update the City's policies regarding the existing residential and Economic Development Corridor (EDC) land use designations. The updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element,
- Addressing residential in the EDC including removal of 15 percent overall limitation on residential and no stand-alone residential,
- Amending EDC Subearea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

No components of the Project would directly propose or require physical modifications to the City or existing structures. Although the Project does not directly propose development activities, future housing development may still be facilitated by Project implementation. However, future housing development facilitated by the Project would still be required to complete City review as well as environmental review in accordance with State CEQA Guidelines. Future development would also be required to comply with federal, state, and local regulations such as the CGC tit.14. §753.5, subd.(c)(1)(A)) which requires that developments submit a No Effect Determination (NED) for review by CDFW. In their review, the CDFW would determine if the site-specific development project qualifies for a NED based on whether the project would have an effect on wildlife and plant species. Qualifying projects would be those that are developed in urbanized or industrialized areas and involve modifications to existing structures. As shown in ***Appendix A, Candidate Sites***, 39 candidate sites are nonvacant parcels with varying levels of development and improvements. Future development on these sites would likely require NED review by the CDFW. Despite the City's urbanized status, the remaining candidate site parcels are vacant and would therefore, not qualify for NED review.

The City is within the Sun City/Menifee Area Plan of the WRMSHCP which has identified five species listed as federal or state special status species. Specifically, the five species were categorized as State or CDFW Species of Special Concern (SSC), USFW Endangered Species, and USFW Threatened Species (FT). The five special status species within the Sun City/Menifee Area Plan include:

- Bell's Sage Sparrow (SSC)
- Burrowing Owl (SSC)
- Coastal California Gnatcatcher (SSC) (FT)
- Southern California Rufous-Crowned Sparrow (SSC) , and
- Quino Checkerspot Butterfly (FE)[6]

[6] Riverside County Transportation and Land Management Agency (RCTLMP). (2003). Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Pages 2-29 through 2-44. Encinitas, CA: Dudek and Associates

No special status plants were identified within the Sun City/Menifee Area Plan. The three identified plant species were considered adequately conserved within the WRMSHCP.

Direct impacts to special status wildlife and plant species could result from removal of occupied habitat on undeveloped candidate housing sites through grading and other land development activities. Additionally, indirect impacts to special status wildlife and plant species could result from excess noise, lighting, or runoff generated during housing site construction.

Figure 4.4-2, WRMSHCP Sun City/Menifee Area Plan displays Subunit 1 and Subunit 2 of the Sun City/ Menifee Area Plan which contain suitable habitat for the occurrence of special status species. However, it should be noted that the portions of the Sun City/Menifee Area Plan that is considered suitable to contain special status species is located in the southern extend of the plan area, away from all identified candidate housing sites. In accordance with Menifee GP Policy OSC-8.5, new residential development facilitated by the Project would have to identify ways to reduce potential impacts on the City's natural resources, including sensitive species. However, there remains a possibility for future development activities to encounter special status species. As previously stated, these future developments would be required to comply with applicable regulations including Menifee GP Policy OSC-8.5, and the MBTA.

Policy updates associated with the Housing Element, Land Use Element, and Environmental Justice Element would not affect the City's wildlife species or habitats. Therefore, impacts would be less than significant, and no mitigation would be required.

Mitigation Measures

No mitigation measures are required

Impact 4.4-2 ***Would the proposed project, have a substantial adverse effect on any sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?***

Level of Significance: Less than Significant Impact with Mitigation Applied

Sensitive vegetation communities which exist or have the potential to exist within the City include:

- Chaparral,
- Coast Live Oak Woodland,
- Dairy/Livestock Fields,
- Field Cropland,
- Grove/Orchard,
- Non-Native Grassland,
- Oak Woodland,
- Open Water/Reservoir/Pond,
- Residential/Urban/Exotic,

- Riparian Scrub,
- Riversidean Sage Scrub, and
- Southern Cottonwood/Willow Riparian.[7]

Table 4.4-2, City of Menifee Consistency with WRMSHCP Vegetation Communities, above summarizes the City's sensitive vegetation communities and their eight corresponding classifications within the WRMSHCP. According to the Menifee GP Exhibit OSC-7, multiple candidate sites are within sensitive vegetation communities within the City. ***Table 4.4-3, Candidate Sites Vegetation Communities*** describes the correlating vegetation communities for each candidate site.

Table 4.4-3: Candidate Sites Vegetation Communities

Candidate Site No.	Menifee General Plan Designation	Equivalent WRMSHCP Designation
64	Chaparral	Chaparral
63	Coast Live Oak Woodland	Woodland and Forests
63	Oak Woodland	
69	Dairy/Livestock Fields	Agricultural Land
42 – 50, 53, 54, 62, 64	Field Cropland	
-	Grove/Orchard	
55 – 58, 60, 63, 65, 68,	Non-Native Grassland	Grassland
-	Open Water/Reservoir/Pond	Water
1 – 41, 51, 52, 59, 61, 63, 66, 67, 68	Residential/Urban/Exotic	Developed/Disturbed Land
63	Riparian Scrub	Riparian Scrub, Woodland, Forest
-	Southern Cottonwood/Willow Riparian	
63, 65, 68, 69	Riversidean Sage Scrub	Coastal Sage Scrub

Source: Riverside County Transportation and Land Management Agency (RCTLMP). (2003). Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Pages 2-17 through 2-28. Encinitas, CA: Dudek and Associates.
City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Exhibit OSC-7: Biological Resources. Retrieved from: https://www.cityofmenifee.us/Document+Center/View/1088/ExhibitOSC-7_Biological_Resources_HD0913?bidId= (Accessed May 12, 2021)
WRMSHCP = Western Riverside Multiple Species Habitat Conservation Plan

The majority of candidate housing sites identified for the Project are located exclusively in land areas classified by the WRMSHCP as developed/disturbed land or agricultural land. Both these land types involve human occupation and usage which would dissuade sensitive species from cultivating in these areas. The remaining candidate sites are located in areas which could contain sensitive vegetation species. Because no site-specific field surveys were conducted for the Project, the identification of candidate housing sites with the potential to support sensitive vegetation communities were based on programmatic sources such as the Menifee GP and WRMSHCP data. Where sensitive vegetation communities are assumed to be present, site-specific surveys would be required prior to approval of future residential development facilitated by the Project to verify and confirm the presence of sensitive vegetation communities occurring on individual candidate housing sites and determine the extent of any potential impacts. **Mitigation Measure (MM) BIO-1** has been proposed to coincide with Menifee GP Policy OSC-8.5 to ensure that these areas are adequately studied during future development. Therefore, impacts would be mitigated to a less than significant level.

[7] City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Exhibit OSC-7: Biological Resources. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1088/ExhibitOSC-7_Biological_Resources_HD0913?bidId= (Accessed May 12, 2021)

Mitigation Measures

MM BIO-1: Applications for future housing development facilitated by the Project, where the City has determined a potential for impacts to special-status wildlife and plants species, shall be required to comply with the following mitigation framework:

Prior to the issuance of any permit for future development consistent with the Project, a site-specific general biological resources survey shall be conducted on candidate housing sites to identify the presence of any sensitive biological resources, including any sensitive plant or wildlife species. A biological resources report shall be submitted to the City to document the results of the biological resources survey. The report shall include

(1) the methods used to determine the presence of sensitive biological resources;

(2) Vegetation mapping of all vegetation communities and/or land cover types;

(3) The locations of any sensitive plant or wildlife species;

(4) An evaluation of the potential for occurrence of any listed, rare, and narrow endemic species; and

(5) An evaluation of the significance of any potential direct or indirect impacts from the proposed project.

If potentially significant impacts to sensitive biological resources are identified, future project-level grading and site plans shall incorporate project design features required by the applicant to minimize direct impacts on sensitive biological resources to the extent feasible, and the report shall also recommend appropriate mitigation to be implemented by the applicant to reduce the impacts to below a level of significance.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect the City's sensitive species. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.4-3 ***Would the proposed project, have a substantial adverse effect on State or Federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?***

Level of Significance: Less than Significant Impact.

The Project does not directly propose the alteration or removal of jurisdictional waters or wetlands within the City. As previously stated, future housing developments facilitated by the Project would be required to undergo analysis in order to ensure minimal environmental impacts due to their development. Of the identified candidate sites, site number 63 (Audie Murphy Ranch Specific Plan) contains a portion of riparian scrub according to the Menifee GP Exhibit OSC-7.[8] However, this specific plan has been previously approved and would not be modified by the Project. Furthermore, the Project has not identified candidate housing sites containing other riparian areas, wetland areas, or jurisdictional waters. Therefore, impacts would be less than significant with no mitigation required.

Mitigation Measures

No mitigation measures are required.

Impact 4.4-4 ***Would the proposed project, interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors or impede the use of native wildlife nursey sites?***

Level of Significance: Less than Significant Impact

Future housing development facilitated by the Project has the potential to impact nesting birds which have acclimated to urban life and nest and forage in the local trees and shrubs. These bird species are protected under the MBTA. State Fish and Game Commission §§3503 and 3503.5 further provides protections for the incidental take of nesting birds. Impacts are most likely to occur to nesting birds during the bird breeding season (February 1 to July 15 for raptors and January 15 to August 31 for other birds). Most of the candidate housing sites are of limited value for wildlife movement and corridors due to existing residential and commercial development and public infrastructure. As stated in impact discussion 4.4-1, 39 candidate sites located on nonvacant parcels. However, most candidate sites are located in a generally developed area which would limit the quantity of species unacclimated to urban activity.

Furthermore, the Project has not identified a candidate site in an area which would modify or impede the natural migratory patterns of native fish and aquatic species. Salt Creek acts as a natural wildlife corridor and would remain unmodified by the Project.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

[8] City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Exhibit OSC-7: Biological Resources. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1088/ExhibitOSC-7_Biological_Resources_HD0913?bidId= (Accessed May 12, 2021)

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect the City's wildlife corridors. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.4-5 ***Would the proposed project, conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?***

Level of Significance: Less than Significant Impact

The Project does not directly propose development of housing units which would modify or alter the physical nature of the City. Furthermore, the Project does not include actions which would conflict with established local policies protecting biological resources, such as Menifee MC §9.200. Future housing development facilitated by the implementation of the Project would be required to continue complying with the established biological policies enacted by the City. Potential impacts to vegetative resources are further discussed in impact discussions 4.4-1 and 4.4-2.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect the City's biological resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.4-6 ***Would the proposed project, conflict with the provisions of an adopted Habitat Conservation Plan (HCP), Natural Community Conservation Plan, or other approved local, regional, or state HCP?***

Level of Significance: Less than Significant Impact

The City exists within the Sun City/Menifee Area Plan of the WRMSHCP. Analysis within this section was based largely on information provided through the Menifee GP and the WRMSHCP document. Based on this information, no significant unavoidable impacts to biological impacts were identified. Furthermore, the candidate sites were not identified in Subunit 1 or Subunit 2, the areas with the highest chance of naturally occurring sensitive species. Due to a lack of significant impacts to sensitive species listed in the WRMSHCP, the Project would not conflict with the provisions provided in the plan.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect established HCP provisions. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

4.4.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts would occur.

4.4.6 Cumulative Impacts

Future housing development in accordance with the Project, in conjunction with cumulative development in the City, would increase housing development in developed and undeveloped areas which could result in impacts to biological resources. The candidate housing sites provide limited value as wildlife corridors due to their proximity to previous developments; however, Salt Creek, which functions as a wildlife

corridor, could be impacted by future development on sites adjacent to Salt Creek. Therefore, potential biological impacts would require evaluation on a case-by-case basis at the project level when future development is proposed. Each cumulative project would require separate discretionary permit approval and evaluation under CEQA, which would address potential biological resource impacts and identify necessary mitigation measures, where appropriate.

Consequently, the Project would not result in significant environmental impacts from the violation of biological resource requirements, the taking of special status plants or wildlife, or degradation of wildlife corridors. Therefore, with the implementation of mitigation and compliance with regulatory requirements, the Project's contribution to cumulatively considerable impacts on biological resources would be less than significant.

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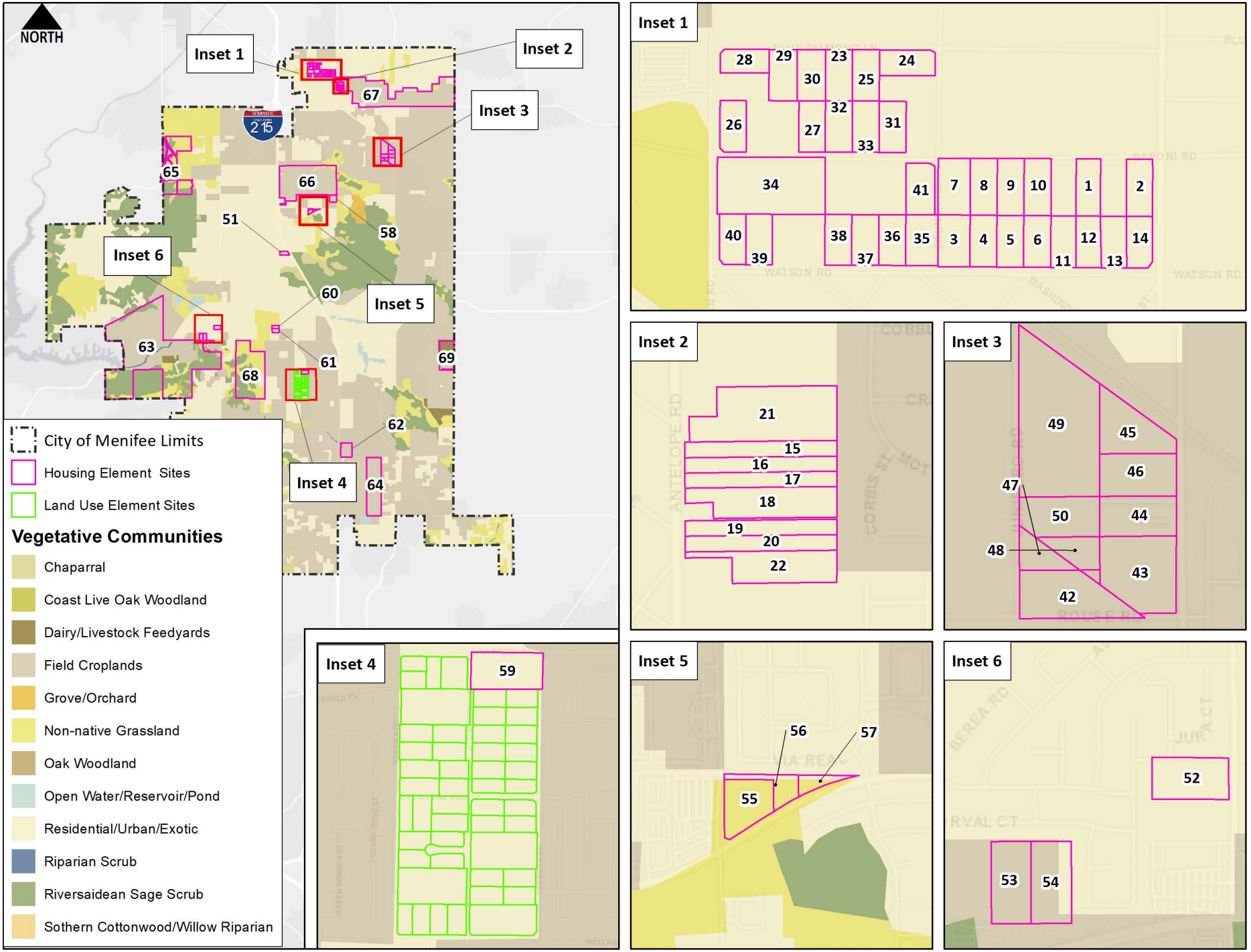
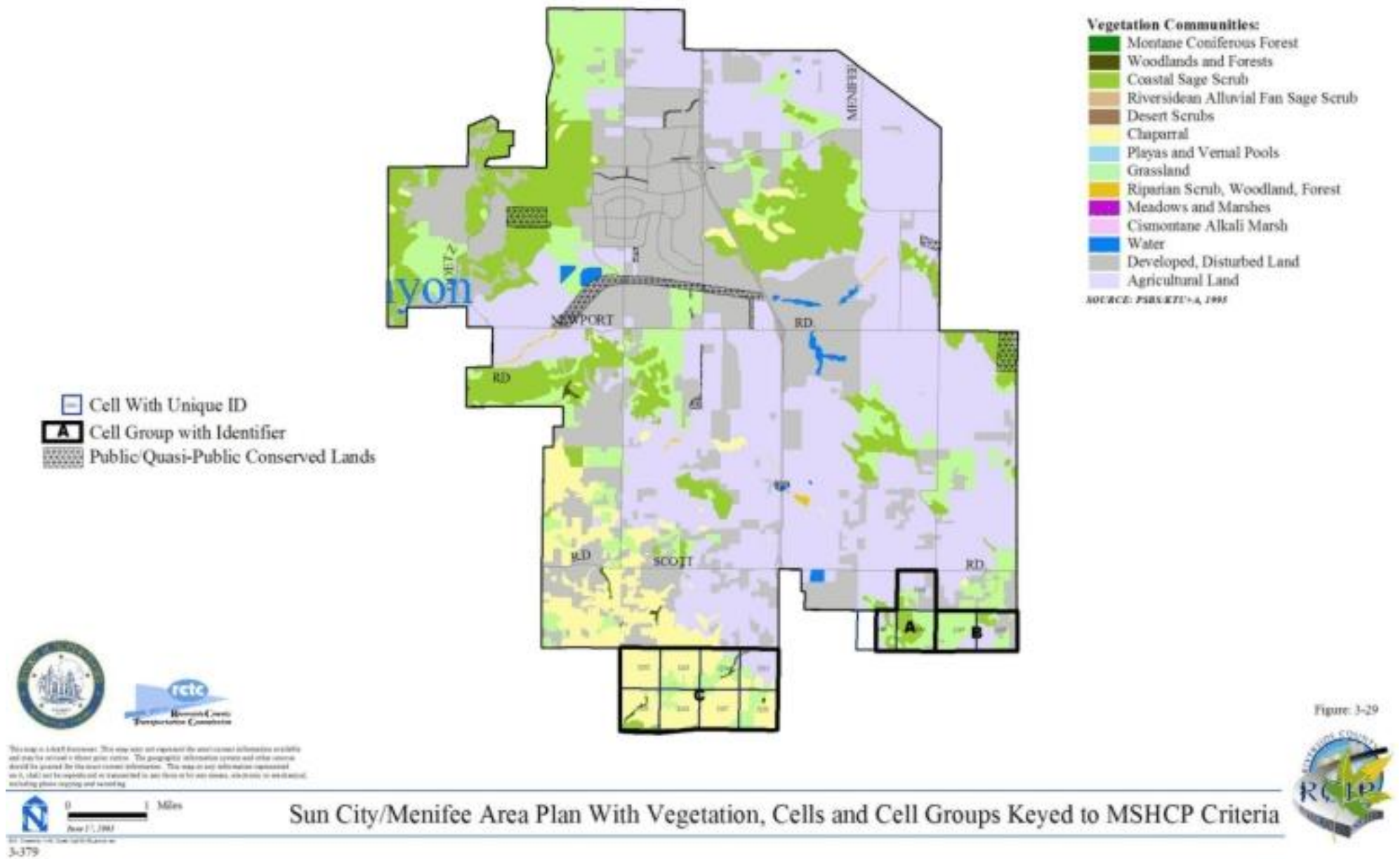


FIGURE 4.4-1: City of Menifee Vegetative Communities

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn



Source: Western Riverside Multiple Species Habitat Conservation Plan, 2002

FIGURE 4.4-2: WRMSHCP Sun City/Menifee Area Plan

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

4.5 CULTURAL RESOURCES

This section of the Programmatic Environmental Impact Report (PEIR) assesses the potential impacts to cultural resources as a result of implementing the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). Background for the analysis within this section is based on the existing cultural setting of the City of Menifee (City). Subsequently, analysis will be based on applicable Federal, State, and local regulations which provide a regulatory framework for impact determination. During analysis, if an impact is anticipated to be significant and unavoidable, mitigation measures would be proposed in order to reduce those impacts to less than significant levels.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis beyond currently available information would be too speculative to base an analysis of potential impacts resulting from future housing development facilitated by the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.5.1 Environmental Setting

Culturally Significant Periods

Prehistory

Occupation of the area which would become the City is estimated to have occurred within the early Holocene period, or approximately 8,000 to 11,000 years ago. The earliest settlers consisted of hunter-gatherer cultures. These cultures had advances to the point of using flaked stone tools. The existence of these early groups was identified in archeological deposits found at the Eastside Reservoir, the Lake Elsinore shoreline, and the area surrounding Mystic Lake in the San Jacinto Valley. As the climate began to warm 8,000 years ago, cultures inhabiting the City's area adapted to different tools such as ground stone tools instead of chipped or flaked stone. This ingenuity continued as the cultures developed bifacially worked dart points and grinding stones, hand-stones, and metates. The introduction of grinding stones signaled a change in overall diet for early cultures as grains and harvested foods were able to be ground into finer flours and materials.

Up to 1,500 years ago, industry had advanced to the usage of soapstone bowls, tiny projectile points (arrowheads), pottery vessels, rock paintings, and cremations. The last 1,500 years of civilization in the City area is divided into four periods:

- Saratoga Springs (1,500 to 750 years ago),
- The Late Prehistoric Period (750 to 410 years ago),
- The Protohistoric Period (410 to 180 years ago), and
- The Historic Period (within the last 180 years).

Starting 7,500 years ago, the City experienced consistent occupation and settlement by various cultures and societies. This is at least partially attributed to the more ideal climate found in the western Riverside County (County) area compared to other surrounding areas.[1]

Protohistoric and Historic Periods

Within the Protohistoric and Historic periods, multiple people groups and societies were encountered in the City area. The Luiseno Tribe occupied a wide territory that included the area which would later become the City. The Luiseno society utilized a variety of tools such as grinding slabs, shell and bone fishhooks, stone and shell ornaments, bone awls, wood throwing sticks, hammer stones, handstones, pestles, mortars, and drills. Luiseno culture also included many traditions which were used to address societal events such as girls' and boys' initiations, marriages, peace-making, hunting, and death rites. Artistic expression through mediums such as rock and sand painting would also be practiced during the traditional Luiseno rituals. Some of these art pieces are still visible on rock formations throughout the City.[2] In the modern day, many Luiseno descendants live within western Riverside County in the Pechanga, Soboba, and Pala tribal reservations.

Nearby cultures to the City during this period included the Cahuilla peoples east of the City, the Serrano peoples north of the City, and the Gabrielino peoples west of the City. Over the years these groups may have taken turns controlling the City area. Currently, it is unknown which culture occupied the area originally.[3]

Historical Periods

The historical period is further broken down into three subperiods. These include the Spanish Period (1769 to 1821), the Mexican Period (1822 to 1848), and the American Period (1848 to present).

The Spanish Period (1769 to 1821)

The Spanish period began in 1769 with Captain Gaspar de Portolá's land expedition and ended in 1821 and represented a time of European exploration and settlement. During this period, the Mission San Luis Rey was established (1798) and allowed for many Luiseno people to take up residence within their mission and surrounding villages. The nearest ranches to the City at the time were located in San Jacinto and in Temecula.[4] Despite the proximity to the nearby missions, the Menifee Valley did not have contact with the mission system.[5]

[1] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center

[2] City of Menifee (2013). *City of Menifee General Plan Open Space and Conservation Background Document & Definitions*. Pages 8 through 9. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1081/3_OSC_Background-Document_HD_0913?bidId= (Accessed May 17, 2021).

[3] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center

[4] Ibid.

[5] The Planning Center. (2010). *Archival Report for Cultural and Paleontological Resources: City of Menifee, Riverside County*. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1092/Archival-Report-for-Cultural-and-Paleontological-Resources?bidId= (Accessed May 17, 2021)

Mexican Period (1821 to 1848)

The mission system was secularized by the Mexican government during the Mexican Period, allowing for the dramatic expansion of the rancho system. The southern California economy became increasingly based on cattle ranching. Land grants were given to soldiers, citizens and a few Native Americans by Spanish authorities first, and then, after 1821, by Mexican Governors. Riverside County contained 16 land grants. However, none of these land grants were given for land in the City area. The City remained unclaimed through the Mexican Period until the American Period. However, the land would continue to be active and productive.

American Period (1848 to Present)

The Gold Rush of 1849 would see tremendous influx of Americans and Europeans flooding into southern California. Population growth data showed that the California population increased exponentially from 1847 to 1860 by over 300,000 residents. In 1880, years after the discovery of gold in southern California, Luther Menifee Wilson discovered gold about eight miles south of Perris. The area in which he discovered the gold deposit was named the Menifee Mining District. After the discovery, gold mining in western Riverside County expanded through the mid-1890s. After that time, mineral deposits decreased, and many mines and operations were unable to remain open for longer periods.

Despite the reduction of gold and the increasing volatility of the gold market, residents found suitable, stable work in more traditional businesses, ranching, and farming. The profitability of these market sectors further improved upon the completion of the transcontinental railroad in 1869. Farming activities were expanded by commercial enterprises in many areas of Southern California, including the Menifee Valley. A large scale commercial farm was purchased in the Menifee Valley by William Newport in 1885 and was expanded to 15,000 acres by 1906. The City area also contained other farming outfits, although at smaller scales.

The City continued to industrialize as time passed but remained largely residential due to its agricultural roots. As rail lines were laid across the City in the late 1880s, an influx of residents was experienced as well as an expansion of businesses. Damaged railroads left the City disconnected from important cities and commercial hubs in the late 1880s and early 1890s. Because of the limited connection to business centers and communities, agriculture remained the main character of the Menifee area. Population increased gradually over time but found renewed growth in the opening of Sun City in 1960. 5,000 residences were created through the development of Sun City by 1977.[6] The Residents of Sun City along with those from Quail Valley and Romoland agreed to incorporate into one city, Menifee, in June 2008. On October 1, 2008 the City was officially recognized as the County's 26th city.[7]

[6] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center

[7] The Planning Center. (2010). *Archival Report for Cultural and Paleontological Resources: City of Menifee, Riverside County*. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1092/Archival-Report-for-Cultural-and-Paleontological-Resources?bidId= (Accessed May 17, 2021)

Known Cultural Resources

The City of Menifee General Plan (Menifee GP) Open Space and Conservation Element identified culturally significant resources and locations within the City. These resources and locations include the Ringing Rock and Grandmother Oak. According to the Menifee GP EIR the City contains cultural assets which could be eligible as culturally significant. These resources are described in ***Table 4.5-1, Potentially Significant Cultural Resources***.

Table 4.5-1: Potentially Significant Cultural Resources

Resource	Eligibility	Adjacent Candidate Sites
Walden West Cabin	Eligible for listing in the NRHP	none
T.K. Ranch	Eligible for local listing	none
The Grandmother Oak	Locally significant	none
The Ringing Rock	Locally significant	Location unspecified
Quail Valley	Locally significant	none
Sun City	Locally significant	51, 65, 66, 67

Source: City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-7 to 5.5-9. Santa Ana, CA: The Planning Center
NRHP = National Register of Historic Places

The City also contains a portion of a culturally significant site within the County. Specifically, a site labeled CA-RIV-333 (Walker Ranch Site). This site is located east of Lake Elsinore on Walker Ranch. The site is known to contain bedrock milling features, pictographs, and cupules.[8]

4.5.2 Regulatory Setting

Federal

National Historic Preservation Act

The National Historic Preservation Act (NHPA)(16 U.S.C. 470 et seq.) establishes the country's policy for historical preservation and sets in place a program for the preservation of historical properties by requiring Federal agencies to consider effects to significant cultural resources (e.g., historical properties) prior to undertakings.

Section 106 of the Act requires Federal agencies to take into account the effects of projects on historical properties (resources included in or eligible for the National Register of Historic Places (NRHP)). It also gives the Advisory Council on Historic Preservation and the State Historic Preservation Office an opportunity to consult. Federal agencies issuing permits are required to comply with Act's requirements.

National Register of Historic Places

Federal criteria are those used to determine eligibility for the NRHP. The NRHP was established by the NHPA enacted in 1966 and is the official lists of sites, buildings, structures, districts and objects significant in American history, architecture, archaeology, engineering and culture. The NRHP criteria state that the

[8] Cameron, Constance. (1999). Determining Tribal Boundaries Through Potsherds – An Archeological Perspective. Page 112. Retrieved from: http://www.pcas.org/vol35n23/3523cameron.pdf (Accessed May 17, 2021).

quality of significance in American history, architecture, archaeology, engineering and culture is present in districts, sites, buildings, structures and objects that possess integrity of location, design, setting, materials, workmanship, feeling and association, and:

- Are associated with events that have made a significant contribution to the broad patterns in our history;
- Are associated with the lives of persons important in our past;
- Embody the distinctive characteristics of a type, period, region or method of construction, or represent the work of a master, or possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- Have yielded, or may be likely to yield, information important in prehistory or history.

Certain properties are usually not considered for eligibility for the NRHP. These include ordinary cemeteries, birthplaces or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved or reconstructed, properties primarily commemorative in nature, or properties that have become significant within the last 50 years. These types of properties can qualify if they are an integral part of a district that does meet the criteria or if they fall within certain specific categories relating to architecture or association with historically significant people or events. Most archaeological sites that qualify for listing do so based on historical information or the research potential to yield information important in prehistory or history.

Executive Order 11593 (May 13, 1971), 36 Code of Federal Regulations, §8921 as incorporated into Title 7, United States Code

Executive Order 11593, Protection of the Cultural Environment, orders the protection and enhancement of the cultural environment through providing leadership, establishing State offices of historic preservation, and developing criteria for assessing resource values.

State

The California Environmental Quality Act, Archaeological Resources

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines contain specific standards for determining the significance of impacts to archaeological sites (Public Resources Code [PRC] §21083.2; 14 California Code of Regulations [CCR] §15064.5(c)). If the lead agency determines a project may have a significant effect on unique archaeological resources, the PEIR must address those archaeological resources (PRC §21083.2(a)). A "unique archaeological resource" is defined as an "archaeological artifact, object, or site" that, without merely adding to the current body of knowledge:

- Contains information needed to answer important scientific research questions and in which there is a demonstrable public interest;
- Has a special or particular quality such as being the oldest of its type or the best available example of its type; or

- Is directly associated with a scientifically recognized important prehistoric or historic event or person. (PRC §21083.2(g)).
- Under CEQA, significant impacts on non-unique archaeological resources need not be addressed in an EIR. (PRC §21083.2(a), (h)).

The limitations in PRC §21083.2 relating to unique archaeological resources do not apply to archaeological sites that qualify as "historical resources." (PRC §21083.2(l)). If a lead agency finds that an archaeological site is a historical resource, impact assessment is governed by PRC §21084.1, which provides standards for identification of historical resources (14 CCR §15064.5(c)(2). See §§13.58, 20.94-20.98). The State CEQA Guidelines also provide that public agencies should seek to avoid effects that could damage a "historical resource of an archaeological nature" when it is feasible to do so (14 CCR §15126.4(b)(3)).

Public Resources Code §5097.5

California PRC §5097.5 prohibits excavation or removal of any "vertebrate paleontological site . . . or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. Section 5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

CEQA, Historic Resources

CEQA and the State CEQA Guidelines contain specific standards for determining the significance of impacts on "historical resources" (PRC §21084.1, 14 CCR §15064.5). A resource listed in the California Register of Historical Resources (CRHR) or determined by the State Historical Resources Commission to be eligible for listing in the Register, must be treated as a "historical resource" for purposes of CEQA. PRC §21084.1; 14 CCR §15064.5(a)(1). A resource designated as historically significant in a local register of historical resources or identified as significant in an approved historical resources survey, is presumed to be significant. The presumption of significance may be overcome if the agency concludes, based on a preponderance of the evidence, that the site is not historically or culturally significant (PRC §21084.1; 14 CCR §15064.5(a)(2)).

A lead agency may also find that a site that does not meet any of these criteria should be treated as a historical resource under CEQA (PRC §21084.1; 14 CCR §15064.5(a)(4)). A lead agency may find that "any object, building, structure, site, area, place, record, or manuscript" is historically significant or significant in the "cultural annals of California" provided that its determination is "supported by substantial evidence in light of the whole record" (14 CCR §15064.5(a)(3)). The guidelines also note that a resource ordinarily should be considered historically significant if it meets the criteria for listing on the CRHR (14 CCR §15064.5(a)(3)).

California Register of Historic Resources

Like the NRHP, the CRHR program established in 1992, encourages public recognition and protection of resources of architectural, historical, archaeological, and cultural significance; identifies resources for planning purposes; determines eligibility of state historic grant funding; and provides certain protections under CEQA. State criteria are those listed in CEQA and used to determine whether a historic resource qualifies for the CRHR.

A resource may be listed in the CRHR if it is significant at the Federal, state, or local level under one or more of the four criteria listed below:

- Is associated with events that have made a significant contribution to the broad patterns of local or regional history and cultural heritage of California or the U.S.
- Is associated with the lives of persons important to the country or to California's past.
- 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.
- Has yielded, or may be likely to yield, information important in prehistory or history of the state or country.

CEQA §15064.5 and §21083.2(g) define the criteria for determining the significance of historical resources. Archaeological resources are considered "historical resources" for the purposes of CEQA. Most archaeological sites which qualify for the CRHR do so based on historical information or the research potential to yield information important in prehistory or history of the state or country.

Since resources that are not listed or determined eligible for the state or local registers may still be historically significant, their significance shall be determined if they are affected by a project. The significance of a historical resource often rests on its ability to address important research questions about prehistory or history.

Mills Act

The Mills Act is a State law that allows cities to enter into contracts with the owners of historic structures. Such contracts require a reduction of property taxes in exchange for the continued preservation of the property. Under the Mills Act, property owners may enter into a 'Historic Property Preservation Agreement' with the City to preserve, maintain, and, if necessary, restore and/or rehabilitate a qualified historic structure. In return for the preservation and maintenance of the historic structure, the property owner is eligible for property tax relief. The County Tax Assessor is responsible for administering the valuation terms of the Agreement.

California Public Records Act

Sections 6254(r) and 6254.10 of the California Public Records Act (Government Code §6250 et seq.) were enacted to protect archaeological sites from unauthorized excavation, looting, or vandalism. Section 6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native

American graves, cemeteries, and sacred places and records of Native American places, features, and objects… maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports maintained by, or in the possession of, the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the Native American Heritage Commission, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a California Native American tribe and a state or local agency."

California Historical Landmarks

California Historical Landmarks (CHLs) are buildings, structures, sites, or places that have anthropological, cultural, military, political, architectural, economic, scientific or technical, religious, experimental, or other value and that have been determined to have statewide historical significance by meeting at least one of the criteria listed below. The resource also must have written consent of the property owner; be recommended by the SHRC; and be officially designated by the Director of California State Parks. The specific standards now in use were first applied in the designation of CHL No. 770. CHLs numbered 770 and above are automatically listed in the CRHR.

To be eligible for designation as a CHL, a resource must meet at least one of the following criteria:

- It is the first, last, only, or most significant of its type in the state or within a large geographic region (northern, central, or southern California);
- It is associated with an individual or group having a profound influence on the history of California; or,
- It is a prototype of, or an outstanding example of, a period, style, architectural movement, or construction or is one of the more notable works or the best surviving work in a region of a pioneer architect, designer, or master builder.

California Historical Resource Status Codes

In order to be considered as significant, a resource must meet at least one of the above-listed NRHP or CRHR criteria and retain enough integrity to support its period of significance and association within a historical context. A resource is assigned a California Historical Resource (CHR) status code following evaluation, which identifies its significance level. The status codes and descriptions are:

1. Properties listed in the NRHP or the CRHR.
2. Properties determined eligible for listing in the NRHP or CRHR.
3. Appears eligible for NRHP or CRHR through survey evaluation.
4. Appears eligible for NRHP or CRHR through other evaluation.
5. Properties recognized as historically significant by local government.
6. Not eligible for listing or designation as specified.
7. Not evaluated for NRHP or CRHR or needs re-evaluation.

Typically, resources designated as CHR Status Code 6 are determined ineligible for designation under any criteria and are not considered historical resources under. However, there are several subcategories that exist within each of the status codes that allow for various exemptions, such as whether a resource contributes to a Historic District.

California Historic Building Code

The California Historic Building Code (CHBC) provides guidelines for the preservation, restoration, rehabilitation, relocation, and reconstruction of buildings or structures designated as qualified historical buildings or properties by a local, state, or federal jurisdiction, as defined by CHBC §8-218. The CHBC provides guidelines for long-term preservation efforts of qualified historical buildings or properties to allow owners to make improvements for access for persons with disabilities; to provide a cost-effective approach to preservation; and, to ensure overall safety of affected occupants or users.

As defined by the CHBC, a "qualified historical building" is "any building, site, structure, object, district, or collection of structures, and their associated sites, deemed of importance to the history, architecture, or culture of an area by an appropriate local, state, or federal governmental jurisdiction. This includes designated buildings or properties on, or determined eligible for, official national, state, or local historical registers or official inventories, such as the NRHP, CRHR, CHLs, California Points of Historical Interest, and officially adopted city or county registers, inventories, or surveys of historical or architecturally significant sites, places, or landmarks.

California Health and Safety Code §§ 7050.5 and 7052

State Health and Safety Code (HSC), §7050.5, declares that, in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbance must cease, and the county coroner must be notified. HSC §7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives.

More precisely, if human remains are encountered, §7050.5 states that:

a) "Every person who knowingly mutilates or disinters, wantonly disturbs, or willfully removes any human remains in or from any location other than a dedicated cemetery without authority of law is guilty of a misdemeanor, except as provided in §5097.99[9] of the Public Resources Code. The provisions of this subdivision shall not apply to any person carrying out an agreement developed pursuant to subdivision (l) of §5097.94[10] of the Public Resources Code or to any person authorized to implement §5097.98[11] of the Public Resources Code.

b) 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 or disturbance of the site or any nearby

[9] State of California. (2011). PRC Section 5097.99. Retrieved from: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5097.99.&lawCode=PRC. (Accessed May 18, 2021).
[10] State of California. (2019). PRC Section 5097.94. Retrieved from: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5097.94.&lawCode=PRC. (Accessed May 18, 2021).
[11] State of California (2010). PRC Section 5097.98. Retrieved from: http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5097.98.&lawCode=PRC. (Accessed May 18, 2021).

area reasonably suspected to overlie adjacent remains until the coroner of the county in which the human remains are discovered has determined, in accordance with Chapter 10 (commencing with §27460) of Part 3 of Division 2 of Title 3 of the Government Code[12], that the remains are not subject to the provisions of §27491[13] of the Government Code or any other related 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 for the excavation, or to his or her authorized representative, in the manner provided in §5097.98[14] of the PRC. 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 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, he or she shall contact, by telephone within 24 hours, the NAHC."

California Penal Code §622.5

California Penal Code §622.5 provides misdemeanor penalties for injuring or destroying objects of historic or archaeological interest located on public or private lands but specifically excludes the landowner.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Open Space and Conservation Element

Goal OSC-5 Archaeological, historical, and cultural resources that are protected and integrated into the City's built environment.

Policy OSC-5.1 Preserve and protect significant archeological, historic, and cultural sites, places, districts, structures, landforms, objects and native burial sites, and other features, such as Ringing Rock and Grandmother Oak, consistent with state law.

Policy OSC-5.3 Preserve sacred sites identified by the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, such as tribal burial grounds, by avoiding activities that would negatively impact the sites through specific project design and other measures.

[12] State of California. (1947). GC Chapter 10. Retrieved from: https://leginfo.legislature.ca.gov/faces/codes_displayexpandedbranch.xhtml?lawCode=GOV&division=2.&title=3.&part=3.&chapter=10.&article=1.&goUp=Y. (Accessed May 18, 2021).

[13] State of California. (2016). GC Section 27491. Retrieved from: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=27491.&lawCode=GOV. (Accessed May 18, 2021).

[14] State of California. (2010). PRC Section 5097.98. Retrieved from State of California Website: https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=5097.98.&lawCode=PRC. (Accessed May 18, 2021).

Policy OSC-5.4 Establish clear and responsible practices in consultation with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians to identify, evaluate, and protect previously unknown archeological, historic, and cultural sites, following CEQA and NEPA procedure.

City of Menifee Municipal Code

The City of Menifee Municipal Code (Menifee MC) §4.2.020 defines historical structures within the City as those that are:

- Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
- Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either by an approved state program as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

4.5.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the CEQA Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5.
- Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5.
- Disturb any human remains, including those interred outside of formal cemeteries.

Methodology

This analysis considers the *State CEQA Guidelines,* Appendix G thresholds, as described above, in determining whether Project implementation would result in the significant impacts on cultural resources. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effect on cultural resources considers the relevant policies and regulations established by local and regional agencies, as well as the Project's compliance with these policies.

4.5.4 Project Impacts and Mitigation

Impact 4.5-1 Would the proposed project, cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Level of Significance: Less than Significant Impact with Mitigation Applied

Impacts to historical resources occur largely due to the physical modification of land and structures within the City. The Project does not include physical alterations to the City. Instead, the Project proposes multiple regulatory changes to the City's General Plan. The Project components includes an update to the City's Housing Element to coincide with the 2021 – 2029 planning period. The HEU would create new policies and programs within the City's housing element in order to ensure greater housing availability for residents of various income levels. Policies and programs included in the housing element update would facilitate the expansion of available housing in the City to meet the City's Regional Housing Needs Assessment (RHNA) allocation of 6,609 dwelling units (DUs). In order to ensure that the RHNA allocation is met, the City has identified 69 candidate housing sites which would allow for the future development of up to 8,696 DUs. As well, 48 sites were identified for inclusion in the Land Use Element Update which have the capacity to accommodate 66 additional units for a total of 8,762 future housing units facilitated by the Project. These candidate housing sites are spread throughout the City. ***Appendix A, Candidate Housing Sites*** summarizes the candidate sites as well as their included parcels. ***Figure 3-3, Candidate Housing Sites*** shows the location of the identified candidate housing sites within the City.

Accommodation of the City's RHNA allocation is also facilitated through GP land use amendments and rezoning of select parcels to allow for higher density residential development. Other amendments to the GP Land Use Element include amending the Economic Development Corridor standards through the removal of the 15 percent residential limitation. Other updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element, ,
- Amending EDC Subarea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

The candidate housing sites were evaluated in this PEIR at a programmatic level, as discussed above. As a result, no site-specific surveys were conducted for this PEIR analysis. Four candidate housing sites are located within or adjacent to listed or eligible culturally significant resources within the City. As shown in ***Table 4.5-1, Potentially Significant Cultural Resources***, candidate sites 51, 65, 66, and 67 are within the Sun City community. As an early settlement, Sun City played an important role in the growth of the City during the American Historical Period.

Future development facilitated by the Project would be required to preserve the cultural significance of the surrounding area as stated in Menifee GP Open Space and Conservation Element Policy OSC-5.1. Future housing developments would also be required under CEQA Guidelines to be evaluated at the time a specific development project is proposed. Candidate sites are not located within or adjacent to identified culturally significant resources within the City. Any future housing development on sites with potential

historic resources would require future site-specific evaluation prior to any alteration, demolition, relocation, or new development to determine any potential impacts, prior to approval of required permits. This site-specific analysis would be used to determine, prior to approval of future development permits, if proposed development has the potential to impact a significant historical resource, or whether the existing development or property is eligible for listing on the CRHR or local listing.

Generally, structures 50 years of age or older have the potential to be historic resources, based on NRHP guidelines. Structures must have retained their original integrity and context to be considered a historic resource. Any candidate housing site identified as part of the Project that is presently developed has the potential, however, to contain historical structures. As shown in **Appendix A, Candidate Sites**, 39 of the 69 candidate sites are nonvacant. To ensure the Project would not result in the alteration or destruction of a historic structure, object, or site, **Mitigation Measure (MM) CUL-1** is required, which specifies the mitigation framework for buildings in excess of 50 years of age.

A safety element update is included in the Project which would modify and create policies within the Menifee GP to enhance the City's resilience against hazards such as fire risks, flooding risks, and public safety. Updates to the safety element include requirements for compliance with the California Fire Code (CFC) and California Building Code (CBC). A Climate Vulnerability Assessment (CVA) was produced for the City in order to identify potential hazards facing the City as a result of continued climate change effects. Continued climate change effects were anticipated to include air quality impacts, increased average temperatures, more frequent extreme heat days, and the increased severity and frequency of wildfire events. Policies proposed for the safety element update are intended to further reduce the hazards associated with climate effects within the City.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect historical resources within the City. Therefore, with mitigation implemented, impacts would be less than significant.

Mitigation Measures

MM CUL-1 Applications for future development facilitated by the Project, where the City has determined a potential for impacts to historic resources, shall be required to comply with the following mitigation framework:

For any building/structures in excess of 50 years of age having its original structural integrity intact, the applicant shall retain a qualified professional historian to determine whether the affected building/structure is historically significant. The evaluation of historic architectural resources shall be based on criteria such as age, location, context, association with an important person or event, uniqueness, or structural integrity, as indicated in State CEQA Guidelines §15064.5. A historical resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of historical resources, identify potential impacts from the proposed project, and evaluate the significance of any historical resources identified.

Impact 4.5-2 Would the proposed project, cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Level of Significance: Less than Significant Impact with Mitigation Applied

The Project would not directly involve the development of additional housing units within the City. Instead, the Project would facilitate future housing development through the creation of housing programs as well as modifications to the City's land use element and safety element. Despite there being no direct modifications to the City proposed within the Project, future development facilitated by the Project retains the potential to impact undiscovered subsurface archaeological resources directly or indirectly through ground-disturbing activities such as grading or excavation. Undeveloped sites often have a higher potential for the presence of unknown archaeological resources as the likelihood of encountering archaeological resources is greatest on sites that have been minimally excavated in the past (e.g., undeveloped parcels, vacant lots, and lots containing undeveloped areas). Previously excavated areas are generally considered to have a low potential for archaeological resources, since the soil containing the archaeological resources has been removed or previously disturbed. Therefore, the undeveloped candidate housing sites, or sites with substantial portions undeveloped, also have potential to contain archaeological resources.

The majority of parcels associated with the identified candidate housing sites are currently vacant or undeveloped. ***Appendix A, Candidate Housing Sites*** summarizes the candidate sites as well as their included parcels. Thirty-nine (39) sites have been identified to be previously developed and nonvacant. The remaining majority of candidate housing sites are vacant and therefore retain a greater potential to contain significant or notable archaeological resources. Although the Project does not directly propose any development or construction of future housing development, future development facilitated by the Project has the potential to disturb and potentially negatively impact subsurface prehistoric/historic archaeological resources through grading and other earthmoving activities. Mitigation measure **MM CUL-2** would require the preparation of an archaeological survey, where deemed necessary by the City, in order to reduce impacts to less than significant level.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect archeological resources within the City. Therefore, with mitigation implemented, impacts would be less than significant.

Mitigation Measures

MM CUL-2 Applications for future development consistent with the Project, where the City has determined a potential for impacts to archeological resources, shall be required to comply with the following mitigation framework:

Prior to the issuance of any permit for future development located on a previously undisturbed site, the applicant shall retain a qualified archaeologist to conduct an archaeological survey to evaluate the presence of cultural resources and the need for project impact mitigation by preservation, relocation, or other methods. An archaeological resource report shall be submitted by the applicant to the City and shall include the methods used to determine the presence or absence of archaeological resources, identify potential impacts from the proposed project, and evaluate the significance of any archaeological resources identified. If there are potentially significant impacts to an identified archaeological/cultural resource, the report shall also recommend appropriate mitigation required by the applicant to reduce impacts to below a level of significance.

Impact 4.5-3 ***Would the proposed project, disturb any human remains, including those interred outside of formal cemeteries?***

Level of Significance: Less than Significant Impact with Mitigation Applied

The City currently contains one cemetery, the Menifee Valley Cemetery. The nearest candidate housing site to this cemetery is Site 65 (Cimarron Ridge Specific Plan) located approximately 0.5 miles west of the Menifee Valley Cemetery. Therefore, it is not expected human remains within a formal cemetery would be disturbed as a result of future development facilitated by the Project. However, despite the Project not directly proposing the development of housing units within the City, human remains could be uncovered during grading and ground moving activities occurring during future housing development facilitated by the Project. Thus, future construction of the candidate housing sites has the potential to disturb sacred human remains through grading, thereby resulting in a potentially significant impact.

In the unlikely event that human remains are discovered, the provisions set forth in California PRC §5097.98 and State HSC §7050.5 would be implemented in consultation with the assigned most likely descendant as identified by the NAHC. In this event, no further construction activities would be permitted until the coroner is contacted, as well as any applicable Native American tribes. The City would be required

to comply with the California Native American Graves Protection and Repatriation Act (2001) and the Federal Native American Graves Protection and Repatriation Act (1990). These regulations would address inadvertent uncovering of human remains during grading.

Policy updates associated with the Housing Element, Land Use Element, and Environmental Justice Element would not affect the City's treatment of remains. Therefore, with mitigation implemented, impacts would be less than significant.

Mitigation Measures

MM CUL-3 Applications for future development consistent with the Project, where the City has determined a potential for impacts to human remains, shall be required to comply with the following mitigation framework:

In the event that human remains are discovered or unearthed, all earth-disturbing work within a 100-meter radius of the location of the human remains shall be temporarily suspended or redirected by the applicant until a forensic expert retained by the applicant has identified and evaluated the nature and significance of the find, in compliance with State CEQA Guidelines 15064.5(f). If human remains of Native American origin are discovered or unearthed, the applicant shall contact the consulting tribe regarding any finds and provide information after the archaeologist makes his/her initial assessment of the nature of the find, so as to provide Tribal input concerning significance and treatment. After the find has been appropriately mitigated, as determined and documented by a qualified archaeologist, work in the area may resume.

4.5.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.5.6 Cumulative Impacts

As previously stated, the Project does not directly propose development but would increase the City's housing capacity consistent with State Housing law. The anticipated site-specific impacts of future development facilitated by the Project, in conjunction with cumulative development allowed in the City by existing development regulations, would increase the potential for housing development in an already urbanized area and could result in impacts to cultural resources. As well, the updates to the City's safety element would enhance the City's resilience against hazards associated with climate change such as increased wildfire risk. Potential cultural impacts are site-specific and would require site-specific evaluation on a case-by-case basis prior to approval of permits at the project level when future development is proposed in accordance with the Project. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential cultural resource impacts and identify necessary mitigation measures, where appropriate.

Consequently, the Project would not result in significant unavoidable environmental impacts to cultural resources; and as a component of State Housing Law, the Project would not conflict with or obstruct a state or local plan, ordinance, or standards aimed at avoiding or minimizing impacts to cultural resources. Therefore, with the implementation of mitigation and compliance with applicable regulations, the Project's contribution to a cumulatively considerable impact on cultural resources would be less than significant.

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4.6 ENERGY

The section of the Programmatic Environmental Impact Report (PEIR) evaluates potential impacts concerning energy that could result from the City of Menifee 6th Cycle Housing Element Update (HEU or Project), including housing development on the candidate housing sites facilitated by the Project. The energy analysis consists of a summary of the existing conditions in the Project area, the energy regulatory framework, a discussion of the Project's potential impacts on energy resources, and identification of mitigation that may reduce energy consumption, as needed.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City of Menifee (City) where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.6.1 Environmental Setting

Electricity and Natural Gas Services

The City is served by Southern California Edison (SCE), which spans much of southern California from Orange and Riverside counties on the south to Santa Barbara County on the west to Mono County on the north. [1] SCE provides electric power to more than 15 million persons in 15 counties and in 180 incorporated cities, within a service area encompassing approximately 50,000 square miles. SCE derives electricity from varied energy resources including fossil fuels, hydroelectric generators, nuclear power plants, geothermal power plants, solar power generation, and wind farms. [2]

Total electricity consumption in SCE's service area in gigawatt-hours (GWh) was 102,521 GWh in 2018. ***Table 4.6-1: SCE 2019 Power Content Mix*** identifies SCE's specific proportional shares of electricity sources in 2019. As indicated in ***Table 4.6-1: SCE 2019 Power Content Mix,*** the 2019 SCE Power Mix has renewable energy at 35.1 percent of the overall energy resources. Geothermal resources are at 5.9 percent, wind power is at 11.5 percent, large hydroelectric sources are at 7.9 percent, solar energy is at 16.1 percent, and coal is at 0 percent. Biomass and waste sources have decreased to 0.6 percent from 1 percent in 2016. Natural gas is at 16.1 percent having decreased from 20 percent in 2017.

[1] One GWh is equivalent to one million kilowatt-hours
[2] Southern California Edison. (2021). Retrieved from: https://www.sce.com/about-us/who-we-are. (accessed on May 24, 2021).

Table 4.6-1: SCE 2019 Power Content Mix

Energy Resources	2019 SCE Power Mix
Eligible Renewable*	35.1%
Biomass & Biowaste	0.6%
Geothermal	5.9%
Eligible Hydroelectric	1.0%
Solar	16.0%
Wind	11.5%
Coal	0.0%
Large Hydroelectric	7.9%
Natural Gas	16.1%
Nuclear	8.2%
Other	0.1%
Unspecified Sources of Power**	32.6%
Total	100%

* The eligible renewable percentage above does not reflect RPS compliance, which is determined using a different methodology.

**"Unspecified sources of power" means electricity from transactions that are not traceable to specific generation sources.

Source: Southern California Edison. 2019 Power Content Label. (2020). Retrieved from: https://www.sce.com/sites/default/files/inline-files/SCE_2019PowerContentLabel.pdf

Southern California Gas Company (SoCalGas) provides gas service in the City and has facilities throughout the City. The service area of SoCalGas spans much of the southern half of California, from Imperial County in the southeast to San Luis Obispo County in the northwest to part of Fresno County in the north to Riverside County and most of San Bernardino County in the east.[3] Gas demand for the state is projected to average 5,205 million cubic feet of gas per day (MMcf/d) in 2020 decreasing to 4,343 MMcf/d by 2035, a decline of 1.2 percent per year.[4]

Energy Usage

Energy usage is typically quantified using the British Thermal Unit (Btu). Total energy usage in the state was 7,967 trillion Btu's in 2018 (the most recent year for which this specific data is available), which equates to an average of 202 million per capita. Of the state's total energy usage, the breakdown by sector is 40 percent transportation, 23 percent industrial, 19 percent commercial, and 18 percent residential. In the state, electricity and natural gas is generally consumed by stationary users such as residences and commercial and industrial facilities, whereas petroleum is generally consumed by transportation-related energy uses.[5] In 2020, net taxable gasoline sales (including aviation gasoline) in the state accounted for 14,008,219,800 gallons of gasoline.[6]

[3] Southern California Gas Company. (2021). Retrieved from: https://www.energy.ca.gov/about (accessed May 24,2021).
[4] Southern California Gas Company. California Gas Report. (2020). Retrieved from: https://www.socalgas.com/sites/default/files/2020-10/2020_California_Gas_Report_Joint_Utility_Biennial_Comprehensive_Filing.pdf (accessed May 25, 2021).
[5] US Energy Information Administration. California State Energy Profile. (2021). Retrieved from: https://www.eia.gov/state/print.php?sid=CA
[6] California Department of Tax and Fee Administration. Net Taxable Gasoline Gallons. (2021). Retrieved from: https://www.cdtfa.ca.gov/taxes-and-fees/spftrpts.htm. (accessed May 25, 2021).

The electricity consumption attributable to Riverside County's residential and nonresidential land uses from 2011 through 2019 is shown in ***Table 4.6-2: Residential and Nonresidential Electricity Consumption in Riverside County***. As indicated in ***Table 4.6-2: Residential and Nonresidential Electricity Consumption in Riverside County***, residential and nonresidential demand have both remained relatively constant between 2011 and 2019, with no substantial increase, despite population growth.

The natural gas consumption attributable to residential and nonresidential land uses in Riverside County from 2011 through 2019 is shown in ***Table 4.6-3: Residential and Nonresidential Natural Gas Consumption in Riverside County***. As shown in ***Table 4.6-3: Residential and Nonresidential Natural Gas Consumption in Riverside County***, residential and nonresidential demand have remained relatively constant between 2011 and 2019, despite population growth.

Table 4.6-2: Residential and Nonresidential Electricity Consumption in Riverside County

Year	Nonresidential Electricity Consumption (million kilowatt-hours)	Residential Electricity Consumption (million kilowatt-hours)
2019	8,183.22	7,336.91
2018	8,244.62	7,632.84
2017	8,234.64	7,623.1
2016	8,249.06	7,160.30
2015	8,187.15	7,065.51
2014	8,770.8	6,763.14
2013	8,539.1	6,599.34
2012	8610.4	6,672.55
2011	7,834.4	6,577.8

Source: California Energy Commission. Electricity Consumption by County. 2019. Retrieved from: https://ecdms.energy.ca.gov/elecbycounty.aspx.

Table 4.6-3: Residential and Nonresidential Gas Consumption in Riverside County

Year	Nonresidential Natural Gas Consumption (million therms)	Residential Natural Gas Consumption (million therms)
2019	148.22	304.8
2018	139.2	259.34
2017	139.17	254.3
2016	143.3	252.7
2015	128.31	224.85
2014	123.41	207.34
2013	129.43	253.76
2012	130.24	243.24
2011	135.8	269.46

Source: California Energy Commission. Gas Consumption by County. 2019. Retrieved from: https://ecdms.energy.ca.gov/gasbycounty.aspx.

4.6.2 Regulatory Setting

Federal and state agencies regulate energy use and consumption through various means and programs. On the federal level, the United States Department of Transportation, the United States Department of Energy, and the U.S. Environmental Protection Agency (U.S. EPA) are three federal agencies with substantial influence over energy policies and programs. Generally, federal agencies influence and regulate transportation energy consumption through establishment and enforcement of fuel economy standards for automobiles and light trucks, through funding of energy-related research and development projects, and through funding for transportation infrastructure improvements. On the state level, the California Public Utilities Commission (CPUC) and the California Energy Commission (CEC) are two agencies with authority over different aspects of energy.

The CPUC regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies and serves the public interest by protecting consumers and ensuring the provision of safe, reliable utility service and infrastructure at reasonable rates, with a commitment to environmental enhancement and a healthy state economy.

The CEC is the state's primary energy policy and planning agency; it forecasts future energy needs, promotes energy efficiency, supports energy research, develops renewable energy resources and plans for/directs state response to energy emergencies. Some of the more relevant federal and state energy-related laws and plans are discussed below.

Federal

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1978, it has been regularly updated and amended by subsequent laws and regulations. This act is the foundation of most federal energy requirements.

Energy Policy Act of 2005

The Energy Policy Act of 2005 sets equipment energy efficiency standards. It seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can attain federal tax credits for purchasing fuel-efficient appliances and products, including hybrid vehicles; constructing energy-efficient buildings; and improving the energy efficiency of commercial buildings. Additionally, tax credits are available for the installation of qualified fuel cells, stationary micro-turbine power plants, and solar power equipment.

Executive Order 13693 (Planning for Federal Sustainability in the Next Decade), signed in 2015, seeks to maintain federal leadership in sustainability and GHG emission reductions. Its goal is to reduce agency GHG emissions by at least 40 percent by 2025, foster innovation, reduce spending, and strengthen communities through increased efficiency and improved environmental performance. Sustainability goals are set for building efficiency and management, energy portfolio, water use efficiency, fleet efficiency,

sustainable acquisition and supply chain GHG management, pollution prevention, and electronic stewardship.

Energy and Independence Security Act of 2007

The Energy and Independence Security Act of 2007 sets federal energy management requirements in several areas, including energy reduction goals for federal buildings, facility management and benchmarking, performance standards for new buildings and major renovations, high-performance buildings, energy savings performance contracts, metering, energy-efficient product procurement, and reduction in petroleum use and increase in alternative fuel use. This act also amends portions of the National Energy Policy Conservation Act.

State

Assembly Bill 117

Assembly Bill (AB) 117, passed in 2002, allows local governments to form a Community Choice Energy Program (CCE). This is a program that offers an alternative electric power option to constituents (i.e., customers) currently served electric power by investor-owned utilities (IOUs). Under the CCE model, local governments purchase and manage their community's electric power supply by sourcing power from a preferred mix of traditional and renewable generation sources, while the incumbent IOU continues to provide distribution service. This gives CCEs the opportunity to design and potentially reduce retail rates for their constituents, provide customer choice, promote local economic development, and offer a cleaner power supply.

Senate Bill 1078 and 107; Executive Order S-14-08, S-21-09, and Senate Bill 2X

Senate Bill (SB) 1078 (Chapter 516, Statutes of 2002) requires retail sellers of electricity, including investor-owned utilities and community choice aggregators, to provide at least 20 percent of their supply from renewable sources by 2017. SB 107 (Chapter 464, Statutes of 2006) changed the target date to 2010. In November 2008, then-Governor Schwarzenegger signed Executive Order S-14-08, which expands the State's Renewable Portfolio Standard to 33 percent renewable power by 2020. In September 2009, then-Governor Schwarzenegger continued the State's commitment to the Renewable Portfolio Standard by signing Executive Order S-21- 09, which directs the California Air Resources Board (CARB) under its AB 32 authority to enact regulations to help the state meet its Renewable Portfolio Standard goal of 33 percent renewable energy by 2020. In April 2011, then-Governor Brown signed SB 2X, which legislated the prior Executive Order S-14-08 renewable standard.

Assembly Bill 32

The State's major initiative for reducing GHG emissions is outlined in AB 32, the "California Global Warming Solutions Act of 2006." AB 32 codifies the statewide goal of reducing GHG emissions to 1990 levels by 2020 (essentially a 15 percent reduction below 2005 emission levels; the same requirement as under S-3-05) and requires the CARB to prepare a Scoping Plan that outlines the main State strategies for reducing GHGs to meet the 2020 deadline. In addition, AB 32 requires CARB to adopt regulations to

require reporting and verification of statewide GHG emissions. Reductions in overall energy consumption have been implemented to reduce emissions.

2006 Appliance Efficiency Regulations

The CEC adopted Appliance Efficiency Regulations (Title 20, California Code of Regulation [CCR] §§1601 through 1608) on October 11, 2006. The regulations were approved by the California Office of Administrative Law on December 14, 2006. The regulations include standards for both federally regulated appliances and non-federally regulated appliances. While these regulations are now often viewed as "business-as-usual," they exceed the standards imposed by all other states and they reduce GHG emissions by reducing energy demand.

California Energy Efficiency Strategic Plan

On September 18, 2008, the CPUC adopted California's first Long-Term Energy Efficiency Strategic Plan, presenting a roadmap for energy efficiency in California. The Plan articulates a long-term vision and goals for each economic sector and identifies specific near-term, mid-term, and long-term strategies to assist in achieving those goals. The Plan also reiterates the following four specific programmatic goals known as the "Big Bold Energy Efficiency Strategies" that were established by the CPUC in Decisions D.07-10-032 and D.07-12-051:

- All new residential construction will be zero net energy (ZNE) by 2020.
- All new commercial construction will be ZNE by 2030.
- 50 percent of commercial buildings will be retrofit to ZNE by 2030.
- 50 percent of new major renovations of State buildings will be ZNE by 2025.

California Public Utilities Code §366.2

The CPUC §366.2, (amended 2008) or CCE Program, requires an ordinance from participating member agencies authorizing the implementation of a CCE Program for the respective jurisdiction.

Title 24, Part 11 – California Green Building Standards Code

Title 24, Part 11 of the CCR is the California Green Building Standards Code (CALGreen). Beginning in 2011, CALGreen instituted mandatory minimum environmental performance standards for all ground-up new construction of commercial and low-rise residential buildings, state-owned buildings, schools, and hospitals. It also includes voluntary tiers (I and II) with stricter environmental performance standards for these same categories of residential and non-residential buildings. Local jurisdictions must enforce the minimum mandatory requirements and may adopt CALGreen with amendments for stricter requirements. The City has adopted Tier I standards.

The mandatory standards require:

- 20 percent reduction in indoor water use relative to specified baseline levels;
- 50 percent construction/demolition waste diverted from landfills;

- Inspections of energy systems to ensure optimal working efficiency;
- Low-pollutant emitting exterior and interior finish materials such as paints carpets, vinyl flooring, and particleboards;
- Dedicated circuitry to ease installation of electric vehicle charging stations in newly constructed attached garages for single-unit and duplex dwellings; and
- Installation of electric vehicle charging stations for at least three percent of the parking spaces for all new multi-unit developments with 17 or more units.

Senate Bill 743

On September 27, 2013, Governor Jerry Brown signed SB 743 into law and codified a process that changed transportation impact analysis as part of California Environmental Quality Act (CEQA) compliance. SB 743 directs the California Office of Planning and Research (OPR) to administer new CEQA guidance for jurisdictions that removes automobile vehicle delay and LOS or other similar measures of vehicular capacity or traffic congestions from CEQA transportation analysis. Rather, it requires the analysis of vehicle miles traveled (VMT) or other measures that "promote the reduction of greenhouse gas emissions, the development of multi-modal transportation networks, and a diversity of land uses," to be used as a basis for determining significant impacts to circulation in California. The goal of SB 743 is to appropriately balance the needs of congestion management with statewide goals related to reducing GHG emissions, encourage infill development, and promote public health through active transportation. The City amended its CEQA Supplemental Regulations in June 2020 to include local VMT thresholds pursuant to SB 743.

California Code of Regulations, Title 24 – California Building Code

The CCR, Title 24, is referred to as the California Building Code. It consists of a compilation of several distinct standards and codes related to building construction, including plumbing, electrical, interior acoustics, energy efficiency, handicap accessibility, etc. To reduce GHG emissions, the State has California Building Code energy efficiency and green building standards as outlined below.

Title 24, Part 6 – Energy Efficiency Standards

Title 24, Part 6 of the CCR is the California Energy Efficiency Standards for Residential and Non-residential Buildings (also known as the California Energy Code [Energy Code]). This Code, originally enacted in 1978 in response to legislative mandates, establishes energy-efficiency standards for residential and non-residential buildings to reduce the state's energy consumption. The Energy Code is updated periodically to incorporate and consider new energy efficiency technologies and methodologies as they become available, and incentives in the form of rebates and tax breaks are provided on a sliding scale for buildings achieving energy efficiency above the minimum standards.

The current version of the Energy Code, known as the 2019 Title 24, or the 2019 Energy Code, became effective January 1, 2020. The 2019 Energy Code provides mandatory energy efficiency measures as well as voluntary tiers for increased energy efficiency. The CEC, in conjunction with the CPUC, has adopted a

goal that all new residential and commercial construction achieve zero net energy by 2020 and 2030, respectively. It is expected that zero net energy goal realization will occur via revisions to the Title 24 standards. The 2019 Energy Code includes provisions for smart residential photovoltaic systems, updated thermal envelope standards (preventing heat transfer from the interior to exterior and vice versa), residential and nonresidential ventilation requirements, and nonresidential lighting requirements. The 2019 Energy Code aims to reduce energy use in new homes by requiring that all new homes include individual or community solar photovoltaic systems or community shared battery storage systems that achieve equivalent time-dependent value energy use reduction. Accounting for solar photovoltaic requirements, the CEC's preliminary estimates indicate that homes built consistent with the 2019 Energy Code will result in 53 percent less energy use than those built under the 2016 standards.

Executive Order B-30-15 and Senate Bill 350

In April 2015, the Governor issued Executive Order B-30-15, which established a GHG reduction target of 40 percent below 1990 levels by 2030. SB 350 (Chapter 547, Statutes of 2015) advanced these goals through two measures. First, the law increases the renewable power goal from 33 percent renewables by 2020 to 50 percent by 2030. Second, the law requires the CEC to establish annual targets to double energy efficiency in buildings by 2030. The law also requires the CPUC to direct electric utilities to establish annual efficiency targets and implement demand-reduction measures to achieve this goal.

Senate Bill 32

In 2016, the Legislature passed SB 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017, CARB adopted a second update to the Scoping Plan. The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping Plan are to provide direct GHG emissions reductions; support climate investment in disadvantaged communities; and support the Clean Power Plan and other federal actions. These measures include increasing the Renewable Portfolio Standard to 50 percent by 2030 and extending the cap-and-trade program to 2030 and providing the revenue toward climate programs, disadvantaged communities, and projects like high-speed rail. The 2017 Scoping Plan also includes a 50 percent reduction in petroleum use in vehicles, increasing energy efficiency savings at existing buildings, carbon sequestration in the land base, and reducing methane, black carbon, and other short-lived climate pollutants.

Senate Bill 100

Adopted in 2018, SB 100 requires renewable energy and zero-carbon resources supply 100 percent of electric retail sales to end-use customers by 2045. The CEC, CPC, and CARB are required to prepare a report. The first report needs to be issued by January 1, 2021, with additional reports every four years.

The report shall include:

1. A review of the 100 percent zero-carbon policy focused on technologies, forecasts, then-existing transmission, and the maintenance of safety, environmental and public safety protection, affordability, and system and local reliability.
2. An evaluation identifying the potential benefits and impacts on system and local reliability associated with achieving the policy.
3. An evaluation identifying the nature of any anticipated financial costs and benefits to electric, gas, and water utilities, including customer rate impacts and benefits.
4. The barriers to, and benefits of, achieving the policy.
5. Alternative scenarios in which the policy can be achieved and the estimated costs and benefits of each scenario.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Open Space & Conservation Element

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

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

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

4.6.3 Standards of Significance

State CEQA Guidelines Appendix G has been utilized as significance criteria in this section. Accordingly, the Project will create a significant environmental impact if it causes one or more of the following to occur:

- Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during Project construction or operation.
- Conflict with or obstructs a state or local plan for renewable energy or energy efficiency.

Methodology

This analysis considers the State CEQA Guidelines Appendix G thresholds, as described above, in determining whether Project implementation would result in the inefficient, wasteful, or unnecessary use of energy. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs, and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects on energy resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies.

4.6.4 Project Impacts and Mitigation

Impact 4.6-1: ***Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?***

Level of Significance: Less Than Significant Impact

Construction-Related Energy Use for Future Housing Development Facilitated by the Project

Construction-related energy consumption associated with future housing developments facilitated by the Project would be subject to approval of permits prior to construction of new housing. Energy use during future housing construction would primarily occur in association with fuel use by vehicles and other equipment to conduct construction activities. Energy use would also occur from the burning of fuel by vehicles used by workers commuting to and from the future construction sites. Although the exact details of the future developments that could be constructed are presently unknown, there are no known conditions within any of the candidate housing sites that would require nonstandard equipment or construction practices that would be less energy-efficient than at comparable construction sites in the region or the state.

During construction, some incidental energy conservation would occur through compliance with state requirements that construction equipment not in use for more than five minutes be turned off. Construction equipment would also be required to comply with the latest U.S. EPA and CARB engine emissions standards. These engines use highly efficient combustion engines to minimize unnecessary fuel consumption. Project-related construction activities would consume energy, primarily in the form of diesel fuel (e.g., mobile construction equipment) and electricity (e.g., power tools).

Any future housing development facilitated by the Project and subject to CalGreen regulations is required to divert 65 percent of waste generated during construction from landfills. Recycling construction and demolition waste not only keeps it from being transported to the landfill, but also reduces the "upstream" energy consumption from the manufacturing of virgin material.

Future construction activities associated with future housing development would also be required to monitor air quality emissions using applicable regulatory guidance such as the South Coast Air Quality Management District CEQA Guidelines. This requirement indirectly relates to construction energy conservation because when air pollutant emissions are reduced as a result of monitoring and the efficient use of equipment and materials, this results in reduced energy consumption. There are no aspects of the

Project that would foreseeably result in the inefficient, wasteful, or unnecessary consumption of energy during construction activities of future housing developments.

As discussed above, there are no unusual characteristics that would necessitate the use of construction equipment that would be less energy efficient than at comparable construction sites in the region or state. Therefore, it is expected that construction fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than other similar projects of this nature. Therefore, impacts to energy resources associated with the future developments' construction activities would be less than significant, and no mitigation is required.

Operational-Related Energy Use for Future Housing Development Facilitated by the Project

Transportation Energy Use

Future development facilitated by the Project would be subject to approval of permits prior to construction and operation of new housing. Operational-related energy consumption associated with future housing development would include building electricity, water, and natural gas usage, as well as fuel usage from on-road vehicles. Trips by individuals traveling to and from future housing developments facilitated by the Project are anticipated to occur by walking, biking or using passenger vehicles or public transit, especially on candidate housing sites identified within commercial corridors providing pedestrian or bicycle access. Passenger vehicles would be mostly powered by gasoline, with some fueled by diesel or electricity. Public transit would be powered by diesel or natural gas and could potentially be fueled by electricity. Future housing development in a commercial corridor would have walking and bicycle options available, which can help reduce VMT.

When evaluating a long-range planning project such as the Project, it is too speculative and not appropriate or feasible to forecast the travel methods and gasoline use of future development. Rather, the more appropriate measure of estimating transportation-related energy use is to consider the distance traveled by vehicles associated with a proposed project. Therefore, this analysis is centered on the overall VMT associated with future housing development facilitated by the Project, which would be subject to future development permit approvals.

The Project's HEU aims to facilitate future housing development in 69 candidate sites throughout the City as well as 48 additional parcels identified specifically for the Project's Land Use Element Update. Future housing development facilitated by the Project may occur near existing commercial areas located throughout the City so as to increase housing capacity such that it minimizes changes in neighborhood character and takes advantage of opportunities for pedestrian connectivity and access to public transportation between residential and commercial uses. The Project's facilitation of opportunities for access to alternative transportation modes would help reduce vehicle trips and automobile reliance, thereby reducing the transportation energy demand associated with the Project. Any future housing development facilitated by the Project would be required to comply with state and regional fuel efficiency requirements, including SB 32's Scoping Plan that includes a 50 percent reduction in petroleum use in

vehicles. Additionally, the City has adopted the Electric Vehicle Charging Stations ordinance to promote and encourage electric vehicle use in accordance with the City's General Plan Open Space and Conservation Element.

Therefore, Project implementation would not result in a substantial increase in transportation-related energy uses, such that it would result in a wasteful, inefficient, or unnecessary consumption of energy resources. Impacts concerning construction- and operations-related energy usage associated with future housing developments facilitated by the Project would not substantially affect existing energy or fuel supplies or resources. Impacts would be less than significant.

Electricity and Natural Gas Usage

As future housing development facilitated by the Project occurs, future occupants of new buildings would use electricity and potentially natural gas to run various appliances and equipment, including water heaters, air conditioning and heating systems, ventilation equipment, lights, and numerous other devices. Generally, electricity use is higher in the warmer months due to increased air conditioning needs, and natural gas use is highest when the weather is colder because of high heating demand.

California's Energy Efficiency Standards for Residential Buildings create uniform building codes to reduce the state's energy consumption and provide energy efficiency standards for residential buildings. These standards are incorporated within the California Building Code and would be expected to substantially reduce the growth in electricity and natural gas use. For example, requirements for energy-efficient lighting, heating and cooling systems and green building materials are expected to save additional electricity and natural gas. These savings are cumulative, doubling as years go by.

As discussed above, the CPUC adopted California's first Long-Term Energy Efficiency Strategic Plan, which reiterates the following four specific programmatic goals known as the "Big Bold Energy Efficiency Strategies" that were established by the CPUC in Decisions D.07-10-032 and D.07 12 051:

- All new residential construction will be ZNE by 2020.
- All new commercial construction will be ZNE by 2030.
- 50 percent of commercial buildings will be retrofit to ZNE by 2030.
- 50 percent of new major renovations of State buildings will be ZNE by 2025.

In addition to complying with federal, state, and local standards regulating energy consumption, any future development facilitated by the Project is also required to comply with Appendix F, Energy Conservation, of the State CEQA Guidelines. Specifically, Appendix F requires that EIRs include a discussion of potential energy impacts of proposed projects, with particular emphasis on avoiding or reducing inefficient, wasteful, and unnecessary consumption of energy.

Additionally, the following updated goals and policies from the Safety Element would reduce any potential impacts to a level of less than significant:

Goal S- 7 A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.

Policy S-7.4 Promote alternative forms of energy production such as solar or wind power.

Policy S-7.5 Promote the use of climate ready architecture designed to maintain adequate indoor climate with minimal energy use.

Policy updates associated with Environmental Justice and the HEU would not further affect the City's ability to manage energy resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

Impact 4.6-2: Would the project conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?

Level of Significance: Less Than Significant Impact

Future housing development facilitated by the Project would be required to obtain permits to demonstrate compliance with the CALGreen Code (CCR Title 24, Part 11) and the California Energy Code (CCR Title 24, Part 6), which includes provisions related to insulation and design aimed at minimizing energy consumption. Future housing development facilitated by the Project would also be required to comply with the policies included in the City's General Plan Open Space and Conservation Element aimed at reducing energy consumption.

In addition, the Project would facilitate increased residential capacity in the City through future development of identified candidate sites in order to meet the City's Regional Housing Needs Assessment (RHNA) allocation. Further, the Project would include a Land Use Element Updates which would include changes in land use designations for 48 parcels from economic development corridor land use designations (EDC) to Rural Residential, 1 unit per acre limitation (RR1) land use designations. Both the HEU and Land Use Element Updates include provisions to ensure minimal changes in neighborhood character and to take advantage of opportunities for pedestrian connectivity between residential and commercial uses and access to public transportation. Facilitating new housing development in locations with access to alternative transportation modes would reduce vehicle trips and automobile reliance, thereby reducing the transportation energy demand in the Project area. The City's goals of promoting and providing efficient energy consumption are encouraged throughout the City as identified in the Menifee Municipal Code (Menifee MC) §9.215.100 which requires electric charging stations for developments that provide at least 250 parking spaces or exceed $200,000 in cost. One conductive charging station and one inductive charging station is required in each development that has 250 to 500 parking spaces, with an additional conductive and inductive station required for each additional 250 spaces.

Future housing development facilitated by the Project would be required to obtain permits and comply with federal, state, and local regulations aimed at reducing energy consumption, including the City's recently adopted VMT thresholds. In addition, the City's GP include policies aimed at reducing energy

consumption. Federal and state energy regulations, such as the California Energy Code Building Energy Efficiency Standards (CCR Title 24, Part 6), the CALGreen Code (CCR Title 24, Part 11), and SB 743 transportation-related impact analysis requirements would also be imposed through future development permit review to minimize future energy consumption. Therefore, future development facilitated by the Project would be required to be consistent with applicable federal, state, and local laws, policies, and regulations related to renewable energy and energy efficiency. Additionally, the following updated goals and policies from the Safety Element would reduce any potential impacts to a level of less than significant:

Goal S- 7 A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.

Policy S-7.4 Promote alternative forms of energy production such as solar or wind power.

Policy S-7.5 Promote the use of climate ready architecture designed to maintain adequate indoor climate with minimal energy use.

Policy updates associated with Environmental Justice and the HEU would not further affect the City's ability to manage energy resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

4.6.5 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

4.6.6 Cumulative Impacts

The Project, in conjunction with cumulative development in the City, would increase housing in an already developed area and result in increased energy consumption. Potential impacts to energy resources from future housing development that is facilitated by the Project would be site-specific and would require applications for development permits that would be evaluated on a case-by-case basis. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential energy consumption impacts and identify necessary mitigation measures, where appropriate. Additionally, any future housing development facilitated by the Project would be subject to compliance with all federal, state, and local requirements for energy efficiency, including the California Energy Code Building Energy Efficiency Standards (CCR Title 24, Part 6), the CALGreen Code (CCR Title 24, Part 11), and SB 743.

Consequently, future housing development facilitated by the Project would not result in significant environmental impacts from the wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation; and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency. Therefore, the Project would not cause a cumulatively considerable impact on energy resources and no mitigation is required.

4.7 GEOLOGY AND SOILS

This section of the Program Environmental Impact Report (PEIR) assesses the potential geological impacts associated with the implementation of the City of Menifee 6th Cycle Housing Element Update (HEU or Project). The analysis within the section will be based on the existing environmental setting within the City of Menifee (City) and the nearby geological regions. Once the baseline environmental condition is established, analysis will be conducted to assess the Project's consistency with applicable federal, state, and local regulations and policies. In the event that impacts are found to be potentially significant, mitigation will be proposed in order to reduce the impact to less than significant levels.

No site-specific surveys or technical studies were conducted for this analysis. The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.7.1 Environmental Setting

Regional Geological Setting

The County of Riverside (County) is located within multiple geomorphic provinces within the State of California (State). These provinces include the Transverse Ranges, the Mojave Desert, the Colorado Desert, and the Peninsular Ranges. Transverse Ranges Geomorphic Province are characterized by a series of steep mountain ranges that trend east-west, contrary to the normal north-south trending ranges in its vicinity. The quickly changing layout of the Transverse Ranges Geomorphic Province, due to the effects of the San Andreas Fault, have exposed important oil resource deposits. The Mojave Desert Geomorphic Province is characterized by large mountains separated by vast stretches of desert plains. Two important faults are located within this geomorphic province: a prominent NW-SE trend and a secondary east-west trend. The Mojave Desert Geomorphic Province is wedged in a sharp angle between the Garlock Fault (southern boundary Sierra Nevada) and the San Andreas Fault, where it bends east from its northwest trend. The Colorado Desert Geomorphic Province is similarly characterized by spans of desert and is dominated by the Salton Sea. The province is a depressed block between active branches of alluvium-covered San Andreas Fault with the southern extension of the Mojave Desert Geomorphic Province on the east. Finally, the Peninsular Ranges Geomorphic Province contains a series of ranges separated by valleys that run nearly parallel to faults which branch from the San Andreas Fault. The trend of topography is similar to the Coast Ranges, but the geology is more like the Sierra Nevada, with granitic rock intruding the older metamorphic rocks.[1]

[1] California Geological Survey. (2002). California Geomorphic Provinces. Pages 2-3. Retrieved from: https://www.contracosta.ca.gov/DocumentCenter/View/34134/CGS-2002-California-Geomorphic-ProvincesNote-36-PDF (Accessed May 18, 2021)

Local Geologic Setting

The City is located in the northern portion of the Peninsular Ranges Geomorphic Province. The province is bounded by the San Andreas fault zone on the east and extends offshore to the west. Specifically, the City is located within the Perris block of the Peninsular Ranges Geomorphic Province. The Perris block is bounded by the Elsinore fault zone on the southwest and the San Jacinto fault zone on the northeast. Despite its proximity to nearby active faults, the Perris block remains largely inactive and without deformation. Geologic movement has decreased the elevation of the Perris block while elevating the surrounding blocks. This change in elevation has led to the shedding of sand, silt, gravel, and alluvial fans into the Perris block. Soil deposits range from 1,000,000 years to 11,000 years old with newer deposits continuing to fill drainage channels and floodplains.

The City contains a diverse landscape with multiple hillsides and valleys. The steepest slope and largest cluster of hillsides can be found north of Menifee Lakes, traveling northward across McCall Boulevard. Quail Valley also has a significant number of steep hillsides that influence development patterns in the area. Menifee includes parts of three valleys: the Perris Valley in the north end of the City, the Menifee Valley in the central part of the City, and the Paloma Valley in the southeast area. Elevations in the City range from about 1,400 feet above mean sea level (amsl) for the valley floor to approximately 2,600 feet amsl for the local hills; Bell Mountain is the highest peak at 1,850 amsl. [2]

Geological Conditions

Soils and Minerals

The City, being within the lower elevation Perris block, contains sedimentary deposits from the increased elevation of the surrounding land masses. These sedimentary deposits largely consist of alluvial sand, silt, clay, and gravel. The oldest geologic units in the Menifee area are very hard, crystalline rock that forms the hills and mountains, and is buried beneath the alluvium. The rocks in this area can be classified into two main groups:

1) Rocks that have crystallized from the molten state deep within the Earth's crust (plutonic rocks), and
2) Rocks of sedimentary origin that have recrystallized under extreme conditions of heat and pressure deep below the Earth's surface (metasedimentary rocks).

Table 4.6-1: City of Menifee Sediment and Mineral Deposits summarizes the identified soil and rock types within the City.

[2] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Page 5.6-1. Santa Ana, CA: The Planning Center

Table 4.7-1: City of Menifee Sediment and Mineral Deposits

Name	Symbol	Location
Sediments		
Young Surficial Deposits		
Very Young Wash Deposits	Qw	These deposits have been mapped only in the western part of the Salt Creek channel; however modern silt, sand, and gravel also occur in numerous small, unnamed channels, washes, and gullies that cut through the hills and fans in the area.
Very Young Alluvial Valley Deposits	Qv	This unit is present in the northwestern corner of the City
Young Alluvial Fan Deposits	Qyf	Found on the south side of the Lakeview Mountains, in drainages near the head of older fans.
Young Alluvial Valley And Channel Deposits	Qya	Unconsolidated sand and silt deposited in Salt Creek, the Paloma Valley drainages, and Warm Springs Creek
Old Surficial Deposits		
Older Alluvial Deposits	Qof	This unit is widespread in the City, forming the numerous interconnected valleys, where it has been slightly dissected by modern streams.
Very Old Alluvial Deposits	Qvof	These deposits occur in two large areas along the base of the hills east and west of Sun City, and as small isolated patches throughout the City.
Very Old Channel Deposits	Qvoa	Predominantly well-consolidated to well-indurated fluvial sand deposited on canyon floors. Deposits in Quail Valley contain sand and rounded cobbles; isolated deposit in the hills south of Paloma Valley contains sand and clay.
Minerals		
Plutonic Rocks		
Tonalite	Kt	This mineral is located predominately in the Lakeview Mountains.
Granodiorite	Kg	This mineral is found within isolated hills in the central, eastern, and southern part of the City
Monzogranite	Km	This mineral is found within the hills in the southern part of the City.
Gabbro	Kgb	This mineral is located along the southern edge of the City, with small isolated patches in the hills east of Green Acres, east of Sun City, and north of Quail Valley.
Metasedimentary Rocks		
Quartz-Rich Rocks	Trq	This mineral underlies portions of the hills throughout the City, where they tend to weather to rounded hilltops and generally lack the bold outcrops seen in the granitic hills and mountains.
Phyllite and Schist	Trps	This mineral underlies portions of the hills throughout the City, where they tend to weather to rounded hilltops and generally lack the bold outcrops seen in the granitic hills and mountains.

Source: City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Page 5.6-2 through 5.6-5. Santa Ana, CA: The Planning Center

Seismic Conditions

Faulting and Ground Shaking

The Project area is located within a seismically active region. However, the City is not inside of an Earthquake Fault Zone as identified by the Alquist-Priolo Earthquake Fault Zoning Act. The principle source of seismic activity is movement along the northwest-trending regional fault systems such as the San Andreas, San Jacinto and Elsinore fault zones.

The San Andreas Fault Zone is formed as the boundary between the Pacific and North American tectonic plates. It is a currently active fault that extends over 750 miles from northern California to southern California. The nearest portion of the San Andreas Fault zone is approximately 22 miles northeast of the City. The portion of the San Andreas Fault Zone which is nearest to the City is capable of producing a magnitude 7.5 earthquake, which could result in peak ground accelerations in Menifee of between 0.06 units of ground acceleration (g) and 0.09g. Ground acceleration ranging from 0.039g to 0.092g can be felt by nearly all individuals, even in sleep. As well, ground moving of this level can move some dishes, break windows, and overturn unstable objects.

The San Jacinto Fault Zone has formed from a group of closely spaced faults on the western side of the San Jacinto Mountains. This fault zone extends from the San Andreas Fault in San Bernardino and for runs 175 miles southeast to the Brawley area before continuing as the Imperial Fault. The nearest portion of the San Jacinto Fault is located approximately 7 miles northeast of the City. The San Jacinto Fault is estimated to have a 31 percent probability of rupturing between 1994 and 2024. At worst, the San Jacinto Valley section of the San Jacinto Fault is capable of producing earthquakes at a magnitude of 6.9 in the Anza segment; this could result in peak ground acceleration in the City ranging from 0.16g to 0.3g. Ground acceleration ranging from 0.18g to 0.34g can severely damage neglected or badly designed structures and can slightly damage well-built ordinary structures.

The Elsinore Fault Zone extends for 190 miles from Baja California to the Los Angeles Basin. The nearest portion of the Elsinore Fault Zone is the Glen Ivy section approximately 5 miles southwest of the City. The Glen Ivy section is capable of producing ground shaking seismic events at a 6.8 magnitude and produce ground acceleration events ranging from 0.1g to 0.3g. Ground acceleration ranging from 0.092g to 0.18g can move heavy furniture and damage plaster. Physical damage in these events would be slight. As previously stated, ground acceleration ranging from 0.18g to 0.34g can create slight to considerable damage to ordinary structures, depending on their maintenance and neglect.

Ground Failure

Expansive Soils

As defined in the California Building Code (CBC) §1803A.5.3, expansive soils are those that:

- Have a Plasticity Index (PI) of 15 or greater, and
- Are comprised by more than 10 percent of soil particles that are smaller than 75 micrometers (µm) or able to pass through a No. 200 sieve, and
- Are comprised by more than 10 percent of soil particles that are less than 5 µm, or just
- Have an Expansion Index of (EI) greater than 20.[3]

[3] State of California. (2019). California Building Code §1803A.5.3 Expansive Soil. Retrieved from: https://codes.iccsafe.org/content/CBC2019P2/chapter-18-a-soils-and-foundations#CBC2019P2_Ch18A_Sec1803A (Accessed May 19, 2021).

A review of soil classifications and soil complexes found within the City indicates a limited presence of expansive soils based on known soil classifications identified by the U.S. Department of Agriculture, Natural Resources Conservation Service (NRCS).

Descriptions of the City's soil complexes is provided by the NRCS do not include ratings for the EI as defined in the CBC. However, the NRCS Soil Survey Geographic (SSURGO) database does assign "Shrink-Swell Class" ratings based on Linear Extensibility Percent, which is the volume change as a percent change of the whole soil determined by a range of moisture content. As reported by NRCS, the predominant soil types within the City typically fall within a "Low" Shrink-Swell class. "Moderate" Shrink-Swell class soils are the second most common soil types indicating an overall low to moderate potential for expansive soils.[4] ***Figure 4.7-1: Linear Extensibility Comparisons*** displays the different quantities of each soil classification.



Source: United States Department of Agriculture Natural Resource Conservation Service. (2021). Custom Soil Resource Report for Western Riverside Area, California. Retrieved from: https://websoilsurvey.sc.egov.usda.gov/WssProduct/nwwlaapcvcygv3n3lqs0ikcj/GN_00001/20210519_14545402107_1_Soil_Report.pdf (Accessed May 19, 2021)

Liquefaction

Liquefaction is a phenomenon where loose, saturated, and relatively cohesionless soil deposits lose strength during strong ground motions. Primary factors controlling liquefaction include intensity and duration of ground accelerations, subsurface soil characteristics, in situ stress conditions, and groundwater depth. Liquefaction typically occurs within 50 feet of the surface, in saturated, loose, fine-

[4] United States Department of Agriculture Natural Resource Conservation Service. (2021). Custom Soil Resource Report for Western Riverside Area, California. Retrieved from: https://websoilsurvey.sc.egov.usda.gov/WssProduct/nwwlaapcvcygv3n3lqs0ikcj/GN_00001/20210519_14545402107_1_Soil_Report.pdf (Accessed May 19, 2021).

to medium-grained sandy to silty soils. The Menifee General Plan (Menifee GP) has identified three areas with liquefaction susceptibility within the City. These areas are portions of the Paloma Wash Valley, the Salt Creek floodplain, and the Warm Springs Creek floodplain.[5]

Landslides

Landslides involve the downslope displacement and movement of material, triggered either by static (i.e., gravity) or dynamic (i.e., earthquake) forces. They often occur as elements of interrelated natural conditions that create hazards where an adverse site condition exists, and another event or series of events, like rain or irrigation, grading, changes to drainage patterns, trigger a subsequent event such as earth movement like mudflows, slumps, or landslides. Mudflows are fluid-like wet masses of suspended soil that flow downhill. Slumps are more coherent soil masses that fail along surfaces that develop due to the weakness of the materials, wetting, or a change in the shape by grading. Landslides are more typically larger-scale features caused by movement along a discrete surface like a weak clay bed. Hillsides within the City contain the risk of landslide. However, the majority of development within the City has been erected in the relatively flat valleys.

Paleontological Sensitivity

The specific underlying geology of the candidate housing sites is not known at this programmatic level of analysis; however, the Riverside County region has been designated a paleontological resource of high sensitivity. Therefore, there is a likelihood that paleontological resources are present on the Project's Candidate Sites.

4.7.2 Regulatory Setting

Federal

U.S. Geological Survey Landslide Hazard Program

The U.S. Geological Survey (USGS) created the Landslide Hazard Program in the mid-1970s. The program's primary objective is to reduce long-term losses from landslide hazards by improving understanding of the causes of ground failure and suggesting mitigation strategies. The federal government takes the lead role in funding and conducting this research, but the reduction of losses due to geologic hazards is primarily a state and local responsibility.

Soil and Water Resources Conservation Act

The purpose of the Soil and Water Resources Conservation Act of 1977 is to protect or restore soil functions on a permanent sustainable basis. Protection and restoration activities include prevention of harmful soil changes, rehabilitation of the soil of contaminated sites and of water contaminated by such sites, and precautions against negative soil impacts. Disruptions of natural soil functions and function as an archive of natural and cultural history should be avoided, as far as practicable. In addition, the Federal Water Pollution Control Act (also referred to as the Clean Water Act [CWA]) requirements, through the

[5] City of Menifee. (2013). City of Menifee General Plan Safety Element. Retrieved from: https://www.cityofmenifee.us/222/Safety-Element (Accessed May 19, 2021)

National Pollution Discharge Elimination System (NPDES) permitting process, provide guidance for protection of geologic and soil resources.

National Pollutant Discharge Elimination System

Section 402 of the Clean Water Act establishes the permit program to regulate pollutant discharge from point sources and discharge pollutants into U.S. waters. In the State of California, the U.S. Environmental Protection Agency (EPA) has authorized the State Water Resources Control Board (SWRCB) permitting authority to implement the NPDES program. In general, the State Water Resources Control Board issues two baseline general permits: one for industrial discharges and one for construction activities. Rather than setting numeric effluent limitations for storm water and urban runoff, Clean Water Act regulation calls for the implementation of best management practices (BMPs) to reduce or prevent pollutant discharge from these activities to the Maximum Extent Practicable for urban runoff and meeting the Best Available Technology Economically Achievable and Best Conventional Pollutant Control Technology standards for construction storm water. Regulations and permits have been implemented at the federal, state, and local level to form a comprehensive regulatory framework to serve and protect the quality of the country's surface water resources.

Earthquake Hazards Reduction Act

The Earthquake Hazards Reduction Act of 1977 (Public Law 95-124) established the National Earthquake Hazards Reduction Program (Program) which is coordinated through the Federal Emergency Management Agency (FEMA), the USGS, the National Science Foundation, and the National Institute of Standards and Technology. The purpose of the Program is to establish measures for earthquake hazards reduction and promote the adoption of earthquake hazards reduction measures by federal, state, and local governments; national standards and model code organizations; architects and engineers; building owners; and others with a role in planning and constructing buildings, structures, and lifelines through (1) grants, contracts, cooperative agreements, and technical assistance; (2) development of standards, guidelines, and voluntary consensus codes for earthquake hazards reduction for buildings, structures, and lifelines; and (3) development and maintenance of a repository of information, including technical data, on seismic risk and hazards reduction. The Program is intended to improve the understanding of earthquakes and their effects on communities, buildings, structures, and lifelines through interdisciplinary research that involves engineering, natural sciences, and social, economic, and decision sciences.

Occupational Safety and Health Administration Regulations

Excavation and trenching are among the most hazardous construction activities. Occupational Safety and Health Administration's (OSHA) Excavation and Trenching standard, Title 29 of the Code of Federal Regulations, Part 1926.650, covers requirements for excavation and trenching operations. OSHA requires that all excavations in which employees could potentially be exposed to cave-ins be protected by sloping or benching the sides of the excavation, supporting the sides of the excavation, or placing a shield between the side of the excavation and the work area.

State

Alquist-Priolo Earthquake Fault Zoning Act

The Alquist-Priolo Earthquake Fault Zoning Act (Public Resources Code [PRC] 2621-2624, Division 2 Chapter 7.5) was passed in 1972 following the destructive February 9, 1971 moment magnitude (Mw) 6.6 San Fernando earthquake to mitigate the hazard of surface faulting to structures intended for human occupancy. The Act's main purpose is to prohibit siting buildings used for human occupancy across traces of active faults that constitute a potential hazard to structures from surface faulting or fault creep. The Act requires the State Geologist to establish regulatory zones, known as "Earthquake Fault Zones," delineating appropriately wide earthquake fault zones to encompass potentially active and recently active traces of faults. Local agencies must regulate most development projects within these zones. Before a project can be permitted, cities and counties must require a geologic investigation to demonstrate that proposed human occupancy structures would not be constructed across active faults. An evaluation and written report of a specific site must be prepared by a licensed geologist. If an active fault is found, a structure for human occupancy cannot be placed over the trace of the fault and must be set back from the fault (typically at least 50-foot setbacks are required).[6]

Effective June 1, 1998, the Natural Hazards Disclosure Act requires that sellers of real property and their agents provide prospective buyers with a "Natural Hazard Disclosure Statement" when the property being sold lies within one or more state-mapped hazard areas, including Earthquake Fault Zones.

Public Resources Code

California Public Resources Code (PRC) §5097–5097.6 identifies that the unauthorized disturbance or removal of archaeological, historical, or paleontological resources located on public lands is a misdemeanor. It prohibits the knowing destruction of objects of antiquity without a permit (expressed permission) on public lands, and it provides for criminal sanctions.

This section was amended in 1987 to require consultation with the Native American Heritage Commission (NAHC) whenever Native American graves are found. Violations for taking or possessing remains or artifacts are felonies. California PRC §5097.5 states that "no person shall knowingly and willfully excavate upon, or remove, destroy, injure, or deface, 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 historic feature situated on public lands, except with the express permission of the public agency having jurisdiction over the lands."

Seismic Hazards Mapping Act of 1990

The Seismic Hazards Mapping Act (SHMA) of 1990 (PRC §2690 et seq.) directs the Department of Conservation's (DOC) California Geological Survey, to identify and map areas prone to liquefaction,

[6] United States Geological Survey. (2019). *US Quaternary Faults.* Retrieved from https://usgs.maps.arcgis.com/apps/webappviewer/index.html?id=5a6038b3a1684561a9b0aadf88412fcf.

earthquake-induced landslides, and amplified ground shaking. The purpose of the SHMA is to minimize loss of life and property through the identification, evaluation, and mitigation of seismic hazards.

The SHMA provides a statewide seismic hazard mapping and technical advisory program to assist cities and counties in fulfilling their responsibilities for protecting the public health and safety from the effects of strong ground shaking, liquefaction, landslides, or other ground failure, and other seismic hazards caused by earthquakes. Mapping and other information generated pursuant to the SHMA is to be made available to local governments for planning and development purposes. The state requires (1) local governments to incorporate site-specific geotechnical hazard investigations and associated hazard mitigation as part of the local construction permit approval process, and (2) the agent for a property seller, or the seller if acting without an agent, to disclose to any prospective buyer if the property is located within a seismic hazard zone. The State Geologist is responsible for compiling seismic hazard zone maps. The SHMA specifies that the lead agency for a project may withhold development permits until geologic or soils investigations are conducted for specific sites and mitigation measures are incorporated into plans to reduce hazards associated with seismicity and unstable soils.

California Building Code/California Residential Code

The 2019 California Building Code (CBC) is based on the International Building Code, which is a model building code developed by the International Code Council that sets rules specifying the minimum acceptable level of safety for building construction in the United States. The CBC is part of the California Code of Regulations (CCR), Title 24 Part 2. The California Residential Code (CRC) is part of the CCR, Title 24 Part 2.5. The CBC is updated periodically. The current version of the CBC was published on July 1, 2019 and became effective on January 1, 2020. The CBC and CRC contain seismic safety standards outlining design and construction requirements. Development projects must show compliance with the CBC and/or CRC through the development review process. Building permits are submitted and reviewed for compliance prior to obtaining construction and building permits. The CBC includes estimates for maximum earthquake magnitudes and peak ground acceleration, soil classifications and expansion potential, seismic design categories and lateral pressure, and grading and surface drainage.

State Earthquake Protection Law

The State Earthquake Protection Law (California Health and Safety Code [HSC] 19100 et seq.) requires that structures be designed to resist stresses produced by lateral forces caused by wind and earthquakes. Specific minimum seismic safety and structural design requirements are set forth in Chapter 16 of the CBC. The CBC requires a site-specific geotechnical study to address seismic issues and identifies seismic factors that must be considered in structural design. Because the Project area is not located within an Alquist–Priolo Earthquake Fault Zone, no special provisions would be required for project development related to fault rupture.

Local

City of Menifee Local Hazard Mitigation Plan

The City of Menifee Local Hazard Mitigation Plan (LHMP) was created in 2015 as a result of the adoption of The Disaster Mitigation Act of 2000 (DMA), commonly known as the 2000 Stafford Act amendment. The LHMP is largely used to assess the environmental hazards that are present in the City, the identified risks are contextualized within the City as well as potential effects to the City's critical infrastructure. In order to minimize potential risks identified within the LHMP, mitigation is provided in order to reduce potential risks. The mitigation measures include preventive actions, property protection techniques, structural projects, natural resource protection strategies, emergency services and public education and awareness activities.

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes 8 general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Safety Element

Goal S-1 A community that is minimally impacted by seismic shaking and earthquake-induced or other geologic hazards.

Policy S-1.1 Require all new habitable buildings and structures to be designed and built to be seismically resistant in accordance with the most recent California Building Code adopted by the City.

Policy S-1.2 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.

Goal S-2 A community that has used engineering solutions to reduce or eliminate the potential for injury, loss of life, property damage, and economic and social disruption caused by geologic hazards such as slope instability; compressible, collapsible, expansive or corrosive soils; and subsidence due to groundwater withdrawal.

Policy S-2.1 Require all new developments to mitigate the geologic hazards that have the potential to impact habitable structures and other improvements.

Policy S-2.2 Monitor the losses caused by geologic hazards to existing development and require studies to specifically address these issues, including the implementation of measures designed to mitigate these hazards, in all future developments in these areas.

Policy S-2.3 Minimize grading and modifications to the natural topography to prevent the potential for man-induced slope failures.

Policy S-2.4 Manage the groundwater resources in the area to prevent overdrafting of the aquifers, which in turn could result in regional subsidence.

Goal S-3 A community that is minimally disrupted by flooding and inundation hazards.

Policy S-3.1 Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the City to flood during intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.

Policy S-3.2 Reduce flood hazards in developed areas known to flood.

City of Menifee Municipal Code

The City of Menifee Municipal Code (Menifee MC) §9 contains the City's Development Code. Within §9.190 of the Development Code, the City has defined acceptable standards for hillside developments. Specifically, a purpose of the Code, is for hillside developments to preserve the public health, safety and welfare and specifically protect the public and property from hazards such as seismic, geologic and fire.

Menifee MC §8.26.070 requires geotechnical reports for developments that involve grading permit applications or grading plan reviews unless waived by the City Engineer/Public Works Director. This ordinance requires that the geotechnical report contain analyses for soil engineering, engineering geology, and important earth materials, contaminants, and seismicity. The City requires that these reports be created by a reputable professional such as an engineering geologist, a geophysicist or a civil engineer with expertise in earthquake technology and its application to buildings or other civil engineering works.

4.7.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:
    i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.
    ii. Strong seismic ground shaking.
    iii. Seismic-related ground failure, including liquefaction.
    iv. Landslides.
- Result in substantial soil erosion or the loss of topsoil.
- 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

- Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property.
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater.
- Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Methodology

This analysis considers the *State CEQA Guidelines*, Appendix G thresholds, as described above, in determining whether Project implementation would result in impacts concerning geology, soils, and paleontological resources. The evaluation was based on a review of regulations and determining their applicability for the proposed Project. Geology, soils, and paleontological resource information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent impacts to geology, soils, and paleontological resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies.

4.7.4 Project Impacts and Mitigation

Impact 4.7-1 ***Would the proposed project, directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:***

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?

ii. Strong seismic ground shaking?

Level of Significance: Less than Significant Impact

The Project does not directly propose the development of additional housing units within the City and does not propose the physical modification of land within the City. Instead, the Project involves the updating of goals and policies within the Menifee GP. A housing element update is included as a component of the Project. The housing element update is being created in compliance with State Housing Law (CGC §§65580 – 65589.11) which requires that the housing element of each jurisdiction be updated every 8 years. The City's current Housing Element is therefore being updated for the 6th Cycle 2021 – 2029 planning period. As part of the housing element update, the City is incorporating new and updated goals and policies in order to enable future housing development to meet the City's 6,609-unit Regional Housing Needs Assessment (RHNA) allocation. To further ensure that the RHNA allocation will be met, the City has identified candidate housing sites which could accommodate an additional 8,696 housing units within the City. As well, 48 sites were identified for inclusion in the Land Use Element Update which have the capacity

to accommodate 66 additional units. The potential buildout of these sites would lead to an increase of 8,762 homes within the City.

Along with the housing element update, the City is creating updated goals and policies within the Menifee GP Safety Element. These updates to the Menifee GP Safety Element would address fire, wildfire and climate-induced hazards within the City. For the updated Menifee GP Safety Element, discussions regarding earthquakes, landslides, and liquefaction would remain consistent with previous versions of the element. Environmental justice policies are also proposed for inclusion in the Menifee GP which would include policies that would allow for an equitable dispersal of resources for the various communities in the City.

The City does not contain any active faults within its boundaries. The nearest fault areas to the City are the Elsinore Fault Zone and the San Jacinto Fault Zone. These faults are approximately 5 and 7 miles away from the City, respectively. In the worst-case scenario, seismicity of the Elsinore Fault Zone could create ground acceleration effects up to 0.3g. As previously stated, ground acceleration ranging from 0.18g to 0.34g can create slight to considerable damage to ordinary structures, depending on their maintenance and neglect.

Alquist-Priolo fault zones are those that contain active faults that have erupted within the last 11,000 years. Alquist-Priolo fault zones prohibit the development of structures which allow for human occupancy within their boundaries or along their fault lines. As previously stated, the two fault lines within the City are inactive, and therefore would not be considered Alquist-Priolo fault zones. The nearest Alquist-Priolo Fault Zone is the San Jacinto Valley section of the San Jacinto Fault Zone, approximately 7 miles northeast of the City. As previously stated, at worst, this fault area could create ground acceleration effects up to 0.3g. The Project's candidate sites are not within an earthquake fault zone, nor underlain by potentially active non-zoned faults. Therefore, future housing development facilitated by the Project would not cause adverse effects involving rupture of a known earthquake fault.

In general, all future housing development facilitated by the Project must demonstrate conformance with seismic design guidelines and requirements contained in the CBC as well as Menifee MC §8.26.070. The CBC contains design and construction regulations pertaining to seismic safety for buildings, which covers issues such as ground motion, soil classifications, redundancy, drift, and deformation compatibility. The City's Geotechnical Investigation Ordinance requires new developments to fully analyze the geological condition of their project sites as well as any potential effect associated with development of their project sites.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 Housing Design. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Policy updates associated with Environmental Justice and Safety would not further affect the City's ability to manage seismic hazards. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

i. Seismic-related ground failure, including liquefaction?

ii. Landslides?

Level of Significance: Less than Significant Impact

According to the City's LHMP, rates hazards on a scale of 0-4 for both severity and probability. The LHMP listed landslides as having a probability of 2 and a severity of 2. Landslides, therefore, are concluded as having a 1 to 10 percent chance of occurring within the City. If a landslide were to occur, they are capable of affecting roadways and traffic, damage structures, and plug drainages leading to floods.[7] As discussed in the Menifee GP Safety Element, areas of liquefaction susceptibility within the City include the Paloma Wash Valley, the Salt Creek floodplain, and the Warm Springs Creek floodplain.[8]

Multiple candidate sites are located within the Paloma Wash Valley (candidate sites 59, 62, and 64). However, the Project does not directly propose development within the City. Due to the potential hazards associated with liquefaction within those floodplains, future housing developments facilitated by the Project would be subject to permit approval and required to adhere to all federal, State, and local requirements for avoiding and minimizing seismic-related impacts (i.e., strong seismic shaking or ground failure including liquefaction and landslides). This would include the regulations present in the CBC and Menifee MC §§9.190 and 8.26.070. Compliance with regulations which calls for further analysis of individual developments would generate a less than significant impact due to implementation of the Project.

Additionally, the following updated goals and policies from the Safety Element would reduce any potential impacts to a level of less than significant:

Safety Element Update

SE Policy S-3.6: Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

SE Policy S-3.7: When feasible locate new essential public facilities outside of flood risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters,

[7] City of Menifee. (2015). *City of Menifee Local Hazard Mitigation Plan*. Pages 32 through 33. Menifee, CA: City of Menifee.
[8] City of Menifee. (2013). City of Menifee General Plan Safety Element. Retrieved from: https://www.cityofmenifee.us/222/Safety-Element (Accessed May 19, 2021)

emergency command centers, and emergency communications facilities or identify other methods to minimize damage if these facilities are located in flood hazard zones.

Policy updates associated with Housing Element and Environmental Justice would not further affect the City's ability to manage seismic hazards. Therefore, impacts would be less than significant, and no mitigation is required..

Mitigation Measures

No mitigation measures are required.

Impact 4.7-2 Would the proposed project, result in substantial soil erosion or the loss of topsoil?

Level of Significance: Less than Significant Impact

Future housing development facilitated by the Project would result in grading activities that would disrupt soil profiles, and thereby result in potential increased exposure of soils to wind and rain. Erosion on graded slopes could cause downstream sedimentation impacts. Other related impacts resulting from substantial short-term erosion or loss of topsoil include topography changes and the creation of impervious surfaces.

Future housing development facilitated by the Project would be subject to permits and required to adhere to all federal, State, and local requirements for avoiding and minimizing impacts concerning soil erosion or loss of topsoil. Menifee MC §8.26.070 specifically calls for the creation of Geotechnical reports for new development projects in order to test for soil engineering. Short-term construction-related erosion would be minimized through the projects' compliance with the City's NPDES program, which requires implementation of a Storm Water Pollution Prevention Plan (SWPPP) and best management practices (BMPs) intended to reduce soil erosion. These policies include dust control measures to minimize the amount of wind-born erosion. Considering these requirements, future housing development facilitated by the Project would not result in substantial soil erosion or loss of topsoil.

Policy updates associated with Environmental Justice, Housing Element, and Safety would not further affect the City's ability to manage erosion effects and soil quality. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.7-3 Would the proposed project, be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Level of Significance: Less than Significant Impact

One candidate site is within a portion of the City noted for landslide hazards and susceptibility. The Audie Murphy Ranch Specific Plan area (candidate site 63) contains landslide hazards in the southwest portion and the central portion of the specific plan boundary. In order to ensure the stability of the future

development within its boundary, the proponents of the Audie Murphy Ranch Specific Plan would be required to complete geotechnical investigations regarding their proposed specific plan and the specific developments within as consistent with Menifee MC §§ 9.190 and 8.26.070.

Further, any future housing developments facilitated by the Project would be subject to permits and required to adhere to all federal, State, and local requirements for avoiding and minimizing impacts caused by unstable geological units or soils. Future development facilitated by the Project would also be required to comply with the CBC as well as the Menifee MC §8.26.070 which requires the creation of geotechnical reports which analyze seismicity and therefore ground instability events like landslides. However, the majority of development within the City has been erected in the relatively flat valleys which pose limited risks for landslides.

Additionally, the following updated goals and policies from the Housing Element Safety Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 Housing Design. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Policy updates associated with Environmental Justice and Safety would not further affect the City's ability to manage soil quality. Therefore, impacts would be less than significant, and no mitigation is required.

See impact discussions 4.7-1(i), 4.7-1(ii), 4.7-1(iii), and 4.7-1(iv) for further discussion of these impacts.

Mitigation Measures

No mitigation measures are required.

Impact 4.7-4 ***Would the proposed project, be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?***

Level of Significance:

Expansive soils are soils that expand and contract depending on their moisture level. The contraction and expansion of these soils can lead to structural damage as their compositions and volume changes dramatically. Expansive soils also normally occur within the first five feet below the surface. As displayed in ***Figure 4.7-1, Linear Extensibility Comparisons***, above, the majority of the soils within the City have a low shrink swell classification, meaning that the majority of soil within the City similarly has a low probability of containing incidental expansive soils. However, future housing development facilitated by the Project would be subject to regulation and required to adhere to all federal, State, and local requirements, including the Menifee MC §8.26.070 which requires soils engineering reports to be

conducted for new developments. The soils engineering reports would confirm site-specific soil composition and assign an EI rating, and would include conclusions and recommendations addressing grading procedures, soil stabilization, and foundation design. Considering these requirements, including the preparation of soils engineering reports for future housing developments, as required by Menifee MC §8.26.070, future housing development facilitated by the Project would continue to analyze risks to life or property associated with expansive soils.

Policy updates associated with Environmental Justice, Housing Element, and Safety would not further affect the City's ability to manage erosion effects and soil quality. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.7-5 Would the proposed project, have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Level of Significance: No Impact

The Project does not propose the direct development of additional housing units within the City or any other physical modification for the City. Any future housing development facilitated by the Project through the identified candidate sites would be in areas served by the City's sanitary sewer system and would therefore not use septic tanks or other alternative wastewater disposal systems. Therefore, no impact would occur, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.7-6 Would the proposed project, directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Level of Significance: Less than Significant with Mitigation Applied

The specific underlying geology is not known for any of the candidate housing sites at this level of programmatic analysis. According to the Menifee GP Open Space and Conservation Element Background Document, the City contains multiple locations which would be likely to house paleontologically significant artifacts and resources. Locations which are thought to contain paleontological resources are the western border and hills found within the City. Beside those hills, the alluvial plains of sediment are thought to be suitable for the discovery of paleontological resources.[9] Further, Exhibit OSC-4 of the Menifee GP Open

[9] City of Menifee (2013). Open Space and Conservation Background Document. Pages 7 – 8. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1081/3_OSC_Background-Document_HD_0913?bidId= (Accessed May 20, 2021)

Space and Conservation Element shows that the majority of the City contains land designated as high paleontological sensitivity.[10]

However, the Project does not directly propose development of housing units on these lands or the modification of these lands. Future development facilitated by the Project would be required to comply with federal, state, and local regulations regarding the management and assessment of paleontological risks and impacts. As well, implementation of **Mitigation Measure (MM) GEO-1** will further reduce the risk of detrimental effects on paleontological resources through implementation of the Project.

Policy updates associated with Environmental Justice, Housing Element, and Safety would not further affect the City's ability to manage erosion effects and soil quality. Therefore, impacts would be less than significant, with mitigation.

Mitigation Measures

MM GEO-1 Applications for future development consistent with the Project, where the City has determined a potential for impacts to paleontological resources, shall be required to comply with the following mitigation framework:

i. Retain a Qualified Project Paleontologist. Prior to ground disturbing activities, the Applicant shall retain a qualified Project Paleontologist, defined as a paleontologist who meets the Society of Vertebrate Paleontology standards for Qualified Professional Paleontologist, to direct all mitigation measures related to paleontological resources.

ii. Paleontological Monitoring and Compliance Program. After design of the housing development has been finalized to determine the precise extent and location of ground disturbing activities, and prior to ground disturbing activities, the Project Paleontologist shall prepare a Paleontological Monitoring and Compliance Program to be implemented during the ground disturbing activities. The Program shall be prepared in accordance with the standards set forth by current Society of Vertebrate Paleontology guidelines (2010). Prior to ground disturbing activities, the Program shall be provided to the City.

Ground disturbing activities where paleontological sensitivity has been identified shall be monitored full-time by a qualified paleontological monitor during initial ground disturbing activities.

The Program shall be supervised by the Project Paleontologist in coordination with the City. The duration and timing of the monitoring shall be determined by the Project Paleontologist. If the Project Paleontologist determines that full-time monitoring is no longer warranted, he or she may recommend to the City that monitoring be reduced to periodic spot-checking or cease entirely. Monitoring

[10] City of Menifee (2013). Open Space and Conservation Element Exhibit OSC-4. Retrieved from: https://www.cityofmenifee.us/250/Open-Space-Conservation-Element (Accessed May 20, 2021)

shall be reinstated, if reduction or suspension would need to be reconsidered by the Project Paleontologist.

The Program shall outline the procedures for construction staff Worker Environmental Awareness Program (WEAP) training, paleontological monitoring extent and duration, salvage and preparation of fossils, the final mitigation and monitoring report, and paleontological staff qualifications.

iii. Salvage of Fossils. If fossils are discovered, the Project Paleontologist or paleontological monitor shall recover them. Typically, fossils can be safely salvaged quickly by a single paleontologist and not disrupt construction activity. In some cases, larger fossils (such as complete skeletons or large mammal fossils) require more extensive excavation and longer salvage periods. In this case, the paleontologist shall have the authority to temporarily direct, divert, or halt construction activity to ensure that the fossil(s) can be removed in a safe and timely manner.

iv. Preparation and Curation of Recovered Fossils. Once salvaged, the City shall ensure that significant fossils are identified to the lowest possible taxonomic level, prepared to a curation-ready condition, and curated in a scientific institution with a permanent paleontological collection (such as the San Diego County Natural History Museum), along with all pertinent field notes, photos, data, and maps. Fossils of undetermined significance at the time of collection may also warrant curation at the discretion of the Project Paleontologist. Field collection and preparation of fossil specimens shall be performed by the Project Paleontologist with further preparation as needed by an accredited museum repository institution at the time of curation.

v. Final Paleontological Monitoring and Compliance Report. Upon completion of ground disturbing activities (and curation of fossils, if necessary) the Project Paleontologist shall prepare a Final Paleontological Monitoring and Compliance Report outlining the results of the Paleontological Monitoring and Compliance Program. The report shall be provided to the City and shall include discussion of the location, duration, and methods of the monitoring, stratigraphic sections, any recovered fossils, and the scientific significance of those fossils, and where fossils were curated.

4.7.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts have been identified.

4.7.6 Cumulative Impacts

The anticipated Project-related impacts, in conjunction with cumulative development in the City, could result in impacts concerning geology, soils, and paleontological resources. Potential impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future

development is proposed in accordance with the General Plan and Project. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential impacts concerning geology, soils, and paleontological resources and identify necessary mitigation measures, where appropriate.

Consequently, the Project would not result in significant environmental impacts concerning geology, soils, and paleontological resources resulting from future construction or operations; and future housing development facilitated by the Project would not conflict with or obstruct a state or local plan, ordinance, or standards aimed at avoiding or minimizing impacts concerning geology, soils, and paleontological resources. Therefore, the Project's contribution to potentially cumulatively considerable impacts would be less than significant with the implementation of mitigation measures identified in this section and compliance with applicable federal, state, and local regulations.

4.8 GREENHOUSE GAS EMISSIONS

This section of the Programmatic Environmental Impact Report (PEIR) for the Menifee 6th Cycle Housing Element Update Project (HEU or Project) assesses the potential greenhouse gas (GHG) effects resulting from the Project's implementation. Existing GHG conditions will be described and used as a baseline for further analysis. Relevant federal, state, and local regulations and policies will also be presented and will function as a regulatory framework from which the analysis will conclude potential impacts and their severity. In the event that an impact is found to be significant, mitigation measures will be proposed in order to reduce the impact to less than significant levels.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City of Menifee (City) where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because further information was unavailable and continued discussion would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.8.1 Environmental Setting

The study area for climate change and the analysis of GHG emissions is broad because climate change is influenced by worldwide emissions and their global effects. However, the study area is also limited by the California Environmental Quality Act (CEQA) Guidelines (§15064(d)), which directs lead agencies to consider an "indirect physical change" only if that change is a reasonably foreseeable impact that may be caused by the Project or future housing development facilitated by the Project. This analysis limits discussion to those physical changes to the environment that are not speculative and are reasonably foreseeable.

Menifee is located in Western Riverside County, which lies at the south-eastern boundary of the South Coast Air Basin (SCAB). As such the air quality of the region is under the jurisdiction of the South Coast Air Quality Management District (SCAQMD), tasked with setting regulations to ensure that the SCAB obtain and maintain the National Ambient Air Quality Standards (NAAQS) and continue progress towards meeting the more stringent California Ambient Air Quality Standards (CAAQS).

Greenhouse Gas

Compounds within the Earth's atmosphere have been linked to increased climate change effects. Accumulation of these compounds can lead to the increase in average worldwide temperature as well as changes in precipitation and increased storm intensity. These compounds within the atmosphere which absorb and emit solar radiation into the atmosphere are called GHGs. According to State CEQA Guidelines §15364.5, GHGs are generally comprised of carbon dioxide (CO_2), methane (CO_4), nitrous oxide (N_2O), fluorinated gases such as hydrofluorocarbons (HFCs) and perfluorocarbons (PFCs), and sulfur hexafluoride (SF_6). Although water vapor is abundant and is capable of absorbing large amounts of heat within the atmosphere, it is short-lived in the atmosphere and its atmospheric concentrations are largely determined

by natural processes, such as oceanic evaporation. Unlike criteria air pollutants toxic air contaminants (TACs) (further discussed and described in ***Section 4.3, Air Quality*** of this PEIR), which are regional and local pollutants, GHGs are global pollutants. ***Table 4.8-1: Description of Greenhouse Gases***, lists and describes the primary GHGs attributed to global climate change, including their physical properties.

Table 4.8-1: Description of Greenhouse Gases

Greenhouse Gas	Description
Carbon Dioxide (CO_2)	CO_2 is a colorless, odorless gas that is emitted naturally and through human activities. Natural sources include decomposition of dead organic matter, respiration of bacteria, plants, animals, and fungus, evaporation from oceans, and volcanic outgassing. Anthropogenic sources are from burning coal, oil, natural gas, and wood. The largest source of CO_2 emissions globally is the combustion of fossil fuels such as coal, oil, and gas in power plants, automobiles, and industrial facilities. The atmospheric lifetime of CO2 is variable because it is readily exchanged in the atmosphere. CO2 is the most widely emitted GHG and is the reference gas (Global Warming Potential [GWP] of 1) for determining GWPs for other GHGs. GWP's are a common unit of measure used to indicate the energy absorption ability of one ton of gas emissions compared to the emission of one ton of CO_2. Higher GWPs imply that a gas has a higher capacity to absorb energy over a time period compared to CO_2.
Nitrous Oxide (N_2O)	N_2O is largely attributable to agricultural practices and soil management. Primary human-related sources of N_2O include agricultural soil management, sewage treatment, combustion of fossil fuels, and adipic and nitric acid production. N_2O is produced from biological sources in soil and water, particularly microbial action in wet tropical forests. The atmospheric lifetime of N_2O is approximately 120 years. The Global Warming Potential of N_2O is 298.
Methane (CH_4)	CH_4, a highly potent GHG, primarily results from off-gassing (the release of chemicals from nonmetallic substances under ambient or greater pressure conditions) and is largely associated with agricultural practices and landfills. Methane is the major component of natural gas, about 87 percent by volume. Human-related sources include fossil fuel production, animal husbandry, rice cultivation, biomass burning, and waste management. Natural sources of CH_4 include wetlands, gas hydrates, termites, oceans, freshwater bodies, non-wetland soils, and wildfires. The atmospheric lifetime of CH_4 is about 12 years and the Global Warming Potential is 25.
Hydrofluorocarbons (HFCs)	HFCs are typically used as refrigerants for both stationary refrigeration and mobile air conditioning. The use of HFCs for cooling and foam blowing is increasing, as the continued phase-out of chlorofluorocarbons (CFCs) and hydrochlorofluorocarbons (HCFCs) gains momentum. The 100-year Global Warming Potential of HFCs ranges from 124 for HFC-152 to 14,800 for HFC-23.
Perfluorocarbons (PFCs)	PFCs have stable molecular structures and only break down by ultraviolet rays about 60 kilometers above Earth's surface. Because of this, they have long lifetimes, between 10,000 and 50,000 years. Two main sources of PFCs are primary aluminum production and semiconductor manufacturing. Global Warming Potentials range from 6,500 to 9,200.
Chlorofluorocarbons (CFCs)	CFCs are gases formed synthetically by replacing all hydrogen atoms in methane or ethane with chlorine and/or fluorine atoms. They are nontoxic, nonflammable, insoluble, and chemically unreactive in the troposphere (the level of air at the earth's surface). CFCs were synthesized in 1928 for use as refrigerants, aerosol propellants, and cleaning solvents. The Montreal Protocol on Substances that

Greenhouse Gas	Description
	Deplete the Ozone Layer prohibited its production in 1987. Global Warming Potentials for CFCs range from 3,800 to 14,400.
Sulfur Hexafluoride (SF_6)	SF_6 is an inorganic, odorless, colorless, and non-toxic, nonflammable gas. It has a lifetime of 3,200 years. This gas is manmade and used for insulation in electric power transmission equipment, in the magnesium industry, in semiconductor manufacturing, and as a tracer gas. The Global Warming Potential of SF_6 is 23,900.
Hydrochlorofluorocarbons (HCFCs)	HCFCs are solvents, similar in use and chemical composition to CFCs. The main uses of HCFCs are for refrigerant products and air conditioning systems. As part of the Montreal Protocol, HCFCs are subject to a consumption cap and gradual phase-out. The United States is scheduled to achieve a 100 percent reduction to the cap by 2030. The 100-year Global Warming Potentials of HCFCs range from 90 for HCFC-123 to 1,800 for HCFC-142b.
Nitrogen Trifluoride (NF_3)	NF_3 was added to Health and Safety Code §38505(g)(7) as a GHG of concern. This gas is used in electronics manufacture for semiconductors and liquid crystal displays. It has a high global warming potential of 17,200.

Source: Compiled from EPA, Overview of Greenhouse Gases, April 11, 2018 (https://www.epa.gov/ghgemissions/overview-greenhouse-gases); EPA, Inventory of U.S. Greenhouse Gas Emissions and Sinks: 1990-2016, 2018; Intergovernmental Panel on Climate Change, Climate Change 2007: The Physical Science Basis, 2007; National Research Council, Advancing the Science of Climate Change, 2010; EPA, Methane and Nitrous Oxide Emission from Natural Sources, April 2010; EPA, Understanding Global Warming Potentials, 2020.

GHGs are generated from manmade processes as well as natural processes. Anthropogenic GHGs include fluorinated gases and SF_6. CO_2 and C_4H are the most abundant GHGs and are the most often emitted from human activity. GHGs vary in terms of global warming potential, which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO_2, the most abundant GHG. Emissions are typically measured in metric tons of CO_2 equivalents (CO_2e). This measures each compound's global warming potential (GWP), which is a concept developed to compare the ability of each GHG to trap heat in the atmosphere relative to CO_2, the most abundant GHG. Because GHGs absorb different amounts of heat, a common reference gas (CO_2) is used to relate the amount of heat absorbed to the amount of the gas emissions.

Greenhouse Gas Inventory

The Western Riverside Council of Governments (WRCOG) Climate Action Plan (CAP) was created in September 2014 and includes a countywide GHG emissions inventory. This inventory identified WRCOG's major sources and quantities of GHG produced by residents, businesses, and municipal operations within the WRCOG region. Although the City did not participate in the creation of the 2014 CAP, the City has provided current information in participation with the upcoming WRCOG CAP update.

4.8.2 Regulatory Setting

Federal

United States Environmental Protection Agency Endangerment Finding

The U.S. Environmental Protection Agency (EPA) authority to regulate GHG emissions stems from the U.S. Supreme Court decision in *Massachusetts v. EPA* (2007). The Supreme Court ruled that GHGs meet the definition of air pollutants under the existing federal Clean Air Act (FCAA) and must be regulated if these gases could be reasonably anticipated to endanger public health or welfare. Responding to the Court's

ruling, the EPA finalized an endangerment finding in December 2009. Based on scientific evidence it found that six GHGs (CO_2, CH_4, N_2O, HFCs, PFCs, and SF_6) constitute a threat to public health and welfare. Thus, it is the Supreme Court's interpretation of the existing FCAA and the U.S. EPA's assessment of the scientific evidence that form the basis for the EPA's regulatory actions.

The U.S. EPA is responsible for implementing federal policy to address global climate change. The federal government's early efforts have focused on public-private partnerships to reduce GHG intensity through energy efficiency, renewable energy, methane and other non-CO_2 gases, agricultural practices, and implementation of technologies to achieve GHG reductions.

The U.S. EPA is required to regulate carbon dioxide and other GHGs as pollutants under Section 202(a)(1) of the FCAA. The first step in implementing its authority was the Mandatory Reporting Rule that required inventory data collection commencing on January 1, 2010 with first reports due March 2011. Effective January 2, 2011, the U.S. EPA requires new and existing sources of GHG emissions of 75,000 tons per year to obtain a permit under the New Source Review Prevention of Significant Deterioration and Title V Operating Permit Program.

Federal Vehicle Standards

In response to the U.S. Supreme Court ruling discussed above, Executive Order 13432 was issued in 2007 directing the U.S. EPA, the Department of Transportation, and the Department of Energy to establish regulations that reduce GHG emissions from motor vehicles, non-road vehicles, and non-road engines by 2008. In 2009, the National Highway Traffic Safety Administration (NHTSA) issued a final rule regulating fuel efficiency and GHG emissions from cars and light-duty trucks for model year 2011, and in 2010, the U.S. EPA and NHTSA issued a final rule regulating cars and light-duty trucks for model years 2012–2016.

In 2010, an Executive Memorandum was issued directing the Department of Transportation, Department of Energy, EPA, and NHTSA to establish additional standards regarding fuel efficiency and GHG reduction, clean fuels, and advanced vehicle infrastructure. In response to this directive, the U.S. EPA and NHTSA proposed stringent, coordinated federal GHG and fuel economy standards for model years 2017–2025 light-duty vehicles. The proposed standards projected to achieve 163 grams per mile of CO_2 in model year 2025, on an average industry fleet-wide basis, which is equivalent to 54.5 miles per gallon if this level were achieved solely through fuel efficiency. The final rule was adopted in 2012 for model years 2017–2021, and NHTSA intends to set standards for model years 2022–2025 in a future rulemaking. On January 12, 2017, the U.S. EPA finalized its decision to maintain the current GHG emissions standards for model years 2022–2025 cars and light trucks. It should be noted that the U.S. EPA is currently proposing to freeze the vehicle fuel efficiency standards at their planned 2020 level (37 mpg), canceling any future strengthening (currently 54.5 mpg by 2026).

In addition to the regulations applicable to cars and light-duty trucks described above, in 2011, the U.S. EPA and NHTSA announced fuel economy and GHG standards for medium- and heavy-duty trucks for model years 2014–2018. The standards for CO_2 emissions and fuel consumption are tailored to three main vehicle categories: combination tractors, heavy-duty pickup trucks and vans, and vocational vehicles. According to the U.S. EPA, this regulatory program will reduce GHG emissions and fuel consumption for the affected vehicles by 6 to 23 percent over the 2010 baselines.

In August 2016, the U.S. EPA and NHTSA announced the adoption of the phase two program related to the fuel economy and GHG standards for medium- and heavy-duty trucks. The phase two program will apply to vehicles with model year 2018 through 2027 for certain trailers, and model years 2021 through 2027 for semi-trucks, large pickup trucks, vans, and all types and sizes of buses and work trucks. The final standards are expected to lower CO_2 emissions by approximately 1.1 billion metric tons and reduce oil consumption by up to 2 billion barrels over the lifetime of the vehicles sold under the program.

In 2018, the President and the U.S. EPA stated their intent to halt various federal regulatory activities to reduce GHG emission, including the phase two program. California and other states have stated their intent to challenge federal actions that would delay or eliminate GHG reduction measures and have committed to cooperating with other countries to implement global climate change initiatives. On September 27, 2019, the EPA and the NHTSA published the "Safer Affordable Fuel-Efficient (SAFE) Vehicles Rule Part One: One National Program." (84 Fed. Reg. 51,310 (Sept. 27, 2019.) The Part One Rule revokes California's authority to set its own GHG emissions standards and set zero-emission vehicle mandates in California. On March 31, 2020, the U.S. EPA and NHTSA finalized rulemaking for SAFE Part Two sets CO_2 emissions standards and corporate average fuel economy (CAFE) standards for passenger vehicles and light-duty trucks, covering model years 2021-2026.

Presidential Executive Order 13783

Presidential Executive Order 13783, *Promoting Energy Independence and Economic Growth* issued on March 28, 2017, orders all federal agencies to apply cost-benefit analyses to regulations of GHG emissions and evaluations of the social cost of CO_2, N_2O, and CH_4.

State

California Air Resources Board

CARB is responsible for the coordination and oversight of State and local air pollution control programs in California. Various statewide and local initiatives to reduce California's contribution to GHG emissions have raised awareness about climate change and its potential for severe long-term adverse environmental, social, and economic effects. California is a significant emitter of CO_2e in the world and produced 459 million gross metric tons of CO_2e in 2013. In the State, the transportation sector is the largest emitter of GHGs, followed by industrial operations such as manufacturing and oil and gas extraction.

The State of California legislature has enacted a series of bills that constitute the most aggressive program to reduce GHGs of any state in the nation. Some legislation, such as the landmark Assembly Bill (AB) 32, California Global Warming Solutions Act of 2006, was specifically enacted to address GHG emissions. Other legislation, such as Title 24 building efficiency standards and Title 20 appliance energy standards, were originally adopted for other purposes such as energy and water conservation, but also provide GHG reductions. This section describes the major provisions of the legislation.

Assembly Bill 32 (California Global Warming Solutions Act of 2006)

AB 32 instructs the CARB to develop and enforce regulations for the reporting and verification of statewide GHG emissions. AB 32 also directed CARB to set a GHG emissions limit based on 1990 levels, to be achieved by 2020. It set a timeline for adopting a scoping plan for achieving GHG reductions in a technologically and economically feasible manner.

California Air Resource Board Scoping Plan

CARB adopted the Scoping Plan to achieve the goals of AB 32. The Scoping Plan establishes an overall framework for the measures that would be adopted to reduce California's GHG emissions. CARB determined that achieving the 1990 emissions level would require a reduction of GHG emissions of approximately 29 percent below what would otherwise occur in 2020 in the absence of new laws and regulations (referred to as "business-as-usual"). The Scoping Plan evaluates opportunities for sector-specific reductions, integrates early actions and additional GHG reduction measures by both CARB and the State's Climate Action Team, identifies additional measures to be pursued as regulations, and outlines the adopted role of a cap-and-trade program. Additional development of these measures and adoption of the appropriate regulations occurred through the end of 2013. Key elements of the Scoping Plan include:

- Expanding and strengthening existing energy efficiency programs, as well as building and appliance standards.
- Achieving a statewide renewables energy mix of 33 percent by 2020.
- Developing a California cap-and-trade program that links with other programs to create a regional market system and caps sources contributing 85 percent of California's GHG emissions (adopted in 2011).
- Establishing targets for transportation-related GHG emissions for regions throughout California and pursuing policies and incentives to achieve those targets (several sustainable community strategies have been adopted).
- Adopting and implementing measures pursuant to existing State laws and policies, including California's clean car standards, heavy-duty truck measures, the Low Carbon Fuel Standard (amendments to the Pavley Standard adopted 2009; Advanced Clean Car standard adopted 2012), goods movement measures, and the Low Carbon Fuel Standard (adopted 2009).
- Creating targeted fees, including a public goods charge on water use, fees on gasses with high global warming potential, and a fee to fund the administrative costs of the State of California's long-term commitment to AB 32 implementation.

In 2012, CARB released revised estimates of the expected 2020 emissions reductions. The revised analysis relied on emissions projections updated in light of current economic forecasts that accounted for the economic downturn since 2008, reduction measures already approved and put in place relating to future fuel and energy demand, and other factors. This update reduced the projected 2020 emissions from 596 million metric tons of CO_2e ($MMTCO_2e$) to 545 $MMTCO_2e$. The reduction in forecasted 2020 emissions means that the revised business-as-usual reduction necessary to achieve AB 32's goal of reaching 1990

levels by 2020 is now 21.7 percent, down from 29 percent. CARB also provided a lower 2020 inventory forecast that incorporated State-led GHG emissions reduction measures already in place. When this lower forecast is considered, the necessary reduction from business-as-usual needed to achieve the goals of AB 32 is approximately 16 percent.

CARB adopted the first major update to the Scoping Plan on May 22, 2014. The updated Scoping Plan summarizes the most recent science related to climate change, including anticipated impacts to California and the levels of GHG emissions reductions necessary to likely avoid risking irreparable damage. It identifies the actions California has already taken to reduce GHG emissions and focuses on areas where further reductions could be achieved to help meet the 2020 target established by AB 32.

In 2016, the Legislature passed Senate Bill (SB) 32, which codifies a 2030 GHG emissions reduction target of 40 percent below 1990 levels. With SB 32, the Legislature passed companion legislation, AB 197, which provides additional direction for developing the Scoping Plan. On December 14, 2017, CARB adopted a second update to the Scoping Plan. The 2017 Scoping Plan details how the State will reduce GHG emissions to meet the 2030 target set by Executive Order B-30-15 and codified by SB 32. Other objectives listed in the 2017 Scoping plan are to provide direct GHG emissions reductions, support climate investment in disadvantaged communities, and support the Clean Power Plan and other Federal actions.

California Energy Code (California Building Energy Efficiency Standards)

Energy consumption by new buildings in California is regulated by the California Energy Code which is Part 6 under Title 24 of the California Code of Regulations (CCR Title 24). The 12 parts of the CCR Title 24 are known as the California Building Standards Code (CBSC). The California Energy Commission adopted its first energy code, titled the Energy Conservation Standards for New Residential and New Nonresidential Buildings, in 1978 in response to a legislative mandate to reduce energy consumption in the state. The CBSC is updated every 3 years, and the current 2019 California Energy Code went into effect on January 1, 2020.

The California Energy Code applies to both new construction and rehabilitation of residential and non-residential buildings, and regulates energy consumed for heating, cooling, ventilation, water heating, and lighting. The California Energy Code is enforced through the local building permit process. Local government agencies may adopt and enforce energy standards for new buildings, provided these standards meet or exceed those provided in CCR Title 24. The 2019 Title 24 standards include the requirement by the California Public Utilities Commission (CPUC) Energy Efficiency Strategic Plan for net-zero energy consumption for new residential development starting in 2020 and will ultimately incorporate requirements for net zero in new non-residential development by 2030.

Senate Bill 32 (California Global Warming Solutions Act of 2006: Emissions Limit)

Signed into law in September 2016, SB 32 codifies the 2030 GHG reduction target in Executive Order B 30 15 (40 percent below 1990 levels by 2030). The bill authorizes CARB to adopt an interim GHG emissions level target to be achieved by 2030. CARB also must adopt rules and regulations in an open public process to achieve the maximum, technologically feasible, and cost-effective GHG reductions.

SB 375 (The Sustainable Communities and Climate Protection Act of 2008)

Signed into law on September 30, 2008, SB 375 provides a process to coordinate land use planning, regional transportation plans, and funding priorities to help California meet the GHG reduction goals established by AB 32. SB 375 requires metropolitan planning organizations to include sustainable community strategies in their regional transportation plans for reducing GHG emissions, aligns planning for transportation and housing, and creates specified incentives for the implementation of the strategies.

AB 1493 (Pavley Regulations and Fuel Efficiency Standards)

AB 1493, enacted on July 22, 2002, required CARB to develop and adopt regulations that reduce GHGs emitted by passenger vehicles and light-duty trucks. Implementation of the regulation was delayed by lawsuits filed by automakers and by the U.S. EPA's denial of an implementation waiver. The EPA subsequently granted the requested waiver in 2009, which was upheld by the U.S. District Court for the District of Columbia in 2011. The regulations establish one set of emission standards for model years 2009–2016 and a second set of emissions standards for model years 2017 to 2025. By 2025, when all rules will be fully implemented, new automobiles will emit 34 percent fewer CO_2e emissions and 75 percent fewer smog-forming emissions. Although previously challenged by the Trump Administration, the current Biden Administration has taken steps to reinstate the State's AB 1493 provisions.

SB 1368 (Emission Performance Standards)

SB 1368 is the companion bill of AB 32, which directs the CPUC to adopt a performance standard for GHG emissions for the future power purchases of California utilities. SB 1368 limits carbon emissions associated with electrical energy consumed in California by forbidding procurement arrangements for energy longer than 5 years from resources that exceed the emissions of a relatively clean, combined-cycle natural gas power plant. The new law effectively prevents California's utilities from investing in, otherwise financially supporting, or purchasing power from new coal plants located in or out of the State. The CPUC adopted the regulations required by SB 1368 on August 29, 2007. The regulations implementing SB 1368 establish a standard for baseload generation owned by, or under long-term contract to publicly owned utilities, for 1,100 pounds of CO_2 per megawatt-hour. Under SB 1368, the Project would reduce GHG emissions by using energy that was generated with cleaner methods.

SB 1078 and SBX1-2 (Renewable Electricity Standards)

SB 1078 requires California to generate 20 percent of its electricity from renewable energy by 2017. SB 107 changed the due date to 2010 instead of 2017. On November 17, 2008, Governor Arnold Schwarzenegger signed Executive Order S-14-08, which established a Renewable Portfolio Standard target for California requiring that all retail sellers of electricity serve 33 percent of their load with renewable energy by 2020. Executive Order S-21-09 also directed CARB to adopt a regulation by July 31, 2010, requiring the State's load-serving entities to meet a 33 percent renewable energy target by 2020. CARB approved the Renewable Electricity Standard on September 23, 2010, by Resolution 10-23. SBX1-2, which codified the 33 percent by 2020 goal.

SB 350 (Clean Energy and Pollution Reduction Act of 2015)

Signed into law on October 7, 2015, SB 350 implements the goals of Executive Order B-30-15. The objectives of SB 350 are to increase the procurement of electricity from renewable sources from 33 percent to 50 percent (with interim targets of 40 percent by 2024, and 25 percent by 2027) and to double the energy efficiency savings in electricity and natural gas end uses of retail customers through energy efficiency and conservation. SB 350 also reorganizes the Independent System Operator to develop more regional electricity transmission markets and improve accessibility in these markets, which will facilitate the growth of renewable energy markets in the western United States.

AB 398 (Market-Based Compliance Mechanisms)

Signed on July 25, 2017, AB 398 extended the duration of the Cap-and-Trade program from 2020 to 2030. AB 398 required CARB to update the Scoping Plan and for all GHG rules and regulations adopted by the State. It also designated CARB as the statewide regulatory body responsible for ensuring that California meets its statewide carbon pollution reduction targets, while retaining local air districts' responsibility and authority to curb toxic air contaminants and criteria pollutants from local sources that severely impact public health. AB 398 also decreased free carbon allowances over 40 percent by 2030 and prioritized Cap-and-Trade spending to various programs including reducing diesel emissions in impacted communities.

SB 150 (Regional Transportation Plans)

Signed on October 10, 2017, SB 150 aligns local and regional GHG reduction targets with State targets (i.e., 40 percent below their 1990 levels by 2030). SB 150 creates a process to include communities in discussions on how to monitor their regions' progress on meeting these goals. The bill also requires the CARB to regularly report on that progress, as well as on the successes and the challenges regions experience associated with achieving their targets. SB 150 provides for accounting of climate change efforts and GHG reductions and identify effective reduction strategies.

SB 100 (California Renewables Portfolio Standard Program: Emissions of Greenhouse Gases)

Signed into Law in September 2018, SB 100 increased California's renewable electricity portfolio from 50 to 60 percent by 2030. SB 100 also established a further goal to have an electric grid that is entirely powered by clean energy by 2045.

Executive Orders Related to GHG Emissions

California's Executive Branch has taken several actions to reduce GHGs using executive orders. Although not regulatory, they set the tone for the State and guide the actions of state agencies.

Executive Order S-3-05

Executive Order S-3-05 was issued on June 1, 2005, which established the following GHG emissions reduction targets:

- By 2010, reduce GHG emissions to 2000 levels.
- By 2020, reduce GHG emissions to 1990 levels.

- By 2050, reduce GHG emissions to 80 percent below 1990 levels.

The 2050 reduction goal represents what some scientists believe is necessary to reach levels that will stabilize the climate. The 2020 goal was established to be a mid-term target.

Executive Order S-01-07

Issued on January 18, 2007, Executive Order S 01-07 mandates that a statewide goal shall be established to reduce the carbon intensity of California's transportation fuels by at least 10 percent by 2020. The executive order established a Low Carbon Fuel Standard (LCFS) and directed the Secretary for Environmental Protection to coordinate the actions of the California Energy Commission, CARB, the University of California, and other agencies to develop and propose protocols for measuring the "life-cycle carbon intensity" of transportation fuels. CARB adopted the LCFS on April 23, 2009.

Executive Order S-13-08

Issued on November 14, 2008, Executive Order S-13-08 facilitated the California Natural Resources Agency development of the 2009 California Climate Adaptation Strategy. Objectives include analyzing risks of climate change in California, identifying and exploring strategies to adapt to climate change, and specifying a direction for future research.

Executive Order S-14-08

Issued on November 17, 2008, Executive Order S-14-08 expands the State's Renewable Energy Standard to 33 percent renewable power by 2020. Additionally, Executive Order S-21-09 (signed on September 15, 2009) directs CARB to adopt regulations requiring 33 percent of electricity sold in the State come from renewable energy by 2020. CARB adopted the Renewable Electricity Standard on September 23, 2010, which requires 33 percent renewable energy by 2020 for most publicly-owned electricity retailers.

Executive Order S-21-09

Issued on July 17, 2009, Executive Order S-21-09 directs CARB to adopt regulations to increase California's RPS to 33 percent by 2020. This builds upon SB 1078 (2002), which established the California RPS program, requiring 20 percent renewable energy by 2017, and SB 107 (2006), which advanced the 20 percent deadline to 2010, a goal which was expanded to 33 percent by 2020 in the 2005 Energy Action Plan II.

Executive Order B-30-15

Issued on April 29, 2015, Executive Order B-30-15 established a California GHG reduction target of 40 percent below 1990 levels by 2030 and directs CARB to update the Climate Change Scoping Plan to express the 2030 target in terms of MMTCO2e. The 2030 target acts as an interim goal on the way to achieving reductions of 80 percent below 1990 levels by 2050, a goal set by Executive Order S-3-05. The executive order also requires the State's climate adaptation plan to be updated every three years and for the State to continue its climate change research program, among other provisions. With the enactment of SB 32 in 2016, the Legislature codified the goal of reducing GHG emissions by 2030 to 40 percent below 1990 levels.

Executive Order B-55-18.

Issued on September 10, 2018, Executive Order B-55-18 establishes a goal to achieve carbon neutrality as soon as possible, and no later than 2045, and achieve and maintain net negative emissions thereafter. This goal is in addition to the existing statewide targets of reducing GHG emissions. The executive order requires CARB to work with relevant state agencies to develop a framework for implementing this goal. It also requires CARB to update the Scoping Plan to identify and recommend measures to achieve carbon neutrality. The executive order also requires state agencies to develop sequestration targets in the Natural and Working Lands Climate Change Implementation Plan.

Title 20 Appliance Efficiency Regulations

The appliance efficiency regulations (California Code of Regulations [CCR] Title 20, §§1601-1608) include standards for new appliances. Twenty-three categories of appliances are included in the scope of these regulations. These standards include minimum levels of operating efficiency, and other cost-effective measures, to promote the use of energy- and water-efficient appliances.

Title 24 Building Energy Efficiency Standards

California's Energy Efficiency Standards for Residential and Nonresidential Buildings (CCR Title 24, Part 6), was first adopted 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-efficient technologies and methods. Energy-efficient buildings require less electricity; therefore, increased energy efficiency reduces fossil fuel consumption and decreases GHG emissions. The 2016 Building Energy Efficiency Standards approved on January 19, 2016 went into effect on January 1, 2017. The 2019 Building Energy Efficiency Standards were adopted on May 9, 2018 and take effect on January 1, 2020. Under the 2019 standards, homes will use about 53 percent less energy and nonresidential buildings will use about 30 percent less energy than buildings under the 2016 standards.

Title 24 California Green Building Standards Code

The California Green Building Standards Code (CCR Title 24, Part 11 code) commonly referred to as the CALGreen Code, is a statewide mandatory construction code developed and adopted by the California Building Standards Commission and the Department of Housing and Community Development. The CALGreen standards require new residential and commercial buildings to comply with mandatory measures under the topics of planning and design, energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality. CALGreen also provides voluntary tiers and measures that local governments may adopt that encourage or require additional measures in the five green building topics. The most recent update to the CALGreen Code went into effect January 1, 2017. Updates to the 2016 CALGreen Code will take effect on January 1, 2020 (2019 CALGreen). The 2019 CALGreen standards will continue to improve upon the existing standards for new construction of, and additions and alterations to, residential and nonresidential buildings.

CARB Advanced Clean Truck Regulation

CARB adopted the Advanced Clean Truck Regulation in June 2020 requiring truck manufacturers to transition from diesel trucks and vans to electric zero-emission trucks beginning in 2024. By 2045, every new truck sold in California is required to be zero-emission. This rule directly addresses disproportionate risks and health and pollution burdens and puts California on the path for an all zero-emission short-haul drayage fleet in ports and railyards by 2035, and zero-emission "last-mile" delivery trucks and vans by 2040. The Advanced Clean Truck Regulation accelerates the transition of zero-emission medium-and heavy-duty vehicles from Class 2b to Class 8. The regulation has two components including a manufacturer sales requirement, and a reporting requirement:

- Zero-Emission Truck Sales: Manufacturers who certify Class 2b through 8 chassis or complete vehicles with combustion engines are required to sell zero-emission trucks as an increasing percentage of their annual California sales from 2024 to 2035. By 2035, zero-emission truck/ chassis sales need to be 55 percent of Class 2b – 3 truck sales, 75 percent of Class 4 – 8 straight truck sales, and 40 percent of truck tractor sales.
- Company and Fleet Reporting: Large employers including retailers, manufacturers, brokers and others would be required to report information about shipments and shuttle services. Fleet owners, with 50 or more trucks, would be required to report about their existing fleet operations. This information would help identify future strategies to ensure that fleets purchase available zero-emission trucks and place them in service where suitable to meet their needs.

Regional

South Coast Air Quality Management District Thresholds

The SCAQMD formed a GHG CEQA Significance Threshold Working Group to provide guidance to local lead agencies on determining significance for GHG emissions in their CEQA documents. As of the last Working Group meeting (Meeting 15) held in September 2010, the SCAQMD is proposing to adopt a tiered approach for evaluating GHG emissions for development projects where SCAQMD is not the lead agency.

With the tiered approach, the Project is compared with the requirements of each tier sequentially and would not result in a significant impact if it complies with any tier. Tier 1 excludes projects that are specifically exempt from SB 97 from resulting in a significant impact. Tier 2 excludes projects that are consistent with a GHG reduction plan that has a certified final CEQA document and complies with AB 32 GHG reduction goals. Tier 3 excludes projects with annual emissions lower than a screening threshold. For all industrial projects, the SCAQMD is proposing a screening threshold of 10,000 $MTCO_2e$ per year. SCAQMD concluded that projects with emissions less than the screening threshold would not result in a significant cumulative impact.

Tier 4 consists of three decision tree options. Under the Tier 4 first option, SCAQMD initially outlined that a project would be excluded if design features and/or mitigation measures resulted in emissions 30 percent lower than business as usual emissions. However, the Working Group did not provide a recommendation for this approach. The Working Group folded the Tier 4 second option into the third option. Under the Tier 4 third option, a project would be excluded if it was below an efficiency-based threshold of 4.8 $MTCO_2e$ per service population per year. Tier 5 would exclude projects that implement

off-site mitigation (GHG reduction projects) or purchase offsets to reduce GHG emission impacts to less than the proposed screening level.

GHG efficiency metrics are utilized as thresholds to assess the GHG efficiency of a project on a per capita basis or on a service population basis (the sum of the number of jobs and the number of residents provided by a project) such that a project would allow for consistency with the goals of AB 32 (i.e., 1990 GHG emissions levels by 2020 and 2035). GHG efficiency thresholds can be determined by dividing the GHG emissions inventory goal of the State, by the estimated 2035 population and employment. This method allows highly efficient projects with higher mass emissions to meet the overall reduction goals of AB 32, and is appropriate, because the threshold can be applied evenly to all project types (residential or commercial/retail only and mixed-use).

Southern California Association of Governments

On September 3, 2020, Southern California Association of Governments' (SCAG) Regional Council adopted Connect SoCal (2020 – 2045 Regional Transportation Plan/Sustainable Communities Strategy [2020 RTP/SCS]). The RTP/SCS charts a course for closely integrating land use and transportation so that the region can grow smartly and sustainably. The strategy was prepared through a collaborative, continuous, and comprehensive process with input from local governments, county transportation commissions, tribal governments, non-profit organizations, businesses and local stakeholders within the counties of Imperial, Los Angeles, Orange, Riverside, San Bernardino, and Ventura. The RTP/SCS is a long-range vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The SCAG region strives toward sustainability through integrated land use and transportation planning. The SCAG region must achieve specific federal air quality standards and is required by state law to lower regional GHG emissions.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Circulation Element

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

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

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

Policy C-2.2 Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.

Policy C-2.3 Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Policy C-2.4 Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way, and other potential options.

Goal C-3 A public transit system that is a viable alternative to automobile travel and meets basic transportation needs of the transit dependent.

Policy C-3.2 Require new development to provide transit facilities, such as bus shelters, transit bays, and turnouts, as necessary.

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

Policy 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.

Goal C-4 Diversified local transportation options that include neighborhood electric vehicles and golfcarts.

Policy C-4.1 Encourage the use of neighborhood electric vehicles and golf carts instead of automobiles for local trips.

Open Space and Conservation Element

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

Policy OSC-9.5 Comply with the mandatory requirements of Title 24 Part 11 of the California Building Standards Code (CALGreen) and Title 24 Part 6 Building and Energy Efficiency Standards.

Goal OSC-10 An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.

Policy OSC-10.1 Align the City's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.

Policy OSC-10.2 Align the City's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.

Policy OSC-10.3 Participate in regional greenhouse gas emission reduction initiatives.

Policy OSC-10.4 Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.

4.8.3 Standards of Significance

Addressing GHG emissions generation impacts requires an agency to determine what constitutes a significant impact. The amendments to the State CEQA Guidelines specifically allow lead agencies to determine thresholds of significance that illustrate the extent of an impact and are a basis from which to apply mitigation measures. This means that each agency is left to determine whether a project's GHG emissions would have a "significant" impact on the environment. The guidelines direct that agencies are to use "careful judgment" and "make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate" the Project's GHG emissions.[1]

Multiple expert agencies throughout the state have drafted or adopted varying threshold approaches and guidelines for analyzing 2020 operational GHG emissions in CEQA documents. The different thresholds include compliance with a qualified GHG reduction strategy, performance-based reductions, numeric bright-line thresholds, and efficiency-based thresholds. The California Supreme Court decision in the *Centers for Biological Diversity v. California Department of Fish and Wildlife* (2015) 62 Cal.4th 204, Case No. S217763, the Newhall Land and Farming Company (November 30, 2015, Case No. S217763)[2] confirmed that when an "agency chooses to rely completely on a single quantitative method to justify a no-significance finding, CEQA demands the agency research and document the quantitative parameters essential to that method."

As noted earlier, AB 32 is a legal mandate requiring that statewide GHG emissions be reduced to 1990 levels by 2020 and efficiency-based thresholds represent the rate of emission reductions needed to achieve a fair share of California's GHG emissions reduction target established under AB 32. In adopting AB 32, the legislature determined the necessary GHG reductions for the state to make in order to sufficiently offset its contribution to the cumulative climate change problem to reach 1990 levels. AB 32 is the only legally mandated requirement for the reduction of GHGs. As such, compliance with AB 32 is the current adopted basis upon which an agency can base its significance threshold for evaluating a project's GHG impacts. However, it is acknowledged that Executive Orders 5-03-05 and B-30-15, SB 375, and proposed legislation will ultimately result in GHG emissions reduction targets for 2030, 2040, and 2050.

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

[1] 14 California Code of Regulations, §15064.4a

[2] Association of Environmental Professionals. (2016) *Final White Paper Beyond 2020 and Newhall A Field Guide to New CEQA Greenhouse Gas Thresholds and Climate Action Plan Targets for California October 18, 2016*. Retrieved from: https://califaep.org/docs/AEP-2016_Final_White_Paper.pdf (Accessed June 3, 2021).

Methodology

This analysis considers the *State CEQA Guidelines*, Appendix G, as described above, in determining whether the Project implementation would result in the direct or indirect generation of GHG emissions. The evaluation was based on reviewing the regulations and determining their applicability for the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would result in "substantial" adverse effects on GHGs considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies.

4.8.4 Project Impacts and Mitigation

Impact 4.8-1 ***Would the proposed project, generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?***

Impact 4.8-2 ***Would the proposed project, conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?***

Level of Significance: Less than Significant Impact

The Project does not include physical alterations to the City which could directly create changes to the City's existing air quality or regional air quality. Instead, the Project proposes multiple regulatory changes to the City's General Plan. The Project components includes an update to the City's Housing Element to coincide with the 2021 – 2029 planning period. The HEU would create new policies and programs within the City's housing element in order to ensure greater housing availability for residents of various income levels. Policies and programs included in the housing element update would facilitate the expansion of available housing in the City to meet the City's Regional Housing Needs Assessment (RHNA) allocation of 6,609 dwelling units (DUs). In order to ensure that the RHNA allocation is met, the City has identified candidate housing sites which would allow for the future development of additional DUs. These candidate housing sites are spread throughout the City. ***Appendix A, Candidate Sites*** summarizes the candidate sites as well as their included parcels. ***Figure 3-3: Candidate Sites*** shows the location of the identified candidate housing sites within the City.

The Project also includes an update to the Menifee GP Land Use Element which includes GP land use amendments to accommodate the rezoning of 48 parcels within the City's Economic Development Corridor – Community Core (EDC-CC) land use area to Rural Residential 1-acre minimum (RR1) designations. This rezone would act as a clean up to maintain the existing low-density residential character and pattern of development for this area. The Land Use Element Updates reflect land use changes to areas with existing residential and Economic Development Corridor (EDC) land use designations. The updates to the EDC areas include:

- Amending EDC land use and zoning consistent with rezone program of the Housing Element;
- Addressing residential in the EDC including removal of 15 percent overall limitation on residential and no stand-alone residential;

- Amending EDC Subarea use descriptions regarding preferred use mix for each subarea including percentages for intended uses; and
- Amending land use and zoning of EDC-CC island area to RR-1 land use and zoning consistent with existing established residential area.

These updates are necessary for the Project to accommodate the proposed future housing needs to comply with AB 1397. As summarized in ***Section 4.14, Population and Housing***, additional housing developments facilitated by the Project would not exceed growth projections estimated by SCAG and the Menifee GP. Therefore, the additional housing associated with the Project would not inherently generate GHG at a rate that exceeds previous estimates or established limitations.

Future housing development facilitated by the Project would result in an increase in GHG due to increased vehicle miles traveled (VMT), construction activities, stationary area sources (i.e., natural gas consumption for space and water heating devices, landscape maintenance equipment operations, and use of consumer products), energy consumption, water supply, and solid waste generation. Increased GHG emissions could contribute to global climate change patterns and the adverse global environmental effects thereof. GHG emissions associated with future development are anticipated to include CO_2, N_2O, and CH_4. At the time of their initiation, new developments facilitated by the Project would be required to comply with applicable federal, state and local regulations regarding GHG emission. This includes policies instituted by SCAQMD in which developers would be required to comply with one of five exclusion tiers in order to avoid significant environmental impacts. Furthermore, future projects facilitated by the Project would continue to be required to comply with the California Building Code, which includes Title 24, Part 11. This requires residential developments to be planned and developed in a manner that is consistent with any applicable regulations involving energy efficiency, water efficiency/conservation, material conservation and resource efficiency, and environmental quality.

A safety element update is included in the Project which would modify and create policies within the Menifee GP to enhance the City's resilience against hazards such as fire risks, flooding risks, and public safety. Updates to the safety element include requirements for compliance with the California Fire Code (CFC) and California Building Code (CBC). A Climate Vulnerability Assessment (CVA) was produced for the City in order to identify potential hazards facing the City as a result of continued climate change effects. Continued generation and accumulation of GHGs would inevitably lead to climate change effects. For the City, identified climate change effects included increased storm severity, increased temperatures, more frequent extreme heat days, increased demand for indoor cooling, and increased wildfire risk and severity.

In order to minimize the City's GHG generation and, subsequently, the City's climate change hazards, additional goals and policies have been proposed for the Menifee GP Safety Element. These new goals and policies include:

- **Proposed Goal S-7:** A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.
- **Proposed Policy S-7.1:** Continue to require environmental analysis for proposed projects which may produce harmful levels of greenhouse gas.

- **Proposed Policy S-7.4:** Promote alternative forms of energy production such as solar or wind power.
- **Proposed Policy S-7.5:** Promote the use of climate ready architecture designed to maintain adequate indoor climate with minimal energy use.

The Project would not directly generate additional GHG emissions within the City. The Project is being created in accordance with the State Housing Law and general plan laws. In order to effectively do this, the Project would need to be created within the framework provided by state law and would therefore not conflict with other established state laws such as GHG regulations. Further, future development facilitated by the Project would be required to comply with existing GHG regulations and with the proposed additions to the Menifee GP. Therefore, potential impacts to GHG levels as a result of Project implementation would be less than significant without mitigation.

Mitigation Measures

No mitigation is required.

4.8.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.8.6 Cumulative Impacts

Impacts related to GHG emissions are the result of cumulative global emissions and no single project on its own can cause climate change as a single project is not large enough to change the global atmosphere. As such, the geographic scope for cumulative GHG emissions impacts is global and past, present, and reasonably foreseeable future projects in the region, state, nation, and world, have and would continue to contribute to GHG emissions. While federal, state, and local regulations have been put in place to address targets for emissions reductions, changes from past, present, and reasonably foreseeable future projects have contributed to a cumulatively significant impact on GHG emissions.

As discussed in above Section 4.8.4, Project Impacts and Mitigation, future development facilitated by the Project would not inherently generate greenhouse gas emissions, either directly or indirectly that would result in a significant impact on the environment. As a result, cumulative impacts related to consistency with GHG plans, policies, and regulations would be less than significant, as the Project would be consistent with applicable plans and policies. Further, individual future development projects would be required to demonstrate compliance with these plans and policies. Therefore, the Project would not cause a cumulatively considerable impact to global climate change and no mitigation is required.

4.9 HAZARDS AND HAZARDOUS MATERIALS

This section of the Programmatic Environmental Impact Report (PEIR) evaluates the potential impacts of implementing the City of Menifee 6th Cycle Housing Element Update (HEU or Project) on human health and the environment due to exposure to hazardous materials or conditions associated with the Project site, Project construction, and Project operations. This analysis consists of a summary of the existing conditions on candidate housing sites, the hazards and hazardous materials regulatory framework, a discussion of the potential for future housing development facilitated by the Project to result in hazards and hazardous materials, and identification of mitigation measures to reduce impacts, as needed. Geologic hazards are discussed in ***Section 4.7, Geology and Soils***, hydrological hazards are discussed in ***Section 4.10, Hydrology and Water Quality***, and wildfire is discussed in ***Section 4.20, Wildfire***.

Site-specific surveys to determine the presence or absence of hazardous materials on the candidate housing sites has not been conducted. The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City of Menifee (City) where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore not reasonably foreseeable.

4.9.1 Environmental Setting

Hazardous Materials and Waste

Hazardous materials generally refer to hazardous substances that exhibit corrosive, poisonous, flammable, and/or reactive properties and have the potential to harm human health and/or the environment. Hazardous materials are used in products (household cleaners, industrial solvents, paint, pesticides, etc.) and in the manufacturing of products (e.g., electronics, newspapers, plastic products). Hazardous materials can include petroleum, natural gas, synthetic gas, acutely toxic chemicals, and other toxic chemicals that are used in agriculture, commercial, and industrial uses, businesses, hospitals, and households. Accidental releases of hazardous materials can occur from a variety of causes, including highway incidents, warehouse fires, train derailments, shipping accidents, and industrial incidents.

Leaking Underground Storage Tanks

There are 18 leaking underground storage tanks (LUST) within the City, as described below in ***Table 4.9-1: Leaking Underground Storage Tank Sites in Menifee***. Majority of the LUST site cases are closed, leaving two sites currently undergoing remediation.

Table 4.9-1: Leaking Underground Storage Tank Sites in Menifee

Site	Address	Contaminant and Year Discovered	Media Affected	Regulatory Status
Bradley Auto Center	28200 Bradley Road, Sun City	Gasoline 1995	Drinking Water Aquifer	Remediation
Chevron #9-2959	26980 McCall Blvd. Sun City	Gasoline 1994	Drinking Water Aquifer	Case Closed 2014
Mobil #18-FNW	26820 McCall Blvd. Sun City	Gasoline 1993	Drinking Water Aquifer	Case Closed 2016
Shell #26730	26730 McCall Blvd Sun City	Gasoline 1983	Drinking Water Aquifer	Case Closed 2011
Shell Menifee #12072	30107 Antelope Road, Menifee	Gasoline 2006	Soil Only	Case Closed 2011
Sun City SOCO	26771 McCall Blvd. Sun City	Gasoline 1989	Drinking Water Aquifer	Case Closed 2018
Texaco Sun City	27181 McCall Blvd. Sun City	Gasoline 1999	Drinking Water Aquifer	Remediation
Unocal #5000	26980 Cherry Hills Blvd. Sun City	Gasoline 1994	Drinking Water Aquifer	Case Closed 2013
Bouris Ranch	33751 Zeiders Road, Sun City	Diesel fuel 1999	Soil Only	Case Closed 2000
Chaney's Automotive	27411 Ethanac Road, Romoland	Gasoline 1987	Drinking Water Aquifer	Case Closed 1992
Cherry Hills Golf Club, Inc.	26600 Sun City Blvd., Sun City	Gasoline 1987	Soil Only	Case Closed 1989
Circle K #575	29968 Goetz Road, Quail Valley	Gasoline 2001	Drinking Water Aquifer	Case Closed 2010
Menifee Union School District	26301 Garbani Road, Menifee	Gasoline 1996	Drinking Water Aquifer	Case Closed 2003
Romoland Market	27856 Highway 74, Romoland	Gasoline 1992	Soil Only	Case Closed 1996
Southern California Edison San	26100 Menifee Road, Romoland	Gasoline 1986	Soil Only	Case Closed 1989
UniMart	31880 Highway 74 Sun City	Gasoline 1994	Drinking Water Aquifer	Case Closed 2004
United Parcel Service	25283 Sherman Road, Romoland	Gasoline 1991	Soil Only	Case Closed 1991
Unocal #5597	27180 McCall Blvd. Sun City	Gasoline 1993	Soil Only	Case Closed 1993

Source: State Water Resources Control Board. (2021). GeoTracker Map, City of Menifee. Retrieved from: https://geotracker.waterboards.ca.gov/map/?CMD=runreport&myaddress=menifee. (accessed May 21, 2021).

Facilities That Handle or Transport Hazardous Wastes

Hazardous Waste Generators, large and small, are included on the Resource Conservation and Recovery Act (RCRA) database. As of March 2010, the City has five large quantity generators and 20 small quantity generators. Refer to ***Table 4.9-2: Generators of Hazardous Waste***.

Table 4.9-2: Generators of Hazardous Waste

Facility	Address
Large Quantity Generators	
Menifee Service Center	26100 Menifee Avenue, Romoland
Chevron Station 92959	26980 McCall Boulevard, Sun City
Exxon-Mobil Oil Corp. No. 11408	26820 McCall Boulevard, Sun City
Eastern Municipal Water District Reach 4 Sun City Regional Wastewater Reclamation Facility (RWRF)	29285 Valley Boulevard, Sun City
Shell Service Station 26730	McCall Boulevard, Sun City
Small Quantity Generators	
Mt. San Jacinto Community College District	28237 La Piedra, Menifee
Newport Cleaners	26900 Newport Road, Menifee
Shell Service Station	30107 Antelope Road, Menifee
Amerimax	28921 E. Hwy. 74, Menifee
Block Graphics	28401 Matthews Drive, Romoland
Butler Scales Zepede	27736 Hwy. 74, Romoland
Calmat Co. Romoland	28023 Ethanac Road, Sun City
Datatronics Inc.	28151 Hwy. 74, Romoland
Lakeside Chevrolet	25351 Trumble Road, Romoland
Matthews International Corporation	28261 Hwy. 74, Romoland
Richardsons RV Center	26776 Encanto Drive, Sun City
Southern California Gas Company / Ramona Base	25200 Trumble Road, Romoland
United Parcel Service Hemet	25283 Sherman Road, Romoland
Valley Substation	26125 Menifee Road, Romoland
Carriage Cleaners	26904 Cherry Hills Blvd., Sun City
Intercommunity Radiology	28125 Bradley Rd. Ste. 230, Sun City
Sun City Desalter	29541 Murrieta Road, Sun City
Circle K Store #575	28968 Goetz Road, Quail Valley
Lakeside Chevrolet and Oldsmobile Co.	Hwy. 74, Sun City
Sun City Transmission	28300 Bradley Road, Sun City
Mt. San Jacinto Community College District	28237 La Piedra, Menifee
Newport Cleaners	26900 Newport Road, Menifee
Shell Service Station	30107 Antelope Road, Menifee
Amerimax	28921 E. Hwy. 74, Menifee

Source: City of Menifee, General Plan, Draft Environmental Impact Report. (2013). Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1108/Ch-05-08-HAZ?bidId=. (accessed on May 21, 2021).

Registered Transporters of Hazardous Materials

There are four registered transporters of hazardous materials within the City:

- Karrgo Transportation, 33360 Wright Road, Menifee
- Sollars Trucking, 29530 Garland Lane, Menifee
- Condos Trucking, 28325 Hampshire Drive, Quail Valley
- Visions West, 28993 Avenida de las Flores, Quail Valley

Transportation Routes for Hazardous Materials

There is one roadway in the City designated a Hazardous Materials Route by the Motor Carrier Safety Administration, a division of the U.S. Department of Transportation: Interstate 215 (I-215). There is one railroad track in the City that passes through Romoland; however, the track currently does not carry any rail traffic and so there is no risk of hazardous materials releases on the track.

Solid Waste Disposal Sites

There are two solid waste disposal sites in the City:

- BP John Recycling Greenwaste, 28700 Matthews Road, Romoland.
- Soil Treatment, 27126 Watson Road, Romoland.

Airport Hazards

Portions of the City are in the airport influence areas (AIA) of the March Air Reserve Base and the Perris Valley airports. Aircraft overflights, takeoffs, and landings at airports and heliports in the region contribute to the ambient noise environment.

March Air Reserve Base

A portion of the City, is covered by March Air Reserve Base Compatibility Zones D (Flight Corridor Buffer) or E (Other Airport Environs), as shown in ***Figure 4.9-2: March Air Reserve Base and Perris Valley Airport Compatibility Zones***. Development in this area is subject to the policies of the Riverside County Airport Land Use Compatibility Plan (RCALUCP). Neither Compatibility Zones D or E have density or height restrictions, but uses that are hazardous to flight (physical, visual, and electronic forms that interfere with the safety of aircraft operations) are prohibited. Although no explicit upper limit on usage intensity is defined for Zones D or E, land uses of the types listed in the Compatibility Plan—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks. Additionally, major spectator-oriented sports stadiums, amphitheaters, and concert halls are discouraged beneath principal flight tracks in Zone D, and electromagnetic radiation notification and deed notice and disclosure are required in Zone D but only disclosure is required in Zone E. Much of the community of Romoland is in a height limitation zone for March Air Reserve Base, where the maximum height limit for structures is 2,035 feet above mean sea level (amsl), that is, 500 feet over the airport elevation of 1,535 feet amsl. The height limit is about 595 feet above the elevation of 1,440 feet in central Romoland.

Perris Valley Airport

The Perris Valley Airport, approximately one-mile northwest of the City, is a specialized facility catering predominantly to skydivers and ultralight aircraft enthusiasts. According to the Perris Valley Airport Land Use Plan, portions of the AIA are located within City limits, in the northwestern portion of the City, as shown in ***Figure 4.9-1: Airport Land Use Compatibility Zones***. Part of the City is in Airport Compatibility Zone E in the Airport Land Use Plan for Perris Valley Airport issued by the Riverside County Airport Land Use Commission in 2010. Land uses that attract very high concentrations of people in confined areas—such as sports stadiums, amphitheaters, and concert halls—are discouraged in Zone E beneath principal flight paths. About 80 percent of airport operations to the south of the airport use one of three general traffic patterns. Only two of these patterns extend over the City while the third turns northward and does not pass over City. The northwest corner of the City is in a zone where the heights of structures are limited pursuant to Part 77 regulations of the Federal Aviation Administration (FAA). Height limits range from about 1,580 feet above mean sea level (amsl)—or 160 feet above ground level—on the north City boundary about 0.4 mile east of Goetz Road, to 1,750 feet amsl about 0.7 mile south of the north City boundary. Affected land uses within the AIA would be Economic Development Corridor (EDC) land uses, and residential land uses.

4.9.2 Regulatory Setting

Federal

Resource Conservation and Recovery Act

The Resource Conservation and Recovery Act (RCRA) of 1976 (42 United States Code [USC] §6901 et seq.) is the principal federal law that regulates the generation, management, and transportation of waste. Hazardous waste management includes the treatment, storage, or disposal of hazardous waste. The RCRA gave the United States Environmental Protection Agency (U.S. EPA) the authority to control hazardous waste from "cradle to grave," that is, from generation to transportation, treatment, storage, and disposal, at active and future facilities. It does not address abandoned or historical sites. The RCRA also set forth a framework for managing non-hazardous wastes. Later amendments required phasing out land disposal of hazardous waste and added underground tanks storing petroleum and other hazardous substances.

Emergency Planning and Community Right-to-Know Act

Title III of the Superfund Amendments and Reauthorization Act (SARA) authorized the Emergency Planning and Community Right-to-Know Act (EPCRA; 42 USC §11001 et seq.) to inform communities and citizens of chemical hazards in their areas by requiring businesses to report the locations and quantities of chemicals stored on-site to state and local agencies; releases to the environment of more than 600 designated toxic chemicals; off-site transfers of waste; and pollution prevention measures and activities and to participate in chemical recycling. The U.S. EPA maintains and publishes an online, publicly available, national database of toxic chemical releases and other waste management activities by certain industry groups and federal facilities—the Toxics Release Inventory.

To implement EPCRA, each state appointed a state emergency response commission to coordinate planning and implementation activities associated with hazardous materials. The commissions divided their states into emergency planning districts and named a local emergency planning committee for each district. The federal EPCRA program is implemented and administered in California Governor's Office of Emergency Services (Cal OES), a state commission, six local committees, and 81 Certified Unified Program Agencies (CUPAs). Cal OES coordinates and provides staff support for the state commission and local committees.

Toxic Substances Control Act

The Toxic Substances Control Act of 1976 (TSCA) provides the U.S. EPA with authority to require reporting, record-keeping and testing requirements, and restrictions relating to chemical substances and/or mixtures. TSCA addresses the production, importation, use, and disposal of specific chemicals including PCBs, asbestos, radon, and lead-based paint (LBP). Title IV of the TSCA directs the U.S. EPA to regulate LBP hazards.

TSCA §§402 and 404 requires that those engaged in lead abatements, risk assessments and inspections in homes or child-occupied facilities (such as daycare centers and kindergartens) built prior to 1978 be trained and certified in specific practices to ensure accuracy and safety. TSCA §403 sets standards for dangerous levels of lead in paint, household dust, and residential soil.

Disaster Mitigation Act of 2000

The Disaster Mitigation Act (42 United States Code [USC] §5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC §5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this act include:

i) Funding pre-disaster mitigation activities;

ii) Developing experimental multi-hazard maps to better understand risk;

iii) Establishing state and local government infrastructure mitigation planning requirements;

iv) Defining how states can assume more responsibility in managing the hazard mitigation grant program; and

v) Adjusting ways in which management costs for projects are funded.

Comprehensive Environmental Response, Compensation, and Liability Act/Superfund Amendments and Reauthorization Act

The Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), commonly known as Superfund, was enacted by Congress on December 11, 1980. This law, U.S. Code Title 42 Chapter 103, provides broad federal authority to respond directly to releases or threatened releases of hazardous substances that may endanger public health or the environment. CERCLA establishes requirements concerning closed and abandoned hazardous waste sites, provides for liability of persons responsible for

releases of hazardous waste at these sites, and establishes a trust fund to provide for cleanup when no responsible party can be identified. CERCLA also enables the revision of the National Contingency Plan (NCP). The NCP (Title 40, Code of Federal Regulation [CFR], Part 300) provides the guidelines and procedures needed to respond to releases and threatened releases of hazardous substances, pollutants, and/or contaminants. The NCP also established the National Priorities List. CERCLA was amended by the Superfund Amendments and Reauthorization Act on October 17, 1986.

Occupational Safety and Health Act

The Federal Occupational Safety and Health Act of 1970 (OSHA) (29 USC §651 et seq.) authorizes each state (including California) to establish their own safety and health programs with the U.S. Department of Labor, with OSHA approval. The California Department of Industrial Relations regulates implementation of worker health and safety in California. California OSHA enforcement units conduct on-site evaluations and issue notices of violation to enforce necessary improvements to health and safety practices. California standards for workers dealing with hazardous materials are contained in Title 8 of the California Code of Regulations (CCR) and include best practices for all industries (General Industrial Safety Orders), and specific practices for construction and other industries. Workers at hazardous waste sites (or working with hazardous wastes as might be encountered during excavation of contaminated soil) must receive specialized training and medical supervision according to the Hazardous Waste Operations and Emergency Response (HAZWOPER) regulations.

Title 29 of the Code of Federal Regulations (CFR), §1926.62 regulates the demolition, renovation, or construction of buildings involving lead materials. Federal, state, and local requirements also govern the removal of asbestos or suspected asbestos-containing materials (ACMs), including the demolition of structures where asbestos is present. All friable (crushable by hand) ACMs, or non-friable ACMs subject to damage, must be abated prior to demolition following all applicable regulations.

Title 40, Code of Federal Regulations, §61 Subpart M

Title 40 CFR §61 Subpart M—National Emissions Standards for Asbestos—sets forth emissions standards for asbestos from demolition and renovation activities, and for waste disposal from such activities.

Title 40, Code of Federal Regulations, Part 745

Title 40, CFR, Part 745 contains regulations developed under §§402 and 406 of the TSCA and applies to all renovations performed for compensation in target housing and child-occupied facilities. The purpose of this subpart is to ensure the following:

- Owners and occupants of target housing and child-occupied facilities receive information on LBP hazards before these renovations begin; and
- Individuals performing renovations regulated in accordance with §745.82 are properly trained, renovators and firms performing these renovations are certified, and the work practices in §745.85 are followed during these renovations.

Title 29, Code of Federal Regulations, §1926.62

Title 29 CFR §1926.62, sets standards for occupational health and environmental controls for lead exposure in construction, regardless of the lead content of paints and other materials. The standards include requirements addressing exposure assessment, methods of compliance, respiratory protection, protective clothing and equipment, hygiene facilities and practices, medical surveillance, medical removal protection, employee information and training, signs, recordkeeping, and observation and monitoring.

U.S. EPA's Lead Renovation, Repair and Painting Program Rules

The U.S. EPA's 2008 Lead-Based Paint Renovation, Repair and Painting (RRP) Rule (as amended in 2010 and 2011), aims to protect the public from LBP hazards associated with renovation, repair and painting activities. These activities can create hazardous lead dust when surfaces with lead paint, even from many decades ago, are disturbed. The rule requires workers to be certified and trained in the use of lead-safe work practices, and requires renovation, repair, and painting firms to be U.S. EPA-certified. These requirements became fully effective April 22, 2010.

Federal Aviation Administration

The basic responsibilities of the FAA, under the U.S. Department of Transportation, are the regulation of commercial space transportation, civil aviation to promote safety, airspace and air traffic management. The CFR contains standards for aircraft noise emission levels.

State

California Environmental Protection Agency

The California Environmental Protection Agency (Cal/EPA) was created in 1991, unifying California's environmental authority in a single cabinet-level agency and bringing the California Air Resources Board (Air Resources Board), State Water Resources Control Board (SWRCB), Regional Water Quality Control Boards (RWQCB), California Department of Resources Recycling and Recovery (known as CalRecyle and formerly the Integrated Waste Management Board), Department of Toxic Substances Control (DTSC), Office of Environmental Health Hazard Assessment, and Department of Pesticide Regulation under one agency. These agencies were placed within the Cal/EPA "umbrella" for the protection of human health and the environment and to ensure the coordinated deployment of state resources. Its mission is to restore, protect, and enhance the environment, to ensure public health, environmental quality, and economic vitality.

Department of Toxic Substance Control

The DTSC is a department of Cal/EPA and is the primary agency in California that regulates hazardous waste, clean-up existing contamination, and looks for ways to reduce the hazardous waste produced in California. The DTSC regulates hazardous waste in California primarily under the authority of the federal RCRA and the California Health and Safety Code (primarily Division 20, Chapters 6.5 through 10.6, and Title 22, Division 4.5). Other laws that affect hazardous waste are specific to handling, storage, transportation, disposal, treatment, reduction, cleanup, and emergency planning.

Government Code §65962.5 (commonly referred to as the Cortese List) includes DTSC-listed hazardous waste facilities and sites, Department of Health Services (DHS) lists of contaminated drinking water wells, sites listed by the SWRCB as having underground storage tank (UST) leaks and which have had a discharge of hazardous wastes or materials into the water or groundwater, and lists from local regulatory agencies of sites that have had a known migration of hazardous waste/material.

Regional Water Quality Control Board

The RWQCB is a department of Cal/EPA that oversees investigation and cleanup of sites including USTs where wastes have been discharged in order to protect the water quality of the state. The RWQCB regulates wastewater discharges to surface waters and to groundwater. They also regulate storm water discharges from construction, industrial, and municipal activities.

California Health and Safety Code

Cal/EPA has established rules governing the use of hazardous materials and the management of hazardous wastes. California Health and Safety Code §25531, et seq. incorporates the requirement of Superfund Amendments and Reauthorization Act and the Clean Air Act as they pertain to hazardous materials. Health and Safety Code §25534 directs owners or operators storing, handling, or using regulated substances exceeding threshold planning quantities to develop and implement a Risk Management Plan. The Risk Management Plans are submitted to the administering agency and possibly U.S. EPA, depending upon the chemical and the amount, for review.

Hazardous Materials Release Response Plans and Inventory Law

The Hazardous Materials Release Response Plans and Inventory Law (Health and Safety Code §25500 et seq.), aims to minimize the potential for accidents involving hazardous materials and to facilitate an appropriate response to possible hazardous materials emergencies. 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. Any business that handles hazardous materials in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of gas must submit a business plan.

Hazardous Materials Transportation

Section 31303 of the California Vehicle Code and U.S. Department of Transportation regulate hazardous materials transport. The California Highway Patrol and California Department of Transportation are the enforcement agencies. Cal OES provides emergency response services involving hazardous materials incidents.

California Aeronautics Act

The State Aeronautics Act included in the California Public Utilities Code establishes statewide requirements for airport land use compatibility planning and requires nearly every county to create an Airport Land Use Commission (ALUC) or other alternative.

California Labor Code

Section 9030 of the California Labor Code states that "[t]he standards board shall adopt one or more standards requiring each employer which uses any carcinogen, including asbestos and vinyl chloride, to submit a written report regarding the use or any incident which results in the release of a potentially hazardous amount of a carcinogen into any area where employees may be exposed."

Worker and Workplace Hazardous Materials Safety

Cal/OSHA is responsible for developing and enforcing workplace safety standards and ensuring 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.

Hazardous Materials in Structures: Asbestos-Containing Materials and Lead-Based Paint

Several regulations and guidelines pertain to abatement of and protection from exposure to ACM and LBP, including Construction Safety Orders 1529 (pertaining to ACM) and §1532.1 (pertaining to LBP) from Title 8 of the CCR and Part 61, Subpart M, of the CFR (pertaining to ACM). In California, ACM and LBP abatement must be performed and monitored by contractors with appropriate certification from the California Department of Health Services. Asbestos is also regulated as a hazardous air pollutant under the Clean Air Act and a potential worker safety hazard under the authority of Cal/OSHA.

Requirements for limiting asbestos emissions from building demolition and renovation are specified in South Coast Air Quality Management District (SCAQMD) Rule 1403 (Asbestos Emissions from Demolition/Renovation Activities). California Government Code §§1529 and 1532.1 provide for exposure limits, exposure monitoring, respiratory protection and good working practice by workers exposed to lead and ACMs.

Requirements for Phase I Environmental Site Assessments

Phase I Environmental Site Assessments (ESAs) are required for land purchasers to qualify for the Innocent Landowner Defense under Comprehensive Environmental Response, Compensation, and Liability Act CERCLA, to minimize environmental liability under other laws such as RCRA, and as a lender prerequisite to extend a loan for purchase of land.

Certified Unified Program Agency

A CUPA is an agency of a county or city that administers several state programs regulating hazardous materials and hazardous wastes. Riverside County Department of Environmental Health Hazardous Materials Branch is the CUPA for all incorporated cities and towns and unincorporated areas. The Riverside County Department of Environmental Health Hazardous Materials Branch administers the following programs:

- Hazardous Materials Release Response Plans and Inventories (Hazardous Materials Business Plan);

- California Accidental Release Prevention Program, a combination of federal and state programs for the prevention of accidental release of regulated toxic and flammable substances;
- Underground Storage Tanks Program;
- Aboveground Petroleum Storage Act (APSA);
- Hazardous Waste Generator and Onsite Hazardous Waste Treatment Programs Program; and
- Hazardous Materials Management Plan (HMMP) and Hazardous Material Inventory Statement (HMIS) in California Fire Code Program.

California Health and Safety Code, §§17920.10 and 105255

Lead must be contained during demolition activities.

8 CCR Sections 1529 and 1532.1: Worker Safety Standards: Asbestos and Lead

CCR Title 8 §1529 sets forth worker safety standards for lead exposure for employees conducting demolition, construction, and renovation work, including painting, and decorating.

CCR Title 8 §1532.1 sets forth worker safety standards for employees in work including construction, demolition, renovation, and maintenance.

Regional

SCAQMD Rule 1403 governs the demolition of buildings containing asbestos materials. Rule 1403 specifies work practices with the goal of minimizing asbestos emissions during building demolition and renovation activities, including the removal and associated disturbance of ACM.

Riverside County Environmental Protection Oversight Division

The Riverside County Community Health Agency, Department of Environmental Health, Environmental Protection Oversight Division is the CUPA for Riverside County; the Certified Unified Program coordinates and makes consistent the administration and enforcement of six environmental and emergency response programs, including: Underground Storage Tanks, Business Emergency Plan/Handler Program, Hazardous Waste Generator program, and Accidental Release Prevention Program.

Hazardous Materials Emergency Response Team

The Hazardous Materials Emergency Response Team responds to over 1,100 chemically-related emergencies or complaints each year. The program is a joint agency team staffed by the Hazardous Materials Management and Riverside County Fire/California Department of Forestry.

Local Oversight Program

Under contract with the SWRCB, the Riverside County Department of Environmental Health, the Local Oversight Program (LOP) oversees the investigation and cleanup of soil and groundwater contamination resulting from unauthorized releases of petroleum products (gasoline, diesel fuel, waste oil, etc.) from LUSTs. The cleanup of these sites is necessary to protect the groundwaters of the State from

contamination and to protect the public from exposure to hazardous materials. During each phase of assessment and cleanup, technical workplans and reports are required to be submitted to and accepted by the LOP. Once assessment and cleanup efforts have been successfully completed, the Riverside County LOP will issue a closure/no further action letter to the responsible parties.

Airports

Airport authorities and other agencies regulate aircraft activity. The City has no direct authority over airport development and operations. The State Aeronautics Act of the California Public Utilities Code establishes statewide requirements for the airport land use compatibility planning and requires nearly every county to create an airport land use commission or other alternative. Regulations of land uses in airport compatibility zones are implemented by the Riverside County Airport Land Use Commission (RCALUC). If the RCALUC determines that a development plan is inconsistent with the Airport Land Use Plan, the RCALUC requires the local agency to reconsider its approval regarding land use compatibility. The local agency may overrule the RCALUC by a two-thirds vote of its governing board if it makes specific findings that the proposed action is consistent with Section 21670 of the California Public Utilities Code (California Aeronautics Act).

Local

City of Menifee General Plan

Safety Element

According to the City's Safety Element, it provides a strategy for city staff, residents, developers, and business owners to effectively address natural and man-made hazards in the City, including seismic and geological issues; flood hazards; fire hazards; hazardous materials; wind hazards; and disaster preparedness, response, and recovery.

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

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

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

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

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

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

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

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

Land Use Element

The Land Use Element generally establishes the density, intensity, and location of land uses throughout the city and is complemented by the additional policy guidance provided in other elements that relate to a specific topic.

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

Goal LU-4 Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.

Policy LU-4.2 Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

4.9.3 Standards of Significance

State CEQA Guidelines Appendix G contains the Environmental Checklist Form, which includes questions concerning hazards and hazardous materials. The questions presented in the Environmental Checklist Form have been utilized as significance criteria in this section. Accordingly, the Project would have a significant effect on the environment if it would:

- Create a significant hazard to the public or the environmental through the routine transport, use, or disposal of hazardous materials;
- 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;
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school;
- 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;
- For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area;
- Impair implementation of or physically interfere within an adopted emergency response plan or emergency evacuation plan; or

- Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires.

Methodology

This analysis considers the *State CEQA Guidelines*, Appendix G thresholds, as described above, in determining whether Project implementation would result in the significant impacts on noise, sound, and vibration impacts. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs, and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent hazards and hazardous materials considers the relevant policies and regulations established by local and regional agencies and how future development facilitated by the Project would comply with these policies and regulations.

4.9.4 Project Impacts and Mitigation

Impact 4.9-1: ***Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Level of Significance: Less Than Significant Impact

The Project does not propose construction or other development; rather, it provides capacity for future housing development consistent with the State Housing law. Demolition and construction activities associated with future housing development facilitated by the Project could require transport of hazardous materials (e.g., ACMs, lead-based paint, and/or contaminated soils). This transport would be limited in duration. Compliance with handling measures is required by the City, during construction and operational phases of future development projects. These measures include standards and regulations regarding the storage, handling, and use of hazardous materials.

Future housing development facilitated by the Project would not involve ongoing or routine use of substantial quantities of hazardous materials during operations (occupancy of future housing). Only small quantities of hazardous materials would be anticipated including cleaning solvents, fertilizers, pesticides, and other materials used in regular maintenance.

Within the context of future mixed use areas, Hazardous Materials Business Plans (HMBP) are required of businesses that handle hazardous substances in amounts greater than or equal to specified thresholds to minimize hazards to human health and the environment from unplanned, accidental releases of hazardous substances into the air, soil, or surface water. An HMBP includes an emergency response program to manage emergencies at the given facility and prepare response personnel for a variety of conditions. In addition, hazardous materials conditions may exist as a result of current or historic commercial or industrial uses occurring on or adjacent to the candidate housing sites.

Site-specific surveys to determine the presence or absence of hazardous materials on the candidate sites has not been conducted given this analysis is being conducted at a programmatic level, as explained above. Excavation and grading activities associated with future development could expose construction workers and the general public to unknown hazardous materials present in soil or groundwater, which would represent a significant impact. Future assessments would include a review of local, state, tribal, and federal environmental record sources, standard historical sources, aerial photographs, fire insurance maps and physical setting sources. Future projects would also likely include a reconnaissance of the candidate housing sites to review site use and current conditions to check for the storage, use, production or disposal of hazardous or potentially hazardous materials, as well as interviews with persons knowledgeable about current and past site use. Potential impacts involving the accidental discovery of unknown wastes or suspect materials during construction would be reduced following compliance with all federal, state and local regulations.

Policy updates associated with Environmental Justice, Housing Element, and the Safety Element would not further affect the City's ability to manage hazardous material discharges. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-2: ***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?***

Level of Significance: Less Than Significant Impact

Refer to Impact 4.9-1 above.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-3 ***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?***

Level of Significance: Less Than Significant

Refer to ***Section 4.15, Public Services***. There are over 15 schools located within the City. The Project would have a potentially significant impact on the environment if it would facilitate future housing development that would emit hazardous emissions or substances within 0.25-mile of an existing or proposed school.

Any future housing development facilitated by the Project would need to adhere to mandatory requirements and regulations related to the emissions or handling of hazardous materials, substances, or wastes near schools to reduce the potential for impacts to schools. Adherence to California Hazardous Waste Control Law, California Health and Safety Code, and RCRA regulations would reduce potential

impacts associated with the accidental release of hazardous materials. As a result, future housing development facilitated by the Project would not conflict with any state or local plan aimed at preventing emissions or handling of hazardous materials near schools.

Policy updates associated with Environmental Justice, Housing Element, and the Safety Element would not further affect the City's ability to manage hazardous material discharges. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-4: ***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?***

Level of Significance: Less Than Significant

The California Department of Toxic Substances identifies no hazardous waste or substance sites in the City pursuant to California Government Code §65962.5. However, a regulatory review of the DTSC Envirostor and SWRCB Geotracker websites identified several regulated facilities, cleanup sites, and sites undergoing remediation within the City. Of the two remaining open cases, the Bradley Auto Center Site is located approximately 1,000 feet north of candidate site 51. The second site, the Texaco Sun City site, is located approximately 1,500 feet south of candidate site 66 and approximately 1,500 feet west of candidate site 55. Future housing development facilitated by the Project would require a site-specific survey to identify any environmental concerns prior to development approval. Through the site-specific assessment and compliance with state and local plans, policies, and regulations, this would reduce potential impacts relative to hazardous material sites to less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-5: ***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 or excessive noise for people residing or working in the project area?***

Level of Significance: Less Than Significant

The Project area is within the March Air Reserve Base and Perris Valley AIA. Height limits for structures within specified distances of each airport would remain in place and are enforced by the FAA. Regulations of land uses in airport compatibility zones for the March Air Reserve Base and Perris Valley Airport are implemented by the RCALUCP. Development plans for projects in the part of Airport Compatibility Zone E for Perris Valley Airport or the parts of Airport Compatibility Zones D or E for March Air Reserve Base in the City would be reviewed by the RCALUCP before being considered for approval by the City. Furthermore, legislative actions such as those proposed in this Project would undergo ALUC review in

order to ensure consistency with the existing RCALUCP. As well, candidate sites 1-51, 55 – 58, 66, 67, and 69 are within the March ARB Compatibility Zone E.

If the RCALUCP determines that this Project or a future a development plan is inconsistent with the Airport Land Use Plan, the RCALUCP requires the local agency to reconsider its approval regarding land use compatibility. The local agency may overrule the RCALUCP by a two-thirds vote of its governing board if it makes specific findings that the proposed action is consistent with Section 21670 of the California Public Utilities Code (California Aeronautics Act).

Project buildout would not alter or interfere with land use compatibility review procedures of the RCALUCP and the FAA. The RCALUCP and FAA would review development plans and other land use plans considered for approval by the City. No conflict with regulations on land uses or structure heights would occur. Airport impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Level of Significance: Less Than Significant

Future housing development facilitated by the Project would increase allowable housing capacity in certain areas located throughout the City. This increase in density could result in an increased demand on emergency evacuation services in the event of a citywide or partial city emergency. However, the increased housing capacity associated with the Project would not exceed the total population initially projected and planned for under the City's General Plan. Therefore, no changes in the City's existing circulation network are proposed or required under the Project and no impact to emergency response or evacuation is anticipated.

Given the scope and location of the future housing development facilitated by the Project, the Project is not anticipated to impair implementation of, or physically conflict with, the City's and/or County of Riverside's Department of Environmental Health (designated as the County's CUPA) specific hazard mitigation goals, objectives, and related potential actions within the City. As a result, future housing development facilitated by the Project would not conflict with any state, county, or local plan aimed at preserving and maintaining adopted emergency response or emergency evacuation plans. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.9-7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Level of Significance: Less Than Significant

Refer to ***Section 4.20, Wildfire*** of this PEIR. Future housing development facilitated by the Project would not directly or indirectly expose people or structures to a risk of loss, injury or death involving wildland fires. The City has significant interface areas where a proactive approach to preventing the start and spread of wildland fire is vital to protecting lives and property. A large percentage of the City's area is designated part of Moderate, High, and Very High fire hazard severity zones, as mapped by CAL FIRE. The candidate housing sites may be developed in these areas adjacent to areas that would be designated for open space; therefore, risk of wildfire could occur.

Federal, state, and county fire suppression agencies have responsibility areas in the City. To protect the City and its residents from fire hazards, the City has building and fire codes that must be followed. Using fire-resistant building materials, implementing fuel modification zones, and maintaining vegetation clearance around structures is required to protect buildings and reduce the potential loss of life and property. New development in wildland and urban-wildland interface areas must be consistent with the existing regulations, including the State Fire Code, to meet fire safety standards for building construction. Additionally, the California Building Code includes sections on fire-resistant construction material requirements 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. Because the State of California, County of Riverside, and the City require adherence to building codes and review by the fire department to reduce wildland fires, fire hazard impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

4.9.5 Significant Unavoidable Impacts

No significant and unavoidable impacts were identified

4.9.6 Cumulative Impacts

The Project does not directly propose development but would increase the City's housing capacity consistent with State Housing law. Through compliance with cumulative development allowed in the City by existing development regulations, the anticipated site-specific impacts of future development facilitated by the Project would increase the potential for housing development in an already urbanized area and could result in impacts to noise resources. Additionally, through compliance of the City's goals, policies, and regulations regarding hazards and hazardous materials, impacts would be reduced to less than significant levels. Potential hazardous impacts are site-specific and would require site-specific evaluation on a case-by-case basis prior to approval of permits at the project level when future development is proposed in accordance with the Project. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential hazards and hazardous materials impacts and identify necessary mitigation measures, where appropriate.

Consequently, the Project would not result in significant unavoidable environmental impacts from hazardous materials. As a component of State Housing Law, the Project would not conflict with or obstruct a state or local plan, ordinance, or standards aimed at avoiding or minimizing impacts from hazards. Therefore, with the implementation of mitigation and compliance with applicable regulations, the Project's contribution to a cumulatively considerable impact on cultural resources would be less than significant.

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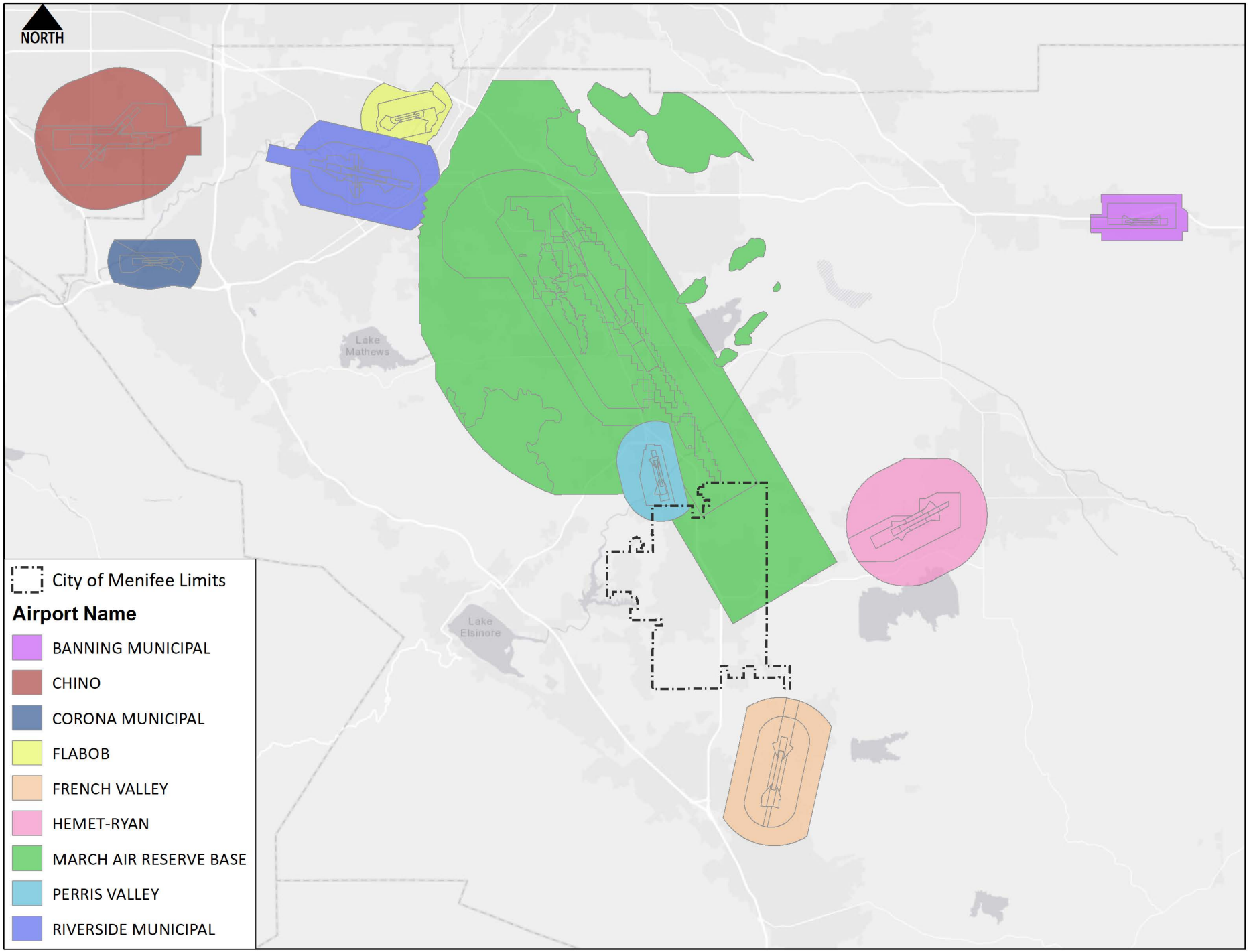


FIGURE 4.9-1: Airport Land Use Compatibility Zones

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

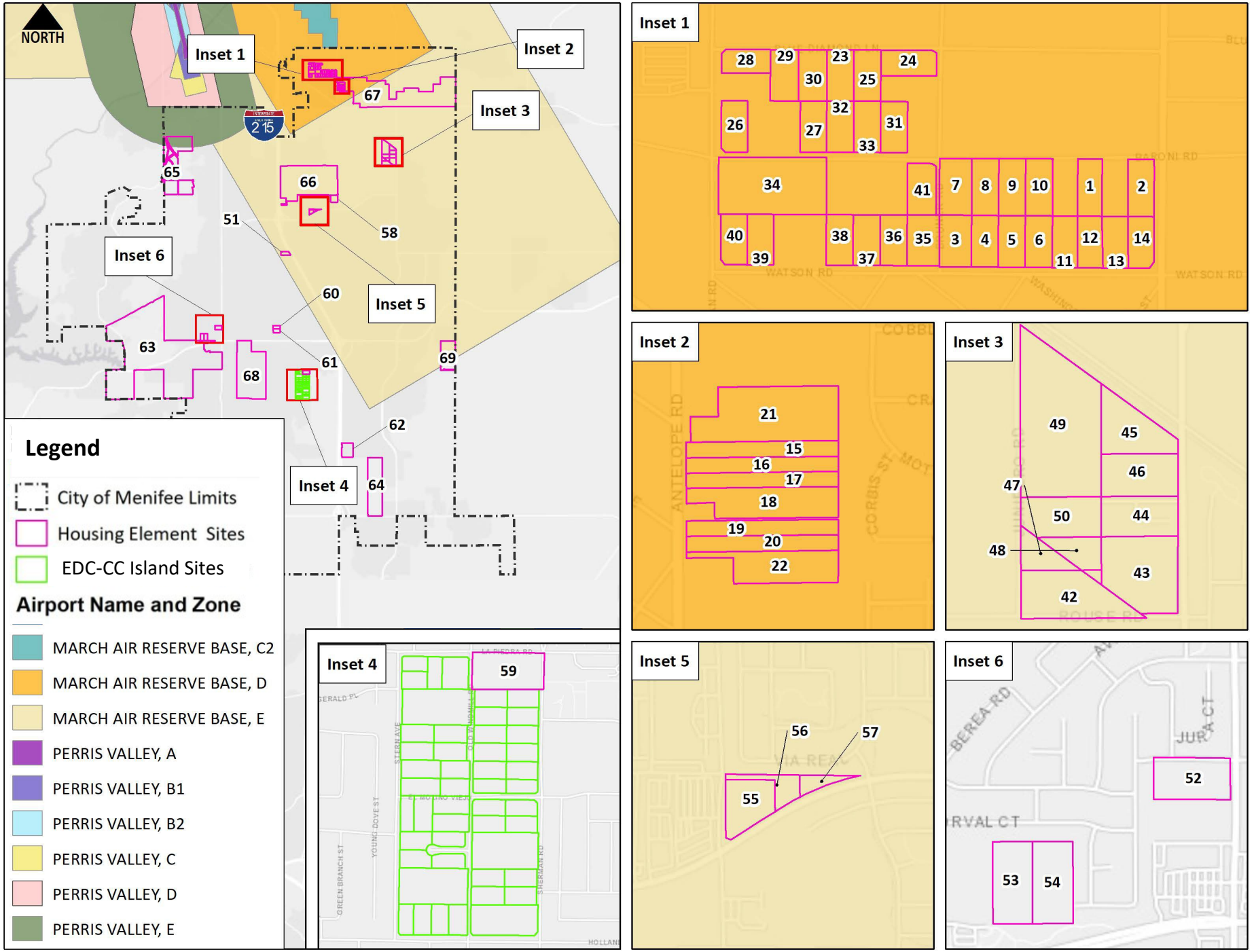


FIGURE 4.9-2: March Air Reserve Base and Perris Valley Airport Compatibility Zones

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

4.10 HYDROLOGY AND WATER QUALITY

This section of the Programmatic Environmental Impact Report (PEIR) evaluates the potential hydrologic and water quality impacts that could result from the Menifee 6th Cycle Housing Element Update (HEU or Project), including housing development on the candidate housing sites facilitated by the HEU. The hydrology and water quality analysis summarizes existing conditions in the Project area, regulatory framework regarding hydrology and water quality, a discussion of the potential hydrologic and water quality impacts of future action programs and development facilitated by the Project, and identification of mitigation of development on candidate housing sites that may minimize impacts water quality and hydrologic systems, as needed. Analysis of potential hydrology and water quality impacts from development associated with the HEU, Land Use Element Update, Safety Element Update, and Environmental Justice policies will identify impacts which may be significant.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City of Menifee (City) where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the HEU. Thus, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.10.1 Environmental Setting

Local Watershed and Drainage Conditions[1]

According to Figure 5.9-1, Santa Ana and San Jacinto River Watershed, of the Menifee General Plan (Menifee GP) Draft EIR, the candidate housing sites are located within the San Jacinto Valley Hydrologic Unit (HU or watershed) of the larger Santa Ana River Watershed.[2] Each HU is further divided into hydrologic areas (HAs) and hydrologic subareas (HSAs) based on local drainage characteristics. The San Jacinto Valley HU includes the Perris HA, San Jacinto HA, and Elsinore Valley HA. The Perris HA contains the Perris Valley HSA, Menifee HSA, Winchester HSA, Lakeview HSA, and Hemet HSA.

Most of the City is located in the San Jacinto Valley HU. The San Jacinto HU is approximately 480 square miles and extends from the San Jacinto Mountains from the east towards Lake Elsinore into Temescal Creek, which flows northwest and discharges into the Santa Ana River. The San Jacinto watershed is regulated by several lakes and reservoirs that include; Lake Elsinore, Canyon Lake, Lake Perris and Mystic Lake. Major tributaries include Bautista Creek, Poppet Creek, Potrero Creek, Perris Valley Drain and Salt Creek.[3]

[1] City of Menifee. (2004). *City of Menifee General Plan Draft EIR; Section 5.9 Hydrology and Water Quality*. Page 5.9-1 through 5.9-2 through 5.9-2

[2] City of Menifee. (2013). *City of Menifee General Plan Draft EIR; Section 5.9 Hydrology and Water Quality Figure 5.9-1.* Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1109/Ch-05-09-HYD?bidId= (Accessed May 18, 2021)

[3] Santa Ana Regional Water Quality Control Board Water Quality Control Board. (2019). *Santa Ana River Basin Plan.* Retrieved at: https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/index.html [Accessed May 19, 2021)

The Salt Creek drainage corridor occupies the southernmost part of the San Jacinto River Basin, reaching the southern portion of the City of Hemet, the communities of Green Acres and Winchester, and nearly all of the City. This has a large impact on zoning, development, and flood-hazard management. The lowlands around Salt Creek have experienced numerous floods over the past century, primarily due to the flatness of the valleys and the constricted entrance to the hills at the western edge of the City. The potential for Salt Creek to flood future housing development in the City has been reduced in recent years by the development of flood control measures that include channelization and land use restrictions. However, because many of the road crossings are not designed to convey major storm flows, Salt Creek remains problematic. The Salt Creek channel discharges into the Railroad Canyon Reservoir at the corporate boundary between the City and City of Canyon Lake.[4]

The southeastern corner of the City is within the Santa Margarita River Watershed and drains southward from numerous tributaries towards the Warm Springs Creek Watershed. The Warm Springs Creek passes through a small gap in the hills in the southeastern corner of the City. A drainage divided located inside the City boundary separates the Salt Creek Watershed from streams flowing toward the Elsinore Valley.[5]

Water Quality and Surface Water Runoff

Water quality refers to the effect of natural and human activities on water composition. Water quality is expressed by the physical and chemical quantity of a material in the environment related to water use Stormwater can potentially contain various pollutants that include but are not limited to bacteria and viruses, oil and grease, sediments, nutrients, metals, and toxic chemicals. In an urban environment, the quantity of certain pollutants in the stormwater systems is generally associated with the intensity of land use. Within the San Jacinto Watershed, nutrients, pathogens, and organic enrichment/low dissolved oxygen are of concern.

Surface water runoff within the candidate housing sites may be prone to runoff during storm events, including flows from on- and off-site sources. Runoff is also dictated by the physical properties of soils which affect the rate that water is absorbed, and the amount of runoff produced during heavy rain or flooding. Soils are generally categorized in hydrologic soil groups that provide an index of the rate that water infiltrates a soil and is an input to rainfall runoff models that are used to predict potential stream flow. There are seven classes of hydrologic soil groups with Group A soils having high infiltration and lowest runoff potential and Group D soils having slow infiltration and the highest runoff potential. The seven classes of hydrologic soils groups are defined as:

- Group A - Group A soils consist of deep, well drained sands or gravelly sands with high infiltration and low runoff rates.
- Group B - Group B soils consist of deep well drained soils with a moderately fine to moderately coarse texture and a moderate rate of infiltration and runoff.
- Group C - Group C consists of soils with a layer that impedes the downward movement of water or fine textured soils and a slow rate of infiltration.

[4] Ibid. Page 5.9-1.
[5] Ibid.

- Group D - Group D consists of soils with a very slow infiltration rate and high runoff potential. This group is composed of clays that have a high shrink-swell potential, soils with a high water table, soils that have a clay pan or clay layer at or near the surface, and soils that are shallow over nearly impervious material.
- Group A/D - Group A/D soils naturally have a very slow infiltration rate due to a high water table but will have high infiltration and low runoff rates if drained.
- Group B/D - Group B/D soils naturally have a very slow infiltration rate due to a high water table but will have a moderate rate of infiltration and runoff if drained.
- Group C/D - Group C/D soils naturally have a very slow infiltration rate due to a high water table but will have a slow rate of infiltration if drained.

Flood Hazards

Flash floods are short in duration but have high peak volumes and high velocities. These floods often occur in response to the local geology and geography and the built environment (man-made structures). The local mountains are steep and consist of rock types that are fairly impervious to water. Consequently, little precipitation infiltrates the ground. When a major storm moves in, water collects and runs off quickly, making a steep, rapid descent from the mountains into natural or modified channels within developed valley areas. Because of the steep terrain and scarcity of vegetation in the mountains, flood flows often carry large amounts of mud, sand, and rock. Sheet flow occurs when the capacity of the existing channels, either natural or man-made, are exceeded, and water flows over and into adjacent areas.

Two parts of the City are in Special Flood Hazard Areas, also referred to as 100-year floodplain mapped by the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM). Special Flood Hazard Areas in the 100-year floodplain are designated on the FIRM map as Zone A, and Zone AE. The A Zone is a special flood hazard area with no detailed hydraulic analyses. The AE zone is a special flood hazard area designation that applies to properties that are subject to river flooding. The AE (floodway zone) is a special flood hazard area designation within a watercourse channel that must be kept free of encroachment. New development is not permitted below the base flood elevation in these locations and should be avoided within special flood hazard areas where possible. Zone X denotes an area that either has moderate to low flood hazard due to the potential for the occurrence of 100-year to 500-year flood hazards. Unshaded Zone X areas have minimal risks due to being outside of the 500-year flood risk. The FEMA FIRM was revised in 2017 and 2018 to reflect updated flood hazard areas within the City.[6] [7] As shown in ***Table 4.10-1: City of Menifee Flood Zones***, Candidate housing sites are now located mostly within Zone X with two located within Zone A. Refer to **Figure 4.10-1, City of Menifee Flood Zones**, and ***Figure 4-10-2, Updated Flood Insurance Rate Map***.

[6] Federal Emergency Management Agency (FEMA). (2017). LETTER OF MAP REVISION DETERMINATION DOCUMENT Case No.: 16-09-1612P. Retrieved from: https://map1.msc.fema.gov/data/06/L/16-09-1612P-060176.pdf?LOC=3308b31a42b74da58d4bc7c0bcf2f0e1 (Accessed June 9, 2021)

[7] Federal Emergency Management Agency (FEMA). (2017). LETTER OF MAP REVISION DETERMINATION DOCUMENT Case No.: 17-09-1814P. Retrieved from: https://map1.msc.fema.gov/data/06/L/17-09-1814P-060258.pdf?LOC=f1c78215240d0b437fc6fecc4679dea9 (Accessed June 9, 2021)

Table 4.10-1: City of Menifee Flood Zones

Flood Zone	Zone Description	Candidate Sites
Flood Zone A	**High Risk Areas/Special Flood Hazard Area.** Zone that corresponds to the 100-year flood areas, as determined by approximate methods. Because detailed hydraulic analyses were not performed, no base flood elevations or depths have been determined. Flood insurance is required.	63, 67
Flood Zone X	**Moderate to Low Risk**. Flood Zone X corresponds to areas between to areas between the limit of the 100-year and 500-year floods. No base flood elevations or depths have been determined. Flood insurance is available but not required.	45, 46, 49, 63, 67
Zone X (Area of Minimal Flood Hazard)	**Area of Minimal Flood Hazard.** - Zone that corresponds to areas outside of the 500-year flood or areas protected from the 100-year flood by levees. Flood insurance is available but not required.	1 - 43, 47, 48, 50 - 69

Sources: Federal Emergency Management Agency (FEMA). (2017). LETTER OF MAP REVISION DETERMINATION DOCUMENT Case No.: 16-09-1612P. Retrieved from: https://map1.msc.fema.gov/data/06/L/16-09-1612P-060176.pdf?LOC=3308b31a42b74da58d4bc7c0bcf2f0e1 (Accessed June 9, 2021); Federal Emergency Management Agency (FEMA). (2017). LETTER OF MAP REVISION DETERMINATION DOCUMENT Case No.: 17-09-1814P. Retrieved from: https://map1.msc.fema.gov/data/06/L/17-09-1814P-060258.pdf?LOC=f1c78215240d0b437fc6fecc4679dea9 (Accessed June 9, 2021)

Inundation from Dam Failure and Aboveground Water Storage Reservoirs

Other flood hazards for the City includes dam inundation that refers to flooding in the event of a catastrophic seismic activity resulting in dam failure. Statues governing dam safety are defined in Division 3 of the California State Water Code that empower the California Division of Dam Safety to monitor the structural safety of dams that are greater than 25 feet high or have more than 50 acre-feet of storage capacity. Several structures upstream from the City meet these requirements: West Dam, East Dam, and Saddle Dam (Diamond Valley Lake), Forebay Dam, Lake Perris Dam, Lake Hemet Dam, and Pigeon Pass Dam (Poorman Reservoir). The City is not in the dam inundation areas for Lake Hemet Dam or Pigeon Pass Dam.

Diamond Valley Lake located 4.1 miles east of the City is the largest reservoir in southern California. Its 800,000-acre-foot capacity would be used during drought years and as an emergency water supply in the event of a catastrophic interruption of water imported by the Metropolitan Water District of Southern California (MWD). Diamond Valley Lake is impounded behind three dams: East Dam, West Dam, and the Saddle Dam on the north side of the reservoir. Parts of the City of Menifee are within the dam inundation area of each of the three dams. A fourth dam at Diamond Valley Lake, the Forebay Dam, impounds a 500-acre-foot reservoir used in filling the main reservoir.

Lake Perris is the southern terminus of the East Branch of the California Aqueduct, part of the State Water Project that imports water from northern California. In 2005, the Department of Water Resources (DWR) determined there were potential seismic safety concerns with the dam's foundation if a magnitude 7.5 or larger earthquake struck the area. As a result, the DWR began the Perris Dam Modernization project that consists of three components: Perris Dam Remediation project, Outlet Tower Improvements project, and the Emergency Release Facility project with a completion date of 2023.[8] The Perris Dam Remediation

[8] California Department of Water Resources. (2019). *Perris Dam Modernization Project.* Retrieved at: https://water.ca.gov/Programs/Engineering-And-Construction/Perris-Dam-Remediation (Accessed) May 18, 2021).

project, the first of the three Perris Dam seismic retrofit projects, was completed in April 2018. It included several upgrades, such as strengthening the dam's foundation with over 320,000 cubic yards of cement deep soil mixing (CDSM) and adding 1.4 million-cubic-yards of embankment material to buttress the downstream of the 130-foot tall, earthen Perris Dam. The Outlet Tower Improvements project, the second of the three Perris Dam Seismic retrofit projects, will ensure safe and reliable release of water during normal and emergency operations. The Emergency Release Facility Project (ERF), the third and final project, would include the construction of levees, a channel, bridges, culverts, drop structures, and a local drainage system. A portion of the City is within the current dam inundation map for Lake Perris but may require revision after completion of the Perris Dam Modernization project.

Seismically induced inundation can also occur if strong earthquakes cause structural damage to above ground water tanks. There are 17 aboveground reservoirs within the City that are owned by the Eastern Municipal Water District (EMWD) and have a total capacity of approximately 29 million gallons Although some of the tanks are older, all have been fitted with flexible connections to prevent the inlet-outlet piping from breaking in case of an earthquake, and some are equipped with a seismic shut-off valve. Each tank also has an altitude value tied to an alarm system to prevent the tank from overflowing. Maintenance and monitoring of the tanks are under responsibility of the EMWD.

Seiche and Mudslides

A seiche is a surface wave created when an inland body of water is shaken, usually by earthquake activity. Water bodies large enough to generate seiches that could flow onto abutting land include Canyon Lake next to the west City boundary, and artificial lakes in the community of the City in the east-central part of the City. A mudflow is a landslide composed of saturated rock debris and soil with a consistency of wet cement. The parts of the City most susceptible to mudflows are at the bases of moderate to steep slopes, or at the mouths of drainage channels.

Groundwater and Groundwater Quality

EMWD provides water services to the City. Approximately 25 percent of EMWD's potable water demand is supplied by EMWD groundwater wells. Most of the groundwater produced by EMWD comes from wells in the Hemet and San Jacinto area. EMWD also has wells in Moreno Valley, Perris Valley, and Murrieta areas. Refer to ***Section 4.19, Utilities and Service Systems***, of this Draft PEIR for more information regarding EMWD potable water services. Groundwater from the Menifee Management Zone are important sources of municipal groundwater supply, agricultural groundwater supply, and industrial process groundwater supply which are industrial uses dependent on water quality.[9]

Existing Groundwater

According to Figure 5.9-2: Groundwater Basins, of the Menifee GP Draft EIR, much of the City overlies the Perris South and Menifee Management Zones of the San Jacinto Groundwater Basin, within the Assembly Bill (AB) 3030 Management Plan Area.[10] Groundwater in this area is affected by high levels of total dissolved solids (TDS). The high TDS groundwater is migrating into the Lakeview portion of the

[9] Ibid. Page 5.9-4 through 5.9-7
[10] Ibid. Figure 5.9-2

Lakeview/Hemet North management zone, an area of good quality groundwater. EMWD operates two desalination facilities that recover high TDS groundwater from the Menifee and Perris South Management Zones and the Lakeview portion of the Lakeview/Hemet North Management Zone, for potable use. The Menifee Desalter and Perris I Desalter have a combined capacity of 7,500 acre-feet per year, or about 6.7 million gallons per day (gpd). EMWD's new desalination facility, Perris II Desalter, with an anticipated buildout date of Fall 2021, would have a capacity of 5.4 million gpd and would allow EMWD to cumulatively meet the needs of 30,000 households annually through its desalination program.[11] The Perris II Desalter is located on Murrieta Road within the City.

4.10.2 Regulatory Setting

Federal

Federal Clean Water Act

Future housing development in the City is subject to federal permit requirements under the Federal Clean Water Act (CWA). The primary goals of the CWA are to maintain the chemical, physical, and biological integrity of the nation's waters and to make all surface waters fishable and swimmable. The CWA forms the basic national framework for the management of water quality and the control of pollution discharges; it provides the legal framework for several water quality regulations, including the National Pollutant Discharge Elimination System (NPDES), effluent limitations, water quality standards, pretreatment standards, antidegradation policy, nonpoint source discharge programs, and wetlands protection. The United States Environmental Protection Agency (U.S. EPA) has delegated the administrative responsibility for portions of the CWA to state and regional agencies. In California, the State Water Resources Control Board (SWRCB) administers the NPDES permitting program and is responsible for developing NPDES permitting requirements. The SWRCB works in coordination with the Regional Water Quality Control Boards (RWQCB) to preserve, protect, enhance, and restore water quality.

Under the NPDES permit program, the U.S. EPA establishes regulations for discharging stormwater by municipal and industrial facilities and construction activities. Section 402 of the CWA prohibits the discharge of pollutants into Waters of the United States from any point source unless the discharge is in compliance with an NPDES Permit.

The Anti-degradation Policy under the U.S. EPA's Water Quality Standards Regulations (48 F.R. 51400, 40 CFR 131.12, November 8, 1983), requires states and tribes to establish a three-tiered anti-degradation program to prevent a decrease in water quality standards.

- Tier 1—Maintains and protects existing uses and water quality conditions that support such uses. Tier 1 is applicable to all surface waters.
- Tier 2—Maintains and protects "high quality" waters where existing conditions are better than necessary to support "fishable/swimmable" waters. Water quality can be lowered in such waters but not to the point at which it would interfere with existing or designated uses.

[11] EMWD. (2019). *EMWD Celebrates Groundbreaking of Perris II Desalter.* Retrieved from: https://www.emwd.org/post/emwd-celebrates-groundbreaking-perris-ii-desalter (Accessed May 18, 2021)

- Tier 3—Maintains and protects water quality in outstanding national resource waters. Water quality cannot be lowered in such waters except for certain temporary changes.

Anti-degradation was explicitly incorporated into the federal CWA through 1987 amendments, codified in §303(d)(4)(B), requiring satisfaction of anti-degradation requirements before making certain changes in NPDES permits.

Section 303(d) of the CWA requires the SWRCB to list impaired water bodies that are too polluted or otherwise degraded to meet the water quality standards set by states, territories, or authorized tribes. The law requires that these jurisdictions establish priority rankings for waters on the lists and develop Total Maximum Daily Loads (TMDL) for these waters.

Section 404 of the CWA is administered and enforced by the U.S. Army Corps of Engineers (USACE). Section 404 establishes a program to regulate the discharge of dredged and fill material into Waters of the United States, including wetlands and coastal areas below the mean high tide. USACE administers the day-to-day program, and reviews and considers individual permit decisions and jurisdictional determinations. USACE also develops policy and guidance and enforces Section 404 provisions.

Safe Drinking Water Act

The Federal Safe Drinking Water Act (SDWA) provides regulations on drinking water quality in Menifee. The SDWA gives the U.S. EPA the authority to set drinking water standards, such as the National Primary Drinking Water regulations (NPDWRs or primary standards). The NPDWRs protect drinking water quality by limiting the levels of specific contaminants that are known to occur or have the potential to occur in water and can adversely affect public health. All public water systems that provide service to 25 or more individuals are required to satisfy these legally enforceable standards. Water purveyors must monitor for these contaminants on fixed schedules and report to the U.S. EPA when a maximum contaminant level (MCL) has been exceeded. MCL is the maximum permissible level of a contaminant in water that is delivered to any user of a public water system. Drinking water supplies are tested for a variety of contaminants, including organic and inorganic chemicals (e.g., minerals), substances that are known to cause cancer (e.g., carcinogens), radionuclides (e.g., uranium and radon), and microbial contaminants (e.g., coliform and Escherichia coli). Changes to the MCL list are typically made every three years as the EPA adds new contaminants or, based on new research or new case studies, revises MCLs for some contaminants. The California Department of Health Services, Division of Drinking Water and Environmental Management, is responsible for implementation of the SDWA in California.

State

Porter-Cologne Water Quality Act

The Porter-Cologne Water Quality Act (Water Code §§13000 et seq.) is the basic water quality control law for California. Under this Act, the 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 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. The City is in the Santa Ana River Basin, Region 8, in the Upper Santa Ana Watershed. The Water Quality Control Plan for the Santa Ana River Basin (8) was updated in 2008. The Basin Plan gives direction on the beneficial uses of the state waters within Region 8, describes the water quality that must be maintained to support such uses, and provides programs, projects, and other actions necessary to achieve the standards established in the basin plan.

Approximately 1.25 square miles of the southeast corner of the City is in the Santa Margarita River watershed in the San Diego RWQCB Region (Region 9). However, Order No. R8-2013-0024, issued by the Santa Ana RWQCB in 2013, placed the entire City of Menifee within the jurisdiction of the Santa Ana RWQCB regarding the municipal separate storm sewer system (MS4) Permit regulating discharges to municipal storm drainage systems in the part of Riverside County in Region 8.

National Pollutant Discharge Elimination System

Under the NPDES program promulgated under Section 402 of the CWA, all facilities that discharge pollutants from any point source into waters of the U.S. are required to obtain an NPDES permit. The term pollutant broadly includes any type of industrial, municipal, and agricultural waste discharged into water. Point sources are discharges from publicly owned treatment works (POTWs), from industrial facilities, and associated with urban runoff. Though the NPDES program addresses certain specific types of agricultural activities, the majority of agricultural facilities are defined as nonpoint sources and are exempt from NPDES regulation. Pollutant contributors come from direct and indirect sources. Direct sources discharge directly to receiving waters, and indirect sources discharge wastewater to POTWs, which in turn discharge to receiving waters. Under the national program, NPDES permits are issued only to direct point source discharges. The National Pretreatment Program addresses industrial and commercial indirect dischargers. Municipal sources are POTWs that receive primarily domestic sewage from residential and commercial customers. Specific NPDES program areas applicable to municipal sources are the National Pretreatment Program, the Municipal Sewage Sludge Program, Combined Sewer Overflows (CSOs), and the Municipal Storm Water Program. Nonmunicipal sources include industrial and commercial facilities. Specific NPDES program areas applicable to these industrial/commercial sources are: Process Wastewater Discharges, Non-Process Wastewater Discharges, and the Industrial Storm Water Program. NPDES issues two basic permit types: individual and general. Also, the EPA has recently focused on integrating the NPDES program further into watershed planning and permitting.

The NPDES has a variety of measures designed to minimize and reduce pollutant discharges. All counties with storm drain systems that serve a population of 50,000 or more, as well as construction sites one acre or more in size, must file for and obtain an NPDES permit. Another measure for minimizing and reducing pollutant discharges to a publicly owned conveyance or system of conveyances (including roadways, catch basins, curbs, gutters, ditches, man-made channels and storm drains, designed or used for collecting and conveying stormwater) is the EPA's Storm Water Phase II Final Rule. The Phase II Final Rule requires an operator (such as a City) of a regulated small MS4 to develop, implement, and enforce a program (e.g., best management practices [BMPs], ordinances, or other regulatory mechanisms) to reduce pollutants in postconstruction runoff to the City's storm drain system from new development and redevelopment

projects that result in the land disturbance of greater than or equal to one acre. The City Public Works Department is the local enforcing agency of the MS4 NPDES permit.

Regional

Water Quality Control Plan, Santa Ana River Basin

The Water Quality Control Plan for the Santa Ana River Basin (Basin Plan), updated in February 2008, establishes water quality standards for groundwater and surface water in the basin; that is, standards for both beneficial uses of specific water bodies and the water quality levels that must be maintained to protect those uses. The basin plan includes an implementation plan describing actions by the Santa Ana RWQCB and others needed to achieve and maintain the water quality standards. The Santa Ana RWQCB regulates waste discharges to minimize and control their effects on the quality of the region's groundwater and surface waters. The Basin Plan lists water quality problems for the region, along with causes, where they are known. Plans for improving water quality are included for water bodies with quality below the levels needed to enable all the beneficial uses of the water. Part of the southeast corner of the City is in the territory of the San Diego RWQCB; however, discharges to municipal storm drains throughout the City of Menifee are regulated by the Santa Ana RWQCB.

Storm Water Pollution Prevention Plans

Pursuant to the CWA, in 2009, the SWRCB issued a statewide general NPDES permit for stormwater discharges from construction sites (NPDES No. CAS000002). Under this Statewide General Construction Activity permit, discharges of storm water from construction sites with a disturbed area of one or more acres are required to either obtain individual NPDES permits for stormwater discharges or to be covered by the General Permit. Coverage by the General Permit is accomplished by completing and filing a Notice of Intent with the SWRCB 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 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.

National Flood Insurance Program

The National Flood Insurance Act of 1968 and the Flood Disaster Protection Act of 1973 mandate the FEMA to evaluate flood hazards. FEMA provides FIRMs for local and regional planners to promote sound land use and floodplain development, identifying potential flood areas based on the current conditions. To delineate a FIRM, FEMA conducts engineering studies referred to as Flood Insurance Studies (FISs). The most recent FIS and FIRM was completed and published for the County of Riverside in August 2008. Using information gathered in these studies, FEMA engineers and cartographers delineate Special Flood Hazard Areas (SFHAs) on FIRMs. The Flood Disaster Protection Act (FDPA) requires owners of all structures in identified SFHAs to purchase and maintain flood insurance as a condition of receiving federal or federally related financial assistance, such as mortgage loans from federally insured lending institutions.

Community members within designated areas are able to participate in the National Flood Insurance Program (NFIP) afforded by FEMA. The NFIP is required to offer federally subsidized flood insurance to property owners in those communities that adopt and enforce floodplain management ordinances that meet minimum criteria established by FEMA. The National Flood Insurance Reform Act of 1994 further strengthened the NFIP by providing a grant program for state and community flood mitigation projects. The act also established the Community Rating System (CRS), a system for crediting communities that implement measures to protect the natural and beneficial functions of their floodplains, as well as managing erosion hazards. Currently, the City of Menifee is not a member of NFIP.

Local

City of Menifee General Plan[12]

The Menifee General Plan (GP) adopted in 2013 and includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Open Space & Conservation Element

Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.

Policy 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.

Policy OSC-7.2: Encourage water conservation as a means of preserving water resources.

Policy OSC-7.5: Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.

Policy OSC-7.6: Work with the Eastern Municipal Water District to maintain adopted levels of service standards for sewer service systems.

Policy OSC-7.7: Maintain and improve existing level of sewer service by improving infrastructure and repairing existing deficiencies.

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

Policy 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.

Safety Element

Goal S-3: A community that is minimally disrupted by flooding and inundation hazards.

[12] City of Menifee. (2013). *City of Menifee General Plan.* Retrieved from City's website at: https://www.cityofmenifee.us/221/General-Plan (Accessed May 18, 2021)

Policy S-3.1: Require that all new developments and redevelopments in areas susceptible to flooding (such as the 100-year floodplain and areas known to the city to flood during intense or prolonged rainfall events) incorporate mitigation measures designed to mitigate flood hazards.

Policy S-3.2: Reduce flood hazards in developed areas known to flood.

Policy S-3.3: Use technology to identify flood-prone areas and to notify residents and motorists of impending flood hazards and evacuation procedures.

City of Menifee Municipal Code[13]

Storm Water/Urban Runoff

Menifee Municipal Code (MC) §15.01 requires development to adhere to regulatory framework to reduce stormwater and urban runoff to assure consistency with the requirements of the CWA, Porter-Cologne Water Quality Control Act and acts amendatory thereof or supplementary thereto, applicable implementing regulations, and any existing or future municipal NPDES Permits and any amendments or revisions thereto or reissuance thereof.

Menifee MC Chapter 4.2: Floodplain Management for Noncoastal Communities

The purpose of Chapter 4.2 Floodplain Management for Noncoastal Communities is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas by legally enforceable regulations applied uniformly throughout the community to all publicly and privately- owned land within flood prone, mudslide [i.e. mudflow] or flood related erosion areas.

4.10.3 Standards of Significance

The City relies on thresholds of significance specified in State CEQA Guidelines, Appendix G. Impacts concerning hydrology and water quality would be significant if the proposed Project implementation would:

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality.
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin.
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
  - Result in substantial erosion or siltation on-or off-site?
  - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?

[13] City of Menifee. (2020). *City of Menifee Municipal Code.* Retrieved at: https://codelibrary.amlegal.com/codes/menifee/latest/overview (Accessed May 18, 2021).

- Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation.
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

4.10.4 Methodology

This analysis considers the recommendations of the State CEQA Guidelines, Appendix G, as described above, in determining whether Project implementation would result in the impacts regarding hydrology and water quality. The evaluation was based on a review of regulations and determining their applicability for the proposed Project. Hydrology and water quality information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project implementation would or would not result in "substantial" adverse effects on utilities considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.10.5 Project Impacts and Mitigation

Impact 4.10-1: ***Would the Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?***

Level of Significance: Less than Significant with Mitigation Incorporated

The Project does not propose any physical developments or alterations to the City. Instead, the Project proposes modifications to the City's General Plan and Zoning Code which would allow for the future development of housing units to meet the requirements of the State-mandated Regional Housing Needs Assessment (RHNA) allocation for the City through with zoning that would allow residential development densities up to 24 dwelling units per acre (du/ac). The Project also includes an update to the City's Safety Element which would include the addition of policies recommending the siting of developments nearby adequate water facilities.

Although not directly proposed by the Project, all future housing development projects facilitated by the Project are required to comply with the NPDES General Construction Permit (GCP) and the hydrology and water quality goals and policies of the Menifee GP and Menifee MC, all which require the preparation and implementation of a SWPPP in order to obtain grading and building permits. The SWPPP would identify site-specific construction BMPs to reduce or eliminate sediment, erosion, hazardous materials and other pollutants in stormwater and non-stormwater runoff from site-specific future housing development. The SWRCB would require that future housing projects that disturb one or more acres of land must obtain coverage under the statewide GCP. The GCP also requires that prior to the start of construction activities, the project applicant must file Permit Registration Documents (PRDs) with the SWRCB, which includes a NOI, risk assessment, site map, annual fee, signed certification statement, SWPPP, and post-construction

water balance calculation (**Mitigation Measure [MM] HYD-1**). Future housing projects smaller than one acre must also implement BMPs and NPDES regulatory compliance would be determined by the City's Public Works and Engineering Department.

Categories of Construction BMPs would include but not be limited to the following BMPs listed in ***Table 4.10-2: Construction BMPs***. Erosion and siltation resulting from future housing development would be minimized by implementation of erosion control, sediment control, wind erosion control, tracking control, and waste management and control BMPs.

Table 4.10-2: Construction BMPs

Category	Purpose	Examples
Erosion Controls and Wind Erosion Controls	• Use project scheduling and planning to reduce soil or vegetation disturbance (particularly during the rainy season) • Prevent or reduce erosion potential by diverting or controlling drainage • Prepare and stabilize disturbed soil areas	Scheduling, preservation of existing vegetation, hydraulic mulch, hydroseeding, soil binders, straw mulch, geotextile and mats, wood mulching, earth dikes and drainage swales, velocity dissipation devices, slope drains, streambank stabilization, compost blankets, soil preparation/roughening, and non-vegetative stabilization
Sediment Controls	Filter out soil particles that have been detached and transported in water	Silt fence, sediment basin, sediment trap, check dam, fiber rolls, gravel bag berm, street sweeping and vacuuming, sandbag barrier, straw bale barrier, storm drain inlet protection, manufactured linear sediment controls, compost socks and berms, and biofilter bags
Wind Erosion Controls	Apply water or other dust palliatives to prevent or minimize dust nuisance	Dust control soil binders, chemical dust suppressants, covering stockpiles, permanent vegetation, mulching, watering, temporary gravel construction, synthetic covers, and minimization of disturbed area
Tracking Controls	Minimize the tracking of soil off-site by vehicles	Stabilized construction roadways and construction entrances/exits, and entrance/outlet tire wash
Non-Storm Water Management Controls	• Prohibit discharge of materials other than stormwater, such as discharges from the cleaning, maintenance, and fueling of vehicles and equipment • Conduct various construction operations, including paving, grinding, and concrete curing and finishing, in ways that minimize non-stormwater discharges and contamination of any such discharges	Water conservation practices, temporary stream crossings, clear water diversions, illicit connection/ discharge, potable and irrigation water management, and the proper management of the following operations: paving and grinding, dewatering, vehicle and equipment cleaning, fueling and maintenance, pile driving, concrete curing, concrete finishing, demolition adjacent to water, material over water, and temporary batch plants

Category	Purpose	Examples
Waste Management and Controls (i.e., good housekeeping practices)	Manage materials and wastes to avoid contamination of stormwater	Stockpile management, spill prevention and control, solid waste management, hazardous waste management, contaminated soil management, concrete waste management, sanitary/septic waste management, liquid waste management, and management of material delivery storage and use
Source: California Stormwater Quality Association (CASQA). (2012). *BMP Handbook*.		

Pursuant to the Menifee GP, all future housing development would be required to plan BMPs four general phases of construction: (1) grading and land development (e.g., mass grade and rough grade), (2) utility and road installation, (3) vertical construction, and (4) final stabilization and landscaping. Therefore, BMP implementation for new construction can be evaluated in this general context. Site-specific details on individual BMPs would be dependent for each future housing development facilitated by the Project.

Furthermore, future project applicants shall prepare a preliminary water quality management plan (WQMP) if any future housing development would create more than 10,000 square feet of impervious surfaces. The WQMP shall identify Low Impact Development (LID) treatment, source control BMPs, and treatment control BMPs. In addition, a final WQMP would be prepared pursuant to MS4 permitting to address BMP sizing and operations and maintenance. Project-specific WQMP's would be designed to support to enhance the regional BMPs and efforts implemented by the City.

Overall, submittal of the PRD's, implementation of a SWPPP, and preparation of a WQMP would ensure the minimization or elimination of any anticipated and expected pollutants of concern caused by any future housing development facilitated by the Project.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Safety Element Update Goals and Policies

S-3.6 Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

S-3.7 When feasible locate new essential public facilities outside of flood risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities or identify other methods to minimize damage if these facilities are located in flood hazard zones.

Policy updates associated with Environmental Justice would not further affect the City's ability to manage hydrological risks and resources. Therefore, impacts would be less than significant with mitigation implemented.

Mitigation Measures

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

The required SWPPP must identify specific actions and BMPs to prevent stormwater pollution during construction activities. The SWPPP shall identify a practical sequence for BMP implementation, contingency measures, responsible parties, and applicable contacts. The SWPPP would include but not be limited to the following elements:

- Comply with the requirements of the State of California's most current Construction Stormwater Permit.
- Temporary erosion control measures shall be implemented on all disturbed areas.
- Sediment generated during construction and operation activity shall be retained on-site by a system of sediment or detention basins, traps, or other BMPs.
- Construction Contractors shall prepare Standard Operating Procedures for the handling of hazardous materials on the construction site to eliminate discharge of materials to storm drains.
- BMP performance and effectiveness shall be determined either by visual means where applicable (e.g., observation of above-normal sediment release), or by actual water sampling in cases where verification of contaminant reduction or elimination (such as inadvertent petroleum release) is required by the SARWQCB to determine adequacy of the measure.
- Prior to the issuance of the first grading permit, future project applicants shall submit construction plans that may include water quality BMPs for approval. The City of Menifee shall ensure that all applicable water quality standards are met before approving the SWPPP.

MM HYD-2 Future project applicants shall prepare a Preliminary and Final Project-Specific WQMP for submittal together with all associated development plans which must be approved prior to the issuance of a building or grading permit. These documents shall be prepared in accordance with applicable City General Plan and Municipal Code guidelines regulations and policies related to hydrology and water quality, including but not limited to the following:

- Site Design BMPs
- Source Control BMPs
- Treatment Control BMPs
- BMP Sizing
- Equivalent Treatment Control Alternatives
- Hydrologic Conditions of Concern (HCOC)

Impact 4.10-2: ***Would the Project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?***

Level of Significance: Less than Significant

As described in Section 5.9, Hydrology and Water Quality of the City GP Draft EIR, there are no percolation basins or other areas in the City used for intentional recharge of groundwater basins. Thus, future housing development facilitated by the Project would utilize/rely on the City's existing domestic water supply system for potable water services. Therefore, the future housing development would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin. No Impact would occur. Refer to ***Section 4.19, Utilities and Service Systems***, for Project information regarding water supply.

Mitigation Measures

No mitigation is required.

Impact 4.10-3: ***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 or through the addition of impervious surfaces, in a manner which would:***

- ***Result in substantial erosion or siltation on-or off-site?***

Level of Significance: Less than Significant with Mitigation Incorporated

Refer to Impact discussion 4.10-1 above. Clearing, grading, excavation, and construction activities associated with future housing development facilitated by the Project may impact water quality through soil erosion and increasing amount of silt, debris, and pollutants running off into local drainages. Examples of pollutants include the use of oil and grease, fuels, solvents, pesticides, oxygen-demanding substances, and paints. All future housing development projects would be required to implement **MM HYD-1** and

MM HYD-2 to ensure the minimization or elimination of any anticipated and expected pollutants of concern. With implementation of **MM HYD-1** and **MM HYD-2**, and compliance with all applicable hydrology and water quality regulatory framework, impacts from future housing development should be less than significant.

Policy updates associated with the Housing Element, Safety Element Update, and Environmental Justice would not further affect the City's ability to manage hydrological risks and resources. Therefore, impacts would be less than significant with mitigation implemented.

Mitigation Measures

Refer to MM HYD-1 and MM HYD-2 above.

Impact 4.10-4: ***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 through the addition of impervious surfaces, in a manner which would:***

- ***Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?***
- ***Create or contribute run-off water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted run-off?***
- ***Impede or redirect flood flows?***

Level of Significance: Less than Significant with Mitigation Incorporated

The Project proposes modifications to the City's GP and Zoning Code which would allow for the future development of housing units to meet the requirements of the State-mandated RHNA allocation for the City through the expansion of maximum residential development densities up to 24 dwelling units per acre (du/ac) on 59 of the 69 potential candidate housing sites. As well updates to the City's Land Use Element would allow for the development of 66 additional housing units through the revision of land use designations for 48 parcels from economic development corridors (EDC) to Rural Residential (RR1) land use designations. Thus, future housing development could increase the impervious areas in the City, resulting in an increase of surface runoff into the City's storm drainage systems, significantly impact on-site flows, and impede or redirect flood flows.

Future housing development facilitated by the Project would be subject to discretionary permits including MS4 and NPDES Permitting and is required to adhere to all federal, State, and local requirements related to stormwater/runoff during construction and operations, including the City's storm water and urban runoff policies within the Menifee GP and within the City's MC §15.01. As discussed in impact discussion **MM HYD-1**, future housing development would implement **MM HYD-1** and **MM HYD-2** that would require future project applicants to prepare a SWPPP and WQMP that identifies BMPs that would minimize the amount of surface runoff in a manner that would not result in flooding nor exceed the capacity of the City's existing stormwater drainage systems. Implementation of BMPs would also serve to minimize and

treat polluted water sources. Since future housing development facilitated by the Project would comply with all applicable federal, state, regional, and local regulatory framework, and would implement mitigation measures **MM HYD-1** and **MM HYD-2**.

Additionally, the following updated goals and policies from the Safety Element Updates would reduce any potential impacts to a level of less than significant:

Safety Element Update Goals and Policies

S-3.6 Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

S-3.7 When feasible locate new essential public facilities outside of flood risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities or identify other methods to minimize damage if these facilities are located in flood hazard zones.

Policy updates associated with the Housing Element and Environmental Justice would not further affect the City's ability to manage hydrological risks and resources. Therefore, impacts would be less than significant with mitigation implemented.

Mitigation Measures

Refer to MM HYD-1 and MM HYD-2 above.

Impact 4.10-5: In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Level of Significance: Less than Significant Impact

A review of the FEMA FIRMs was conducted to determine whether any of the candidate housing sites are located within a flood-prone-zone. The candidate housing sites are located on Map No. 06065C2060H, 06065C1445H and 06065C2055H (effective August 18, 2014) and Map No. 06065C2062H (effective April 19, 2017). According to ***Table 4.10-1: City of Menifee Flood Zones*** two candidate sites are located in Zone A which is a "High Risk Areas" corresponding to 100-year floodplains. The remaining candidate sites are located in Zone X (shaded) and which are "Moderate Risk Areas" that correspond to areas between the limits of the 100-year and 500-year floods and Zone X (unshaded) which are "Low Risk" that correspond to areas outside of the 500-year flood or areas protected from the 100-year flood by levees. Thus, future housing development facilitated by the Project within Zones A could be at moderate to high risk of flooding.

Any proposed development within Zone A would be required to comply with Floodplain Management for Non Coastal Communities regulations (Menifee MC §4.2), which ensures that all publicly and privately-owned land within flood prone, mudslide, or flood related erosion areas are constructed as to minimize or avoid flood hazards that may impact the public health, safety, and general welfare of those who would occupy the development and to minimize public and private losses. These regulations also require that uses vulnerable to floods, including public facilities and utilities, be protected against flood damage at the

time of initial construction; control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters; and control filling, grading, dredging, and other development which may increase flood damage. In addition, all future development construction plans are required to show conformity with the regulations and provisions set in Chapter Menifee MC §4.2 prior issuance of any grading or development permit, as part of the City's discretionary review process.

Future development of candidate sites located near Canyon Lake would be at risk to seiche-related hazards and therefore would be required to adhere to all applicable regulations forementioned above including the City's General Plan's goals and policies related to flood hazards. In addition, the Project would include revisions to the City's Safety Element, in conjunction with the Land Use Element and Open space and Conservation Element, that contains policies and programs that would address future drainage and potential future flood hazards, specifically seismic- and geologic-based impacts.

As discussed in the Environmental Setting section above, the City is in Diamond Valley Lake and Lake Perris dam failure inundation zone. MWD continuously monitors the three dams at Diamond Valley Lake and its foundations for deformation due to weight of the dams, water pressure, and wetting of dam materials.[14] The design of the dam, in combination with monitoring would reduce the risks of dam failure. DWR is currently in stage 2 of the Perris Dam Remediation project which includes repairs and improvements that would reduce the risks of dam failure. The dam inundation map for Lake Perris may require revision after completion of the repair work. Dam inundation impacts would be less than significant.

The potential candidate housing sites are inland and are not risk for inundation due to a tsunami since they are more than 27 miles from the Pacific Ocean.

In conclusion, future housing development facilitated by the Project would be required to adhere to all federal, state, and local requirements for avoiding and minimizing impacts related to flood hazards, tsunami, or seiches, including the revisions to the Safety, Land Use, and Open Space and Conservation Elements, and City GP and Menifee MC policies and regulations. Therefore, future housing development facilitated by the Project would not result in significant increased risk concerning release of pollutants due to inundation, tsunami, or seiche zones.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

[14] Ibid. Page 5.9-24

HE Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Safety Element Update Goals and Policies

S-3.6 Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

S-3.7 When feasible locate new essential public facilities outside of flood risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities or identify other methods to minimize damage if these facilities are located in flood hazard zones.

Policy updates associated with Environmental Justice would not further affect the City's ability to manage hydrological risks and resources. Therefore, impacts would be less than significant with mitigation implemented.

Mitigation Measures

No mitigation measures are required.

Impact 4.10-6: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Level of Significance: Less than Significant Impact

The City is located in the San Jacinto Valley HU, within of the Santa Ana Region Planning Area (8). The Basin Plan establishes beneficial uses and defines water quality standards for both surface and subsurface water. The Basin plan identifies beneficial uses as, "one of the various ways that water can be used for the benefit of people and/or wildlife."[15]

Refer to **MM HYD-1** impact discussion above. The City is a co-permittee of the regional MS4 Permit for part of the Santa Ana River Watershed in Riverside County, Order No. R8-2010-0033, issued by the Santa Ana RWQCB in 2010. MS4 Permit conformity and runoff and pollutant discharge reduction would be required for future housing development facilitated by the Project. In addition, the MS4 Permit requires that all future housing development include green infrastructure/LID techniques in addition to watershed protection principles that include, but are not limited to, the following: [16]

- Landscaping designs that promote longer water retention and evapotranspiration such as one foot depth of compost/topsoil in commercial and residential areas on top of one foot of noncompacted subsoil; concave landscape grading to allow runoff from impervious surfaces, and

[15] Santa Ana RWQCB (2019). Santa Ana River Basin Plan. *Chapter 3 – Beneficial Uses.* Retrieved at: https://www.waterboards.ca.gov/santaana/water_issues/programs/basin_plan/index.html (Accessed May 19, 2021)
[16] Ibid. Page 5.9-18

water conservation by selection of water efficient native plants, weather-based irrigation controllers, etc.

- Allow permeable surface designs in low traffic roads and parking lots. This may require land use/building code amendment.
- Allow natural drainage systems for street construction and catchments (with no drainage pipes) and allow vegetated ditches and swales where feasible.
- Require landscape in parking lots to provide treatment, retention, or infiltration.
- Reduce curb requirements where adequate drainage, conveyance, treatment, and storage are available.
- Amend land use/building codes to allow no curbs, curb cuts, and/or stop blocks in parking areas and residential streets with low traffic.
- Consider and facilitate application of landform grading techniques and revegetation as an alternative to traditional approaches, particularly in areas susceptible to erosion and sediment loss such as hillside development projects.
- Minimize changes in hydrology and pollutant loading; ensure that post-development runoff rates and velocities from a site do not adversely impact downstream erosion and stream habitat; minimize the quantity of urban runoff directed to impermeable surfaces and the MS4; and maximize the percentage of permeable surfaces to allow more percolation of urban runoff into the ground.

As discussed above, future housing development facilitated by the Project would be required to prepare a SWPPP and WQMP identifying site specific BMPs in accordance with NPDES permitting. Refer to ***Table 4.10-2, Construction BMPs***, above for a larger list of BMPs that are consistent with the California Stormwater Quality Association (CASQA) 2012 BMP Handbook.

Future housing development facilitated by the Project would be required to adhere to all state, regional and local requirements for avoiding and minimizing construction and operations impacts to prevent conflicts with or obstruction of implementation of a water quality control plan or sustainable groundwater management plan, including the Basin Plan. Therefore, future housing development facilitated by the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Safety Element Update Goals and Policies

S-3.6 Coordinate with FEMA to ensure that flood mapping and flood risk information is current and available.

S-3.7 When feasible locate new essential public facilities outside of flood risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities or identify other methods to minimize damage if these facilities are located in flood hazard zones.

Policy updates associated with Environmental Justice would not further affect the City's ability to manage hydrological risks and resources. Therefore, impacts would be less than significant with mitigation implemented.

Mitigation Measures

No mitigation measures are required.

4.10.6 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.10.7 Cumulative Impacts

The Project's anticipated impacts, in conjunction with cumulative development, would not result in additional impacts to hydrology and water quality beyond what was analyzed in the Menifee GP EIR process. Future housing development facilitated by the Project would be required to adhere to all applicable federal, state, regional, and local policies and regulations regarding hydrologic and water quality. In addition, potential impacts from any future development facilitated by the Project would be analyzed on a project-by-project basis, as part of the City's discretionary review and approval process required by CEQA. Therefore, the Project would not cause a cumulatively considerable impact on hydrology and water quality, and no mitigation is required.

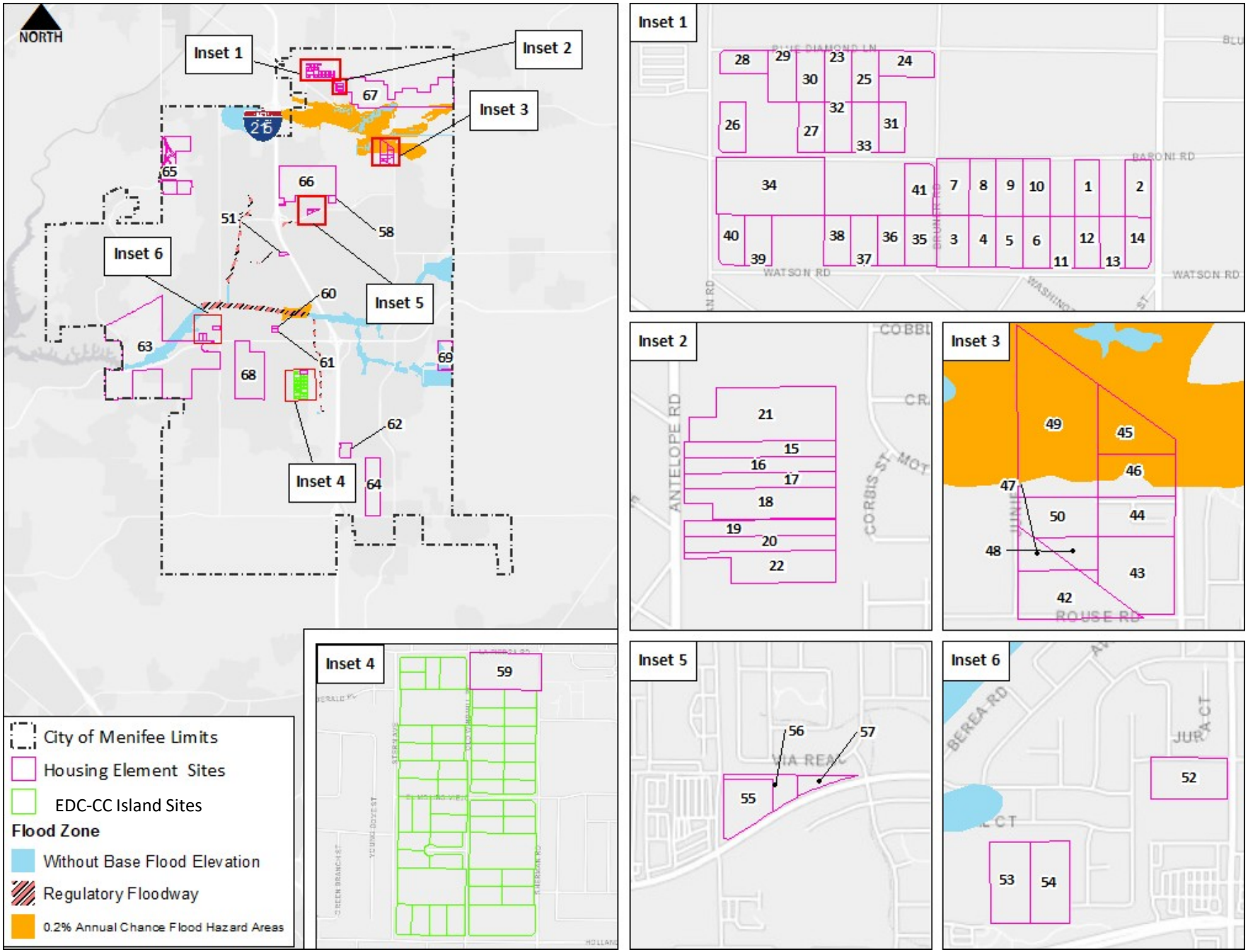


FIGURE 4.10-1: Flood Hazard Zones

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

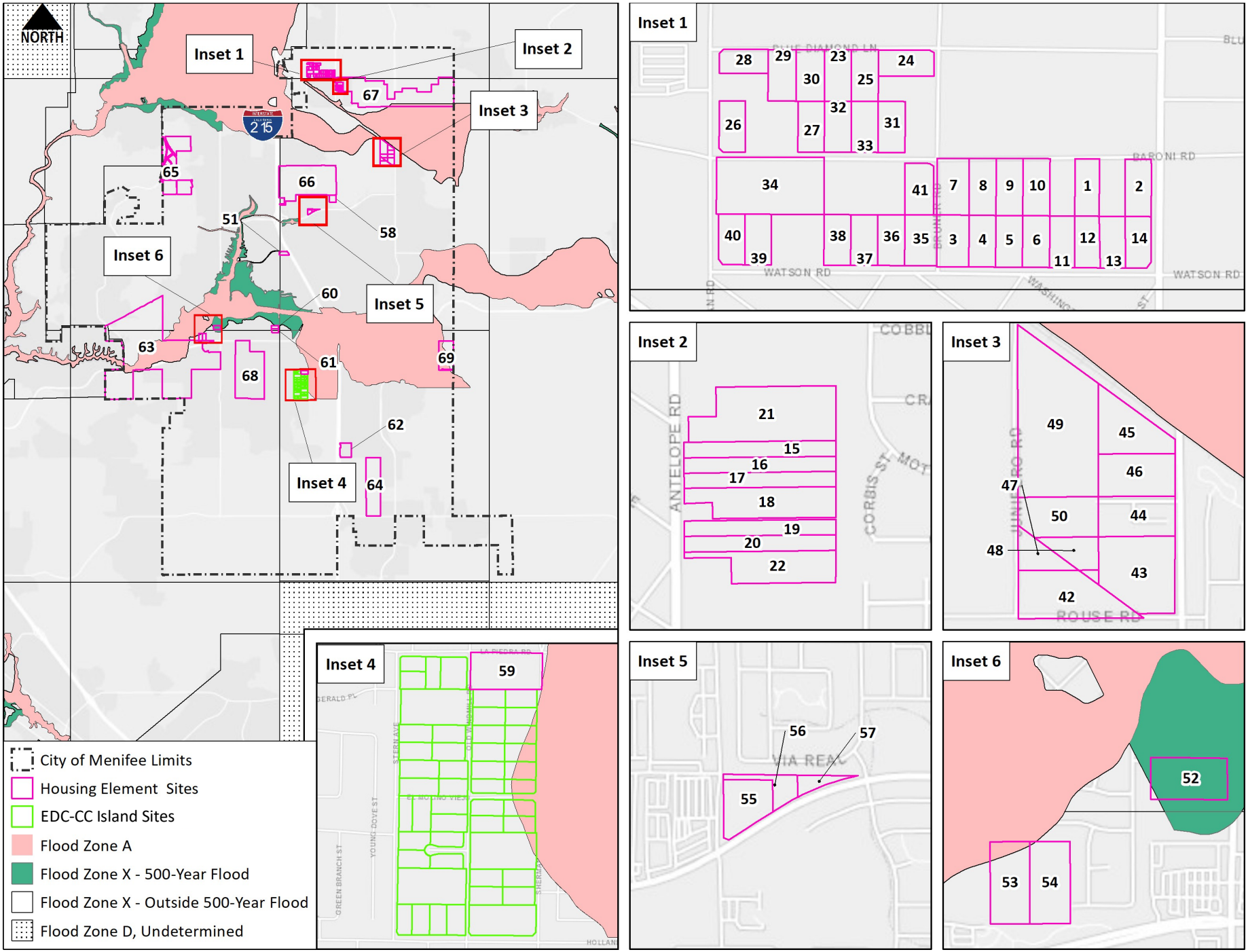


FIGURE 4.10-2: Updated Flood Insurance Rate Map

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

4.11 LAND USE AND PLANNING

This section of the Programmatic Environmental Impact Report (PEIR) assesses potential land use and planning impacts associated with the implementation of the City of Menifee 6th Cycle Housing Element Update (HEU or Project). In addition, this section also evaluates the potential impacts resulting from the proposed changes associated with the General Plan (GP) Land Use Element Update. In order to create a comprehensive analysis, the section describes the existing and regulatory setting of the City of Menifee (City). This background information will then be used to analyze and identify any potential significant impacts associated with the Project more effectively. In the event that significant impacts are identified, mitigation will be proposed in order to reduce the effects to less than significant levels.

Candidate housing sites and Land Use Element Update rezoning parcels were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development on both candidate housing sites or on the Land Use Element rezoned parcels. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.11.1 Environmental Setting

State Housing law requires that the Housing Element identify specific sites that are potentially suitable for residential development. The City has compiled an inventory of candidate housing sites, which includes properties that are dispersed throughout the community to minimize the potential for adverse changes to the neighborhood character and aesthetics and reduce the potential for adverse environmental impacts. As part of the initial site investigation, the candidate housing sites inventory encompassed areas that were identified as potentially suitable areas for future housing including adopted Specific Plans, High Density Residential (HDR) zoning and within the Economic Development Corridor (EDC). The City then evaluated potential opportunities for rezoning parcels to accommodate the remaining Regional Housing Needs Assessment (RHNA) allocation. The candidate site locations and candidate housing sites are summarized later in this section.

Existing Land Uses

The City is developed with multiple uses including residential and commercial land uses, agricultural fields, and open, undeveloped areas. The development pattern in the parts of the City with suburban density — Sun City, Menifee Lakes, Romoland, and Quail Valley — consists mostly (83 percent) of one-story detached single-family homes, with the remainder comprised of mobile homes, and multiple family dwelling developments of varying sizes. The City has large areas of undeveloped vacant and/or underutilized land with a large number of the vacant parcels within approved Specific Plan areas. Commercial uses are located in several areas throughout Menifee but concentrated along the Interstate 215 (I-215) corridor, Newport Road, and McCall Boulevard.

To accommodate the City's RHNA allocation, this PEIR considers 69 candidate housing sites within the City's boundaries, seven of which are Specific Plan area. Recognizing that not all candidate housing sites will ultimately develop at the maximum density or may be included in the HEU, the City accounted for a buffer of 2,087 units (32 percent) to comply with the "no net loss" requirements of Government Code Section 65863 (Senate Bill [SB] 166) and State Department of Housing and Community Development (HCD) guidance for its implementation. The 30 percent buffer represent the HCD's accepted level of buffer to ensure the City will not be subject to decertification of the Housing Element should a site/parcel not develop during the HEU planning period at the affordability levels or net number of units identified for the site. The identified candidate housing sites and associated parcels are included in ***Appendix A, Candidate Housing Sites***.

The Menifee GP Land Use Element contains land use designations which are used to guide growth and development throughout the City. The City's Planning and Zoning Code (or Development Code) is found in Title 9 of the City of Menifee Municipal Code (Menifee MC). Development Code Article 3, Zoning, establishes the zones applied to property within the City and specifies their allowed uses and approval requirements. ***Figure 4.11-1, Land Use and Zoning*** displays the existing land use and zoning designations for the City and candidate housing sites. Candidate sites within the City include those designated for residential use, specific plans, and economic development corridors. These are defined and summarized in ***Table 4.11-1, Existing Land Use and Zoning Designations***, below as well as the associated coordinating Specific Plan development standards.

Table 4.11-1: Existing Land Use and Zoning Designations

Land Use Designation	Zoning Designation	Candidate Sites #	Description
Rural Residential (RR1) 1 acre min	Rural Residential 1 (RR1)	–	Allows for the development of single-family detached residences on large parcels of 1 to 2 acres.
5.1-8 du/ac Residential (5.1-8R)	Low Medium Density Residential (LMDR)	–	Allows for the development of single-family attached and detached residences with a density range of 5 to 8 dwelling units per acre.
20.1-24 du/ac Residential (20.1-24R)	High Density Residential (HDR)	1 - 51	Allows for the development of multifamily dwellings; includes apartments and condominiums.
Specific Plan	**Specific Plan**	63 – 69	Allows for the development of a specific area in with a set of detailed development policies, standards, and criteria. Specific Plans contain their own circulation plans, land use plans, and development standards.
Economic Development Corridor (EDC)	Mix of Uses EDC-MB EDC-NR EDC-CC	52 – 62;	Allows primarily for the development of nonresidential uses, with residential uses playing a supporting role. Residential uses developed within an EDC shall not exceed 15% of the total EDC acreage nor be allowed directly adjacent to the freeway.

Notes:
1. Economic Development Corridor are zoned for specific areas. The general description is provided via the general plan land use designation.

Sources: City of Menifee. (2013). City of Menifee General Plan Exhibit LU-3. Pg. 1. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1014/Exhibit_LU-3_LandUseDesignations_20151020?bidId= (Accessed April 13, 2021).
City of Menifee. (2020). *Comprehensive Development Code; Title 9: Planning and Zoning*. Retrieved from: http://online.encodeplus.com/regs/menifee-ca/index.aspx (Accessed April 13, 2021).

Specific Plans

Candidate sites 63 through 69 are located within seven approved specific plans. These specific plans include:

- Audie Murphy Ranch Specific Plan (Site # 63)
- Cantalena Specific Plan (Site # 64)
- Cimarron Ridge Specific Plan (Site # 65)
- Legado Specific Plan (Site # 66)
- Menifee North Specific Plan (Amendment 3) (site # 67)
- Newport Estates Specific Plan (Site # 68)
- Rockport Ranch Specific Plan (Site # 69)

Audie Murphy Ranch Specific Plan

Audie Murphy Ranch Specific Plan (AMRSP) is located in the western portion of the City. The specific plan is intended as a multi-use community with 567.6 acres of residential land uses which would allow for a maximum development of 2,157 dwelling units (DUs). Housing densities within AMRSP range from 3.3 DUs per acre (du/ac) to 4.6 du/ac. Nonresidential land uses in the AMRSP include recreational uses, public facilities such as schools, waterways, open space areas, and roadways.[1]

Cantalena Specific Plan

The Cantalena Specific Plan (CSP) is located in the southeast portion of the City as is bounded by Garbani Road to the north, Haleblan Road to the east, Scott Road to the south, and undeveloped open space to the west. The specific plan is intended to be a residential community consisting of approximately 103 acres of residential uses which would generate up to 935 residential units. Housing densities within the CSP range from 5.5 du/ac to 18 du/ac. Nonresidential land uses within CSP include a school, parks, and roadways.[2]

The plan allows for zoning designations and densities of Medium High (4.9 du/acre) to Very High Density 18 du/acre) with a maximum buildout of 935 units on approximately 158.67 acres. An Alternative Land Use scenario of the Specific Plan allows up to 1,079 units on the 158.67 acres without the construction of the proposed school. The site is still undeveloped.

Cimarron Ridge Specific Plan

Cimarron Ridge Specific Plan (CRSP) is located along the northwestern border of the City and is bounded by McLoughlin Road to the north, Byers Road and Valley Boulevard to the east, and Chambers Avenue to the south. The approximately 240-acre CRSP is intended as a residential community with approximately

[1] T&B Planning. (2014). *Audie Murphy Ranch Specific Plan No. 209, Amendment No. 5*. Page I-11. Tustin, CA: T&P Planning.
[2] Bluestone Communities. (2006). *Cantelena Specific Plan No. 334 & EIR No. 463*. Page II-3. Irvine, CA: Bluestone Communities.

226 acres. Housing density within the CRSP ranges from 2.0 to 5.0 du/ac with 756 projected units. Nonresidential uses within the CRSP are comprised of open space land uses.[3]

Legado Specific Plan

The Legado Specific Plan (LSP) is located in the central portion of the City and is bounded by Rouse Road to the north, Antelope Road to the east, Chambers Avenue to the south, and Encanto Drive to the west. A mixture of commercial, residential and open space land uses are intended for development within the LSP planning area. The specific plan area totals 331 acres and contains approximately 217 acres of MDR land uses. The LSP provides a density range of 3.8 du/ac to 5.6 du/ac and a total of 1,061 dwelling units.[4]

Menifee North Specific Plan (Amendment 3)

The Menifee North Specific Plan (MNSP) is located in the northern portion of the City and is bounded by undeveloped land to the north, Menifee Road to the east, Pinacate Road to the south, and Palomar Road to the west. The MNSP contains approximately 203 acres of medium, medium high, and high density residential uses. Density within the MNSP ranges from 3.0 du/ac to 24 du/ac and would generate a total of 1,506 dwelling units. Nonresidential uses of the MNSP include business park, commercial, public, and open space uses.[5]

Newport Estates Specific Plan

The Newport Estates Specific Plan (NESP) is located in the central portion of the City and is bounded by Newport road to the north, residential uses to the east, Holland Road to the south, and residential uses to the west. The NESP is a 288-acre specific plan area containing approximately 210 acres of medium density residential uses. Although density for the specific plan area is not provided, it is anticipated to generate 878 units. Nonresidential uses of the NEPS include commercial, public facility, and open space uses.[6]

Rockport Ranch Specific Plan

The Rockport Ranch Specific Plan (RRSP) is located along the eastern boundary of the City. The specific plan site is bounded by Newport Road to the north, Briggs Road to the east, Tres Lagos Drive to the south, and new development to the west. The approximately 80-acre RRSP area would contain approximately 38 acres of residential uses. Housing density within the RRSP would range from 2.1 to 5 du/ac and culminate in a total of 305 DUs. Nonresidential uses proposed within the RRSP area include open space uses.[7]

[3] Albert A. Webb. (2014). *Cimarron Ridge Specific Plan*. Page 3.0-4. Riverside, CA: Albert A. Webb Associates.
[4] BLC Fleming LLC (2020). *Legado Specific Plan SP2017-187*. Page 3-4. Newport Beach, CA: BLC Fleming LLC.
[5] Romola General/Malaga 74, LLC. (2020). *Menifee North Specific Plan No. 260 Amendment No. 3.* Page III-9. Capistrano Beach, CA: Keisker & Wiggle Architects, Inc.
[6] Brian F Mooney and Associates. (1991). *Newport Estates Specific Plan*. Page 4. San Diego, CA: Brian F Mooney and Associates.
[7] CCI (n.d.). *Rockport Ranch Specific Plan*. Page 2-2. San Marcos, CA: CCI.

Candidate Housing Sites Outside the Specific Plan Areas

Candidate housing sites that are located outside of the specific plan areas have also been identified for consideration and inclusion in the HEU. These candidate housing sites are zoned Low Medium Density Residential (LMDR), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), and Economic Development Corridor (EDC).

As further described below, the City is proposing a rezoning program with the Project to rezone available sites for future housing from Economic Development Corridor Newport Road (EDC-NR), Economic Development Corridor McCall Boulevard (EDC-MB), and Economic Development Corridor Community Core (EDC-CC) zones to Low Medium Density Residential (LMDR), Medium Density Residential (MDR)and High Density Residential (HDR) zones to accommodate the Low and Very Low-Income housing need and Moderate and Above Moderate housing need as part of the HEU.

The existing zoning for each of the 69 candidate housing sites is specified in ***Appendix A, Candidate Housing Sites Inventory*** and described in ***Table 4.11-1, Existing Land Uses and Zoning*** above.

Low and Very Low Rezone Program

After the identification of existing residentially zone land and accessory dwelling units (ADUs) to accommodate the City's low and very low RHNA, a remaining 60 units must be accommodated to meet the City's RHNA. Additionally, recent legislation requires at least 50 percent of low and very low-income units on vacant land. In order to accommodate the remaining RHNA allocation and provide 50 percent vacant land, the City has identified 8 vacant parcels to rezone. The parcels are currently zoned Economic Development Corridor McCall Boulevard (EDC-MB), Economic Development Corridor Newport Road (EDC-NR), and Economic Development Corridor Community Core (EDC-CC). All of these parcels are vacant and will be rezoned to the High Density Residential (HDR) zone with the potential to accommodate 883 low and very low units.

Moderate and Above Moderate Rezone Program

In order for the City to meet the Moderate and Above Moderate RHNA allocation, the City identified three additional sites to be rezoned. Two sites will be rezoned from the Economic Development Corridor Newport Road (EDC-NR) to Low-Medium Density Residential, and one site will be rezoned from an Economic Development Corridor McCall Boulevard (EDC-MB) zone to a Medium Density Residential (MDR) zone. The three sites will accommodate 152 units within the Moderate and Above Moderate Income category to meet the City RHNA allocation.

General Plan Land Use Element Update

To ensure consistency with the HEU, the GP Land Use Element would be updated to amend GP land use of parcels to residential land use such as the 20.1-24 du/ac, establishing density consistent with proposed HDR zoning and the policy programs in the Housing Element. The rezoning of these parcels will accommodate housing development required by the RHNA. The GPAs will also address updates to the City's EDC land use policies which would allow and encourage higher density residential development within EDC land use areas. Updates to the City's EDC land use policies would remove the 15 percent

residential limitation placed on the land use type, allowing for greater residential development. Furthermore, the City identified parcels within the EDC-Community Core (EDC-CC) subarea that are inconsistent with the current underlying use and surrounding area and these sites would be amended to Rural Residential (RR-1) 1 acre min, see ***Figure 4.11-2, General Plan Land Use Element Update Rezone Sites***. Approximately 66 acres of the 392 acres within the EDC-CC subarea would be amended to RR-1 designation. These changes would be incorporated into the updated Land Use Element and Land Use Map.

4.11.2 Regulatory Setting

State

General Plan

The California Constitution grants to local (City and County) governments the authority to regulate land use through the police power. It also requires all cities and counties to prepare a comprehensive, long-term general plan for land use within their jurisdictions. The GP serves as a broad policy framework and guide for future development and must contain seven mandated elements addressing land use, housing, circulation, conservation, open space, noise, and safety. All other land use regulations, including specific plans, ordinances, and land use decisions within the jurisdiction must be consistent with the GP.

State Housing Law

In the face of mounting housing costs and lack of affordable housing throughout the State, the legislature has prioritized the provision of a decent home and suitable living environment to each Californian, with particular focus on housing affordable to low and very low-income households. As a result, State Housing law (California Government Code [CGC] § 65583 et seq.) now requires all incorporated cities and unincorporated counties to regularly update their general plan Housing Element to ensure that each city and county in the State provides its fair share of housing at all economic levels. State Housing law is discussed in detail in PEIR ***Section 3.0, Project Description***. State Housing law requires cities to regularly update their Housing Elements to identify and analyze housing need; establish reasonable goals, objectives, and policies based on those needs; and set forth a comprehensive list of actions to achieve the identified goals and substantially comply with State Housing law requirements.

State Review

California Government Code §65585 requires that the City submit its draft and final (adopted) Housing Elements to Housing and Community Development (HCD) for review and "certification." Specifically, the City must submit its draft Housing Element to HCD at least 60 days prior to the adoption of its final Housing Element. HCD reviews the draft and reports its findings back to the City within 60 days. In its findings, HCD determines whether the draft Housing Element substantially complies with the requirements of State Housing law. The City must consider HCD's findings prior to adoption of its final Housing Element. State Housing law requires that HCD review the final element and report its findings of whether the element is substantially in compliance with State Housing law to the City within 90 days.

Assembly Bill 1233 (2005) and Senate Bill 375 (2008)

Assembly Bill (AB) 1233, approved by the Governor in 2005, requires that the Project analyze vacant sites, sites having potential for redevelopment, and the relationship of zoning, facilities, and services to these sites. AB 1233 requires that the Project specify action programs that will be taken to make sites available during the 6th Cycle Housing Element planning period (2021-2029), as necessary to accommodate the Regional Housing Needs Allocation (RHNA) units assigned to the City for the 6th Cycle, plus any additional actions that are necessary to make sites available to accommodate any RHNA units that were assigned during the 5th Cycle Housing Element (2013–2021) that were not accommodated.

Senate Bill (SB) 375 approved by the Governor in 2008, requires that the Project identify the existing and projected housing needs of all economic segments of the community. In certain cases, the State requires rezone actions to be included within the Project to accommodate 100 percent of the need for very low- and low-income households. If a jurisdiction does not fulfill the Housing Element action programs that are tied to affordability levels (prior to the June 30, 2020 deadline for the 5th Cycle production period), then penalties may be incurred in accordance with SB 375 and AB 1233 for the Project (which in this case is the City's 6th Cycle Housing Element).

Assembly Bill 1397

AB 1397 made a number of changes to Housing Element law by revising what could be included in a jurisdiction's inventory of land suitable for residential development. AB 1397 changed the definition of land suitable for residential development to increase the number of multi-family sites. Identified sites must be "available" and "suitable" for residential development and have a "realistic and demonstrated potential" for redevelopment during the planning period. In addition, AB 1397 requires Housing Element inventory sites to be 0.5 acre to 10 acres, have sufficient infrastructure, or to be included in a program to provide such infrastructure, to support and be accessible for housing development. Further, the jurisdiction must specify the realistic unit count for each site and whether it can accommodate housing at various income levels.

Housing Crisis Act of 2019 (SB-330)

The California Housing Crisis Act (SB 330) was enacted by Governor Newsom in 2019 as a means to combat the State's growing housing crisis. This legislation's goal is to increase California's affordable housing stock by 3.5 million new units by 2025. To streamline residential development, a new preliminary development application process is required which includes a staff-level review of basic information regarding a project such as:

- Site characteristics;
- The planned project;
- Certain environmental concerns;
- Facts related to any potential density bonus;
- Certain coastal zone-specific concerns;

- The number of units to be demolished; and
- The location of recorded public easements.

SB 330 further streamlines housing development by reducing the amount of public meetings or hearings to five or less (e.g., workshops, design review board meetings, planning commission meetings, advisory committee meetings, and city council meetings). A shortened approval time of 90 days instead of 120 days from the time of certification for an EIR is also required to streamline the development approval process.

Local agencies are no longer able to remove or modify land use designations or allowances to inhibit the development of housing, unless the local agency replaces the lost housing potential; therefore, ensuring no net loss in housing availability. Further, local agencies will no longer be able to limit the annual number of housing-focused land use approvals, create caps on the amount of constructed housing units, or limit the population size of their city. Subjective design limitations on parcels where housing is an allowable use are also no longer permissible for projects that are subject to processing per SB 330 (any housing project).

Regional

Regional Housing Needs Assessment

The RHNA is a program that the State imposes to determine a local agencies fair share of the projected regional housing need for the applicable Housing Element planning period. The RHNA allocation is based on a jurisdiction's access to transit, including rail stations, rapid bus stations, and major stops; and the total number of jobs in the jurisdiction. The RHNA allocation for the 6th Cycle also included an equity adjustment to promote equity and fair housing and address patterns of segregation The Southern California Association of Governments (SCAG) oversees the RHNA process and provides the figures and estimates generated from the RHNA. For the Project, the City's RHNA allocation is 6,609 units comprised of the following:

- 1,761 units for very low-income households;
- 1,051 units for low-income households;
- 1,106 units for moderate-income households; and
- 2,691 units for above moderate-income households.

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 (MPO) 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 MPO, 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.

The City is a member city of SCAG, which allocates to the Riverside County cities and unincorporated areas their fair share of the total RHNA housing needed for each income category.

Regional Transportation Plan/Sustainable Communities Strategy

On September 2020, SCAG adopted the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy (2020-2045 RTP/SCS), a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 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 2020-2045 RTP/SCS is a living, evolving blueprint for the region's future (SCAG 2020).

Local

City of Menifee General Plan

The Menifee GP, adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

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

Policy LU-1.2 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.

Policy LU-1.3 Develop senior housing in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.

Policy LU-1.5 Support development and land use patterns, where appropriate, that reduce reliance on the automobile and capitalize on multimodal transportation opportunities.

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

Policy LU 1-11 Allow for reasonable accommodation (or permitting) of a single-family residential dwelling on residentially designated, undeveloped, non-conforming parcels that were legally established on or before December 18, 2013, with a lot size that is inconsistent with the General Plan land use designation density. This policy is consistent with, and intends to support the housing production goals of the Housing Element of the General Plan and State Housing Element law. Notwithstanding the foregoing, a proposed dwelling unit on a non-conforming parcel may be limited due to the constraints (lot size and conditions) of the parcel, shall be subject to all other development standards of the General Plan and Development Code, and shall not cause or result in any detriment to the public health, safety and/or welfare.

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.

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.

Goal LU-4 Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.

Policy LU-4.1 Ensure that land use decisions within the March Air Reserve Base and Perris Valley Airport areas of influence are consistent with applicable Airport Land Use Compatibility Plans. Comply with State law regarding projects subject to review by the Riverside County Airport Land Use Commission.

Policy LU-4.2 Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.

Community Design Element

Goal CD-1 A unified and attractive community identity that complements the character of the City's distinctive communities.

Policy CD-1.2 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.

Policy CD-1.5 Encourage new residential development in Sun City to specifically address the needs of seniors, including projects that have smaller yards, low-maintenance landscaping, limited mobility fixtures, and appropriately-sized parking spaces.

City of Menifee Development Code

The City's zoning designations are provided in Title 9 of the City's Municipal Code (Menifee MC) and is referred to as the Development Code. The City's Development Code defines the residential, commercial, and industrial zoning categories within the City and provides their allowed uses. Each zoning designation within the Development Code contains allowable uses and design standards for each use. This can include standards such as building height limits, landscaping requirements, and lot surface coverage limitations. The Development Code is adopted to regulate the use of real property and the buildings, structures, and improvements located thereon to implement the provisions of the Menifee GP and carry out its objectives.

4.11.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

a) Physically divide an established community.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Methodology

This analysis considers the State CEQA Guidelines Appendix G thresholds, as described above, in determining whether the HEU, including future housing development facilitated by the Project, would result in impacts concerning land use and planning. The evaluation was based on a review of existing policies and regulations to determine their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs, and review of various data available in public records, including local planning documents. The determination that future housing development facilitated by the HEU and the EDC rezoning would or would not result in "substantial" adverse effects on land use resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies.

4.11.4 Project Impacts and Mitigation

Impact 4.11-1: Would the project physically divide an established community?

Level of Significance: Less Than Significant

Projects that divide an established community can involve the development of large scale linear infrastructure, such as freeways, highways, and drainage facilities, that bisect an established community or create barriers to movement within that community. "Locally undesirable land uses" such as prisons or landfills sited within economically depressed areas can also divide an established community. Multiple residential developments and neighborhoods are distributed throughout the City and form communities for the City's residents. These communities also contain existing infrastructure developments and structures.

The Project does not propose the physical modification of the City in a manner that would directly remove existing structures or develop new structures within the City nor does the Project propose any development. Instead, the Project would facilitate future housing development subject to discretionary permits and would occur as market conditions allow at the discretion of the individual property owners. The HEU would identify a series of implementing actions and policies within the Housing Element and Land Use Element which would facilitate future housing development and expand the City's housing capacity. Future housing would occur in developed areas or areas currently zoned for residential use, therefore, an increase in housing capacity would be consistent and would not divide the community. The Project would include updates to the Safety Element which are designed to enhance the City's hazard preparedness and ability to adapt to climate change effects.

The Project proposes Housing Element rezone programs for certain locations, as described in ***Section 4.11.1, Environmental Setting*** in order to accommodate the increase housing capacity. Zoning programs are anticipated to occur in the EDC and the parcels identified on ***Figure 3-3, Candidate Housing Sites***. No change in development standards other than to update the EDC land use policies to remove the 15 percent residential limitation placed on the residential land use types, allowing for greater residential development and other minor General Plan Land use text amendments are proposed. The Housing Element policies include other amendments to the City Development Code to update definitions for consistency with the State Legislative changes on defining "Family" and addressing homelessness. The HEU may include programs that involve surveys and data collection as needed to better understand the connection between the Development Code standards, and the ability to develop affordable units.

The Project includes a GP Land Use Element Update amending the GP land use of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. These parcels are generally large, single family residential lots or vacant parcels with sparse vegetation, storage yards, and outbuildings. This land use amendment will facilitate a proposed change of zone for these properties to the RR-1 Zone. The City initiated zone change does not include any development proposal or removal of existing residential structures. This EDC-CC area comprises approximately 392 acres, of which, approximately 66 acres (48 parcels) is proposed for rezone and removal from the EDC-CC area. The remainder of the EDC-CC will be unaffected by the amendment. The current EDC-CC zoning promotes mixed use development of residential (25 percent), commercial retail (10 percent), commercial office (35 percent), and business park (30 percent). The amendment of the parcels to the RR-1 designation would allow for the development of single-family residential on 1-acre minimum lot size. The change in zoning would exclude all other nonresidential uses, except as otherwise permitted by the Development Code. The 48 parcels are bordered by La Piedra Rd. to the north, Holland Rd. to the south, Sherman Rd. to the east, and Stern Dr. to the west. Additional text, table, and exhibit amendment would be made to the Land Use, Safety Element and Environmental Justice policies for consistency with the Housing Element and to facilitate future development of the candidate sites.

The Project would facilitate the expansion of housing potential within the City in order to allow for the additional 6,609 DUs required by the City's RHNA allocation. Furthermore, the Project has identified an additional buffer of 2,087 units of housing capacity which would create a 32 percent buffer from the required RHNA allocation. In total the Project has identified candidate housing sites which have the potential to generate 8,696 DUs.

Candidate housing sites have been identified throughout the City, rather than concentrated in a single area, thus would not divide an established community. Candidate housing within the City largely consists of residentially zoned parcels. Eleven of the 69 candidate housing sites consist of EDC parcels. These parcels would be rezoned to LMDR, MDR, and HDR zones. However, these rezone sites would also be scattered throughout the City and would occur at a scale that would not divide an established community. Furthermore, the HEU Project and EDC-CC rezoning do not directly propose the demolition of existing development and do not require the removal of structures. For these reasons, existing developments would not be directly affected by the Project and associated GP amendments. Therefore, the City's communities would not be divided by the Project and impacts would be less than significant with no mitigation measures required.

Mitigation Measures

No mitigation is required.

Impact 4.11-2: Would the proposed project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Level of Significance: Less Than Significant Impact

The HEU Project is a required component of State regulations which require the updating of Housing Elements and the accommodation of RHNA allocations. As well, the Project includes a component that is intended to comply with State regulations requiring municipalities to acknowledge climate change effects in their policies and regulations. The Project includes an update to the City's Housing Element which will readdress the City's approach to housing and create sustainable, equitable housing plans and policies for the City's residents. The Project also includes updates to the Menifee GP Land Use Element to create a more streamlined land use code which allows for greater housing density to further align with the State's RHNA methodology. The Project also includes an update to the Menifee GP Safety Element which will reinforce the City's preparedness and guidance for climate change effects, including the increasing intensity of wildfires. Environmental Justice policies are also included in the Project which would create a more equitable approach to growth and environment within the City.

As previously stated, the Project has identified 69 candidate housing sites within the City. These parcels have the potential to produce 8,696 DUs. This total is 2,087 DUs (32 percent) greater than the required RHNA allocation total of 6,609 DUs.

In addition to the HEU, the GP Land Use Element Update would amend the designation of 48 parcels in the EDC from EDC-CC to RR-1 (1 unit per acre), as previously described. The proposed EDC-CC Land Use amendment area is bordered by La Piedra Rd. to the north, Holland Rd. to the south, Sherman Rd. to the east, and Stern Dr. to the west. The surrounding existing land use and zoning designations around the area are Cal Neva SP to the west, Town Center SP to the north and east (northern half), Countryside SP to the east (southern half), and 2.1-5 R (LDR-2) and RR-1 to the south. The proposed amendment from EDC-CC to RR-1 would increase the total amount of residential use permitted on these sites from 25 percent within the EDC-CC designation (currently allowed mixed use with a maximum of 25 percent residential) to 100 percent residential as the underlying designation would only permit future buildout of a low density

residential use on the 48 parcels. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units excluding infrastructure, road and sidewalk improvements, and existing structures. The RR-1 land use designation would be compatible and consistent with the existing surrounding zoning and uses. ***Figure 4.11-2, General Plan Land Use Element Update Rezone Sites*** displays the targeted 48 parcels to be rezone from EDC-CC to RR-1.

Future housing development facilitated by the HEU and the rezoned EDC-CC area would be subject to discretionary permits and would need to comply with applicable federal, state, and local laws and local policies and regulations consistent with the procedures applicable to new development. Although this PEIR section focuses on the HEU's compliance with land use plans and policies adopted for the purpose of avoiding or mitigating an environmental effect, other environmentally relevant policies and regulations are discussed in PEIR ***Sections 4.1*** through ***4.20***. Compliance with plans and policies is discussed below. Refer to ***Figure 4.11-3, Existing and Proposed Land Use for the EDC-CC Island, 4.11-4, and Figure Existing and Proposed Zoning for the EDC-CC Island.***

Consistency with Connect SoCal: 2020 RTP/SCS

The RTP/SCS goals are directed toward transit, transportation and mobility, and protection of the environment and health of residents. Consistency with SCAG population growth projections is addressed separately in ***Section 4.14, Population and Housing***. The consistency analysis below focuses on the broad, policy-oriented goals of the 2020-2045 RTP/SCS to determine consistency between the two plans. ***Table 4.11-2, Consistency with SCAG Connect SoCal 2020 RTP/SCS*** summarizes the Project's consistency with the current RTP/SCS.

Table 4.11-2: Consistency with SCAG Connect SoCal 2020 RTP/SCS

RTP/SCS Goal	Program Consistency
Goal 1: Encourage regional economic prosperity and global competitiveness.	**Consistent:** As discussed in ***Section 4.14: Population and Housing***, the Project would generate new jobs at a rate similar to the growth in population within the City.
Goal 2: Improve mobility, accessibility, reliability, and travel safety for people and goods.	**Consistent:** The Project does not propose modifications to the City's roadways in a manner that would increase roadway or travel hazards. Further, the Project includes updates to the Menifee GP Safety Element that address safety risks associated with available evacuation routes within the City and Region.
Goal 3: Enhance the preservation, security, and resilience of the regional transportation system.	**Consistent:** See response to Goal 2. The Project does not propose physical modifications to the City or Region's roadway system.
Goal 4: Increase person and goods movement and travel choices within the transportation system.	**Consistent:** The Project does not include component that would alter or diminish the existing capacity for goods movement within the City or region.
Goal 5: Reduce greenhouse gas emissions and improve air quality.	**Consistent:** The Project includes an analysis of the City's potential climate effects including greenhouse gas effects and air quality impacts. Further air quality analysis is provided in ***Section 4.3: Air Quality***, and ***Section 4.8: Greenhouse Gas***.
Goal 6: Support healthy and equitable communities.	**Consistent:** The Project includes updates to City housing plans and policies which would provide for an increased housing potential within the City. As well, the Project includes the creation of Environmental Justice policies that will ensure equitable growth environmental benefits to all of the City's communities.

RTP/SCS Goal	Program Consistency
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**Consistent:** The Project includes an analysis of the City's potential risks in relation to climate change. As well, the Project includes the creation of policies intended to address those risks associated with increased climate change effects.
Goal 8: Leverage new transportation technologies and data-driven solutions that result in more efficient travel.	**Consistent:** The Project does not include modifications that would negatively impact existing roadways and transportation routes.
Goal 9: Encourage development of diverse housing types in areas that are supported by multiple transportation options.	**Consistent:** The Project would increase the variety of unit types within the City and further incentivize the addition of ADUs and multiple dwelling unit options; and would increase the variety of housing units available to all economic segments including very low income, low income, moderate, and above moderate units.

Source: Southern California Association of Governments (SCAG) (2020). 2020-2045 SCAG RTP/SCS Connect SoCal Goals. https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal-plan_0.pdf?1606001176 (Accessed May 14, 2021).

Consistency with the Menifee General Plan and Zoning Code

City of Menifee General Plan

The Menifee GP provides goals and policies that assist the City to plan for and manage growth in a long-term context. The goals and policies provided in the Menifee GP allow the City to grow and achieve sustainability goals while also maintaining the City's character and desired quality of life. ***Table 4.11-3: Consistency with the City's General Plan***, summarizes the HEU and the GP Land Use Element Update consistency with the Menifee GP. Also refer to ***Figure 4.11-5, Proposed General Plan Land Use for Housing Element Candidate Rezone Sites.***

Table 4.11-3: Consistency with the City's General Plan

General Plan Goals/Policies	Program Consistency
Land Use Element	
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 include the expansion of the City's housing potential and is intended to facilitate future housing for very low, low, moderate, and above moderate-income households as well as increase the variety of unit types including ADUs and multiple dwelling unit options.
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 do not propose any development. Future housing development facilitated by the HEU and rezoned EDC-CC would be consistent with the intent of the City's General Plan policies and would concentrate growth in urbanized areas within the City.
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 would encourage future housing with a variety of unit types for very low, low, moderate, and above moderate-income households.
Policy LU-1.3: Develop senior housing in neighborhoods that are accessible to public transit, commercial services, and health and community facilities.	**Consistent:** The Project does not propose any development. Future housing development facilitated by the HEU would be consistent with the intent of the City's General Plan policies and would encourage the development of affordable housing including senior housing in appropriate neighborhoods with access to public transit, commercial services, and health and community facilities.

General Plan Goals/Policies	Program Consistency
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**: The Project does not propose any development. Future housing development facilitated by the HEU and rezoned EDC-CC would be consistent with the intent of the City's General Plan policies and would be encouraged to provide access to transit and construct appropriate improvements.
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 Project is a required component of Statewide and Regional planning efforts. RHNA allocations accommodated by the Project are distributed by SCAG based on State approval.
Policy LU 1-11: Allow for reasonable accommodation (or permitting) of a single-family residential dwelling on residentially designated, undeveloped, non-conforming parcels that were legally established on or before December 18, 2013, with a lot size that is inconsistent with the General Plan land use designation density. This policy is consistent with and intends to support the housing production goals of the Housing Element of the General Plan and State Housing Element law. Notwithstanding the foregoing, a proposed dwelling unit on a non-conforming parcel may be limited due to the constraints (lot size and conditions) of the parcel, shall be subject to all other development standards of the General Plan and Development Code, and shall not cause or result in any detriment to the public health, safety and/or welfare.	**Consistent:** See response to Goal LU-1. The Project does not propose development. Future development would be based on market demand. Furthermore, future housing facilitated by the Project would be required to comply with federal, State, and local regulations regarding accessibility and residential development.
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 involves the rezoning of select EDC parcels to LMDR, MDR, and HDR land use designations. This will allow the City to further accommodate the RHNA allocation and provide for increased residential development near commercial 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:** The Project facilitates future development within the City which would expand the City's housing potential. Candidate EDC sites would further the City's goal of expanding residential development within these areas.
Goal LU-4: Ensure development is consistent with the Riverside County Airport Land Use Compatibility Plan.	**Consistent:** Portions of the City are within Zone E the March Air Reserve Base/Inland Port Airport's Airport Land Use Compatibility Plan (ALUCP) area and the Perris Valley Airport Master Plan . This zone presents no restrictions to residential development and would, therefore, not affect the Project.
Policy LU-4.1: Ensure that land use decisions within the March Air Reserve Base and Perris Valley Airport areas of influence are consistent with applicable Airport Land Use Compatibility Plans. Comply with State law regarding projects subject to review by the Riverside County Airport Land Use Commission.	**Consistent:** See response to Goal LU-4. The ALUCP's do not present any restrictions that would be applicable to the Project.

General Plan Goals/Policies	Program Consistency
Policy LU-4.2: Ensure that development proposals within the March Air Reserve Base and Perris Valley Airport areas of influence fully comply with the permit procedures specified in Federal and State law, with the referral requirements of the Airport Land Use Commission (ALUC), and with the conditions of approval imposed or recommended by the Federal Aviation Administration and ALUC, such as land use compatibility criteria, including density, intensity, and coverage standards. This requirement is in addition to all other City development review requirements.	**Consistent:** See response to Goal LU-4.
Community Design Element	
Goal CD-1: A unified and attractive community identity that complements the character of the City's distinctive communities.	**Consistent:** The Project does not propose physical modification of the City or directly propose residential development within the City. Future development facilitated by the Project would be required to undergo developmental review from the City to ensure consistency and compliance with the City's development standards.
Policy CD-1.5: Encourage new residential development in Sun City to specifically address the needs of seniors, including projects that have smaller yards, low-maintenance landscaping, limited mobility fixtures, and appropriately-sized parking spaces.	**Consistent:** See response to Policy LU-1.11 and Goal CD-1.

Source: City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 14, 2021).

City of Menifee Zoning Code

Refer to ***Table 4.11-1, Land Use and Zoning Designations***, above for a summary of the GP land use and zoning designation associated with Project implementation. The Project does not propose any development. Future housing development facilitated by the Project would occur as market conditions allow and at the discretion of the individual property owners. Future housing development would be subject to discretionary permits and CEQA evaluation. In addition, the Project would include implementation programs that would require future legislative actions to modify the zoning and/or land use designations for specific candidate housing sites, as necessary to meet State Housing law. Any amendments to the existing land use plan designations and/or zoning that would be required for Project implementation would be subject to additional analysis for consistency with this PEIR when those legislative actions are processed at a future date. The candidate housing sites contained in the Project sites inventory were evaluated at a programmatic level, as discussed above.

As summarized in ***Section 4.11.1***, Low and Very Low and Moderate and Above Moderate Rezone Programs, the existing sites proposed for rezoning for candidate housing sites are proposed to accommodate the additional RHNA allocation. All of the candidate housing sites identified currently allow residential units and would not require a zoning code amendment to allow residential uses. The rezone program is to increase the capacity of units and accommodate the low, very low, moderate and above moderate RHNA allocation. Refer to ***Figure 4.11-6, Proposed Zoning for Housing Element Candidate Sites.***

The Project is subject to compliance with applicable State Housing law. As such, the Project would be consistent with applicable land use and planning policies in the state, regional, and local context as necessary to meet that legislation. This includes consistency with the City's Community Plan and compliance with the State Coastal Act. Future housing development facilitated by the Project would therefore be consistent with all applicable land use and planning policies and regulations intended to minimize environmental effects and is anticipated to cause a less than significant impact without the need for mitigation.

Consistency with SB 330

SB 330 was enacted in 2019 as a means to combat California's growing housing crisis. This legislation's goal is to increase California's affordable housing stock by 3.5 million new units by 2025. Under SB 330, local agencies are no longer able to remove or modify land use designations or allowances to inhibit the development of housing, unless the local agency replaces the lost housing potential, therefore ensuring no net loss in housing availability.

The proposed General Plan Amendment (GPA) for the 48-parcels from EDC-CC to RR-1 does not include a development proposal or demolition of existing residential structures and future housing developments would be subject to discretionary permits and CEQA evaluation. Future housing developments could potentially result in demolition of the existing residential structures. Not all 48 parcels currently contain residential units, some are vacant or used as storage. The RR-1 designation would increase housing availability in the area as it would increase the residential opportunity from a 25 percent residential development potential within the existing underlying designation in the EDC-CC to a 100 percent residential land use designation. Furthermore, the existing EDC designation is not a residential land use designation and therefore rezoning or modify the 48 parcels to RR-1 would not be considered downzoning under SB 330. The RR-1 designation would promote construction of 1-acre minimum residential development that could potentially result in up to 66 single-family residential units and would not result in a net loss in housing availability. Therefore, the proposed zone change would be consistent with SB 330.

Mitigation Measures

No mitigation is required.

4.11.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.11.6 Cumulative Impacts

The Project's anticipated impacts from future housing development facilitated by the Project, in conjunction with cumulative development in the City, would increase the allowance for additional housing stock within the City. Potential land use impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future development is proposed in accordance with the Project and Menifee GP. Each future project would require separate discretionary approval and review under CEQA, which would address any potential land use impacts and identify necessary mitigation

measures, where appropriate. Consequently, the Project would identify future implementation actions to increase housing capacity to accommodate the City's assigned RHNA pursuant to State, regional, and local growth projections. Therefore, future housing development that is facilitated by the Project in conjunction with cumulative development in the City would not result in significant land use impacts. Furthermore, future housing development pursuant to the Menifee GP and the Project would be subject to discretionary permits and CEQA evaluation and would not conflict with or obstruct a State or local plan, ordinance, or regulatory standard aimed at avoiding or minimizing an environmental impact. Therefore, the Project would not cause a cumulatively considerable land use impact and no mitigation is required.

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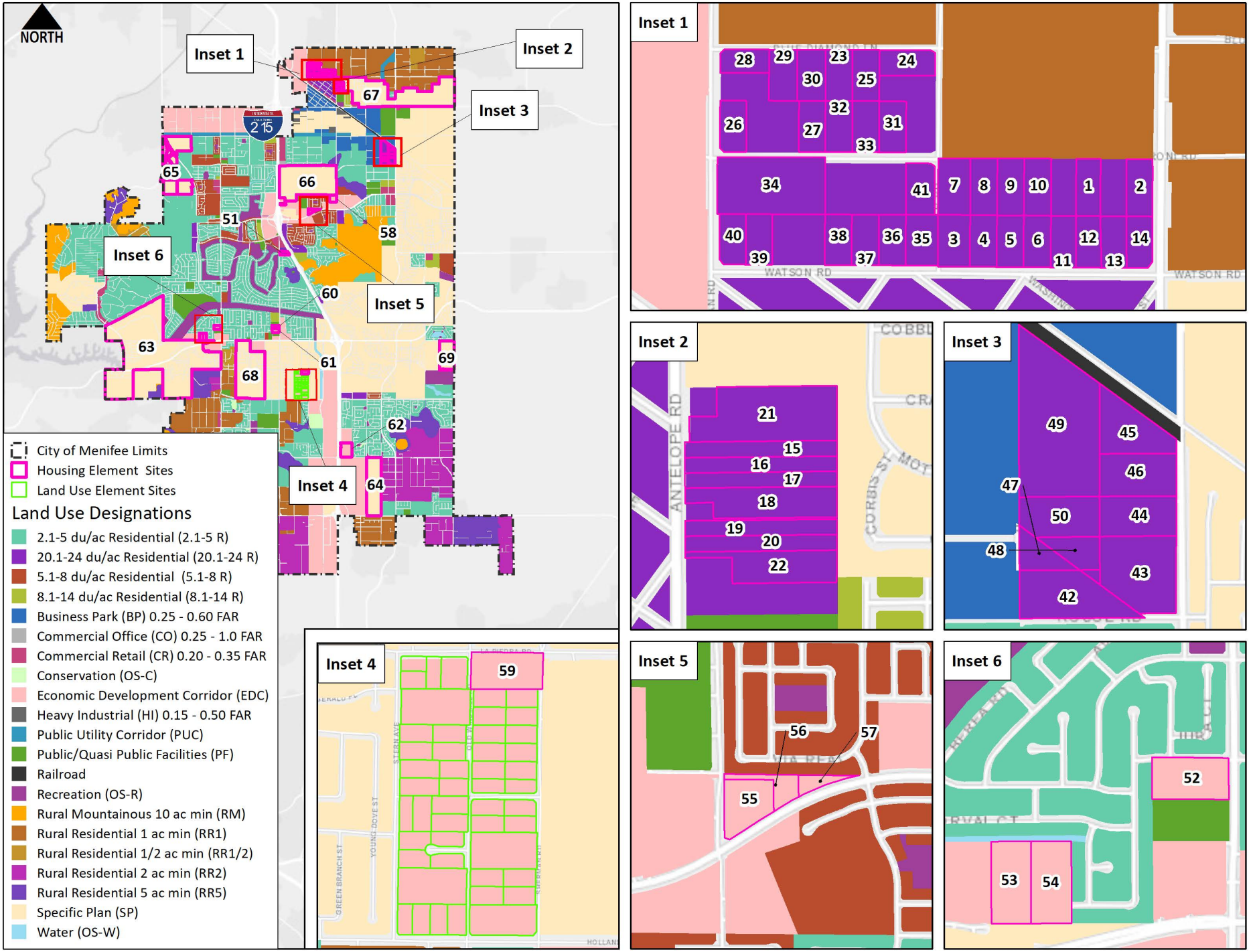


FIGURE 4.11-1: Land Use and Zoning

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

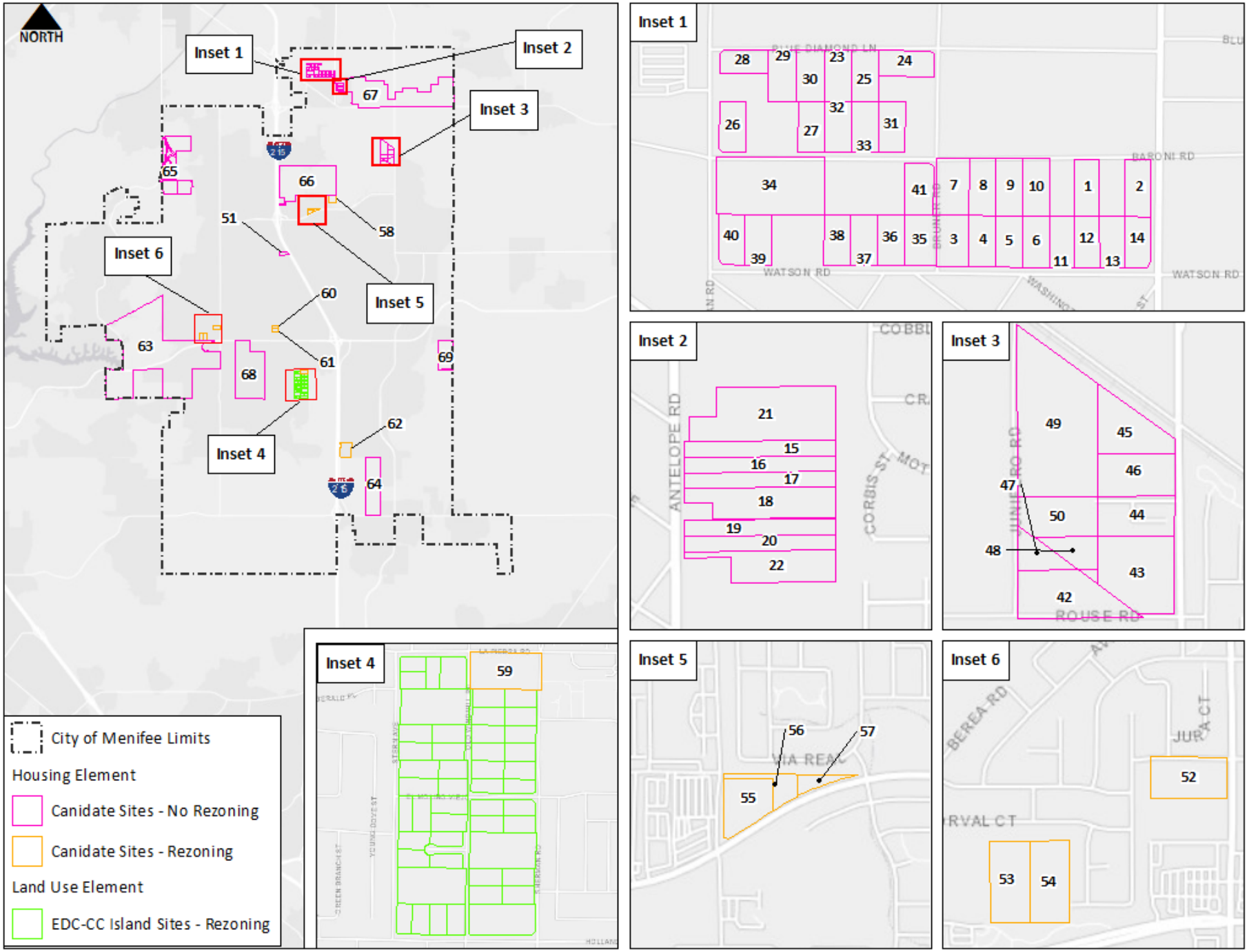


FIGURE 4.11-2: General Plan Land Use Element Update Rezone Sites

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

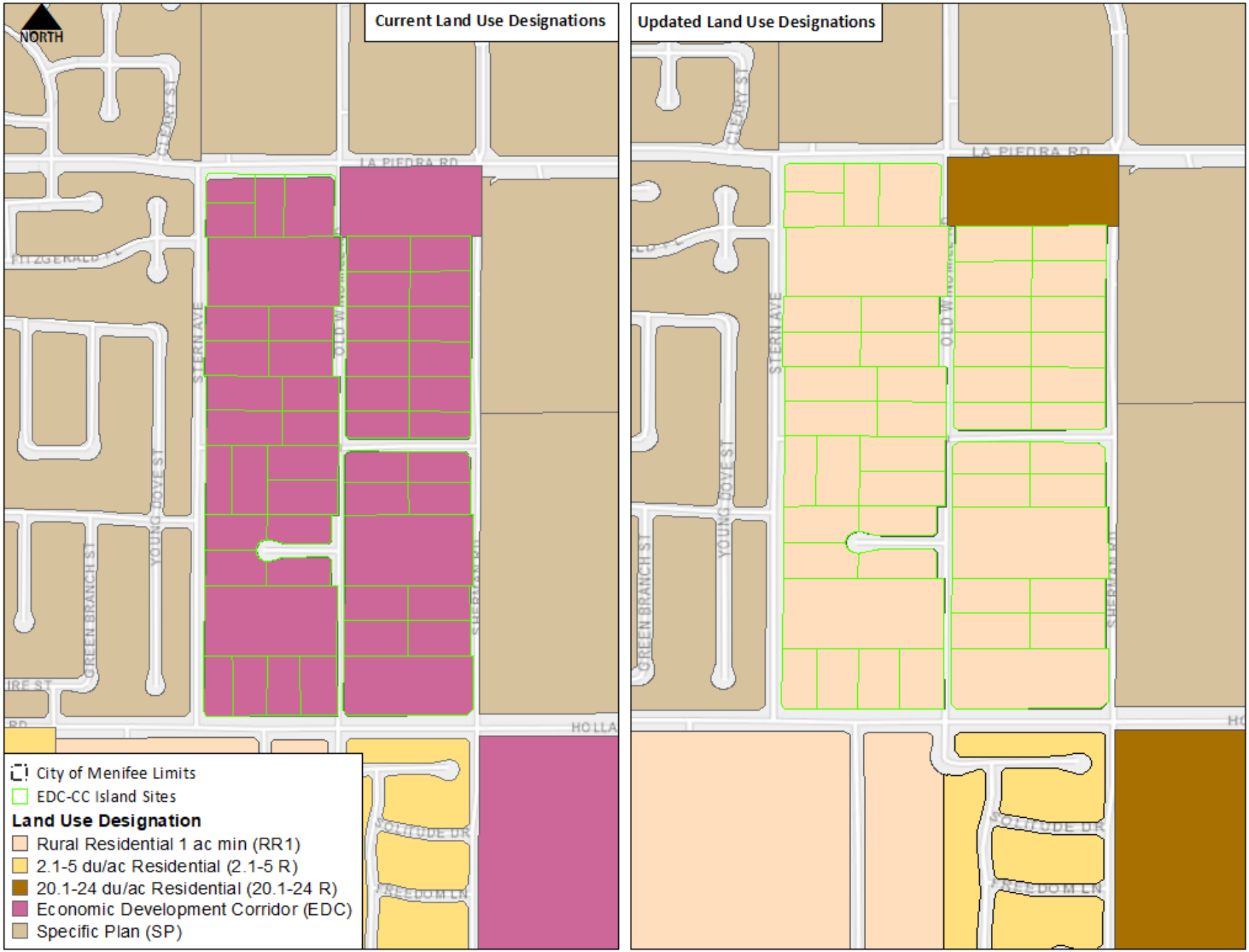


FIGURE 4.11-3: Existing and Proposed Land Use for the EDC-CC Island

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

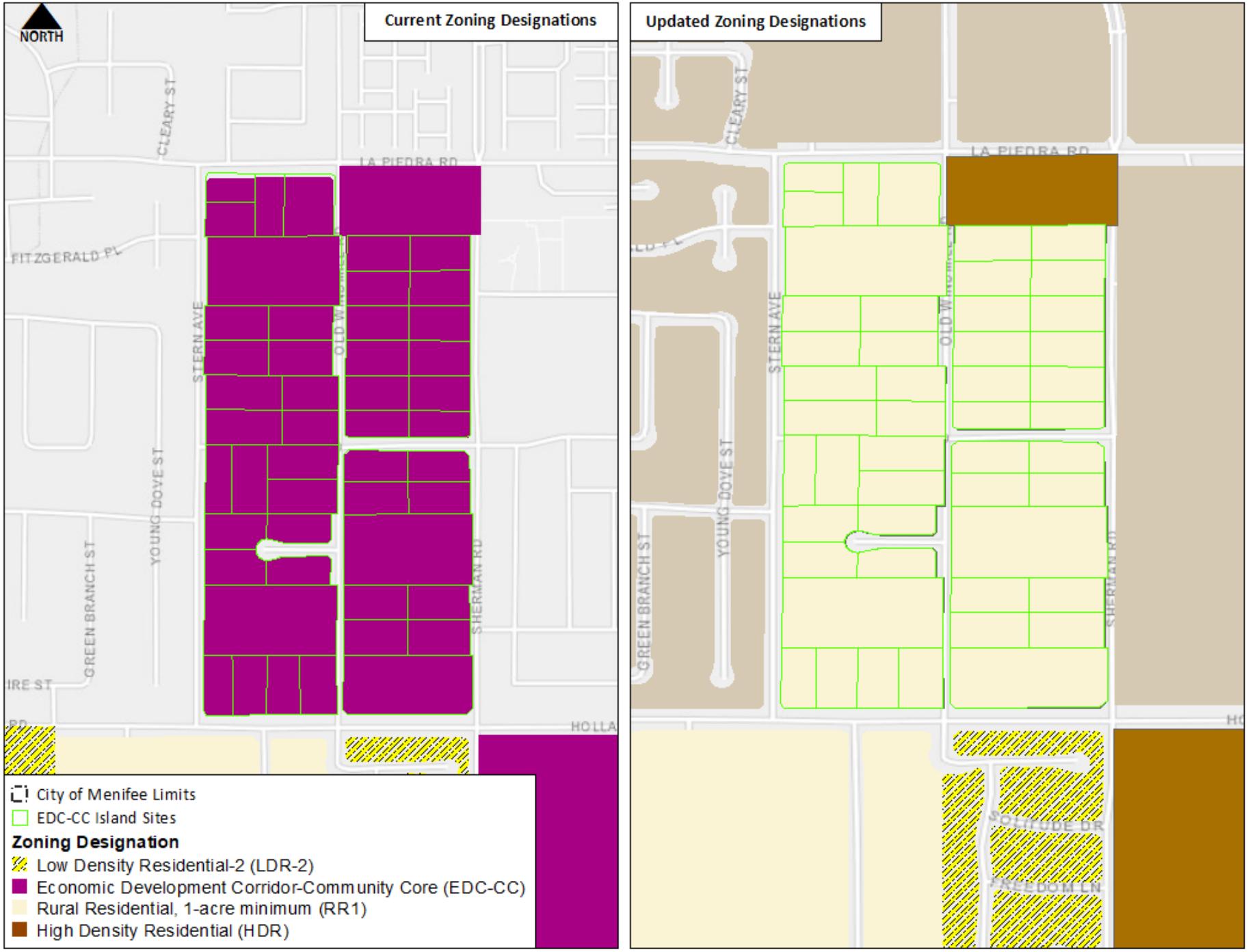


FIGURE 4.11-4: Existing and Proposed Zoning for the EDC-CC Island

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

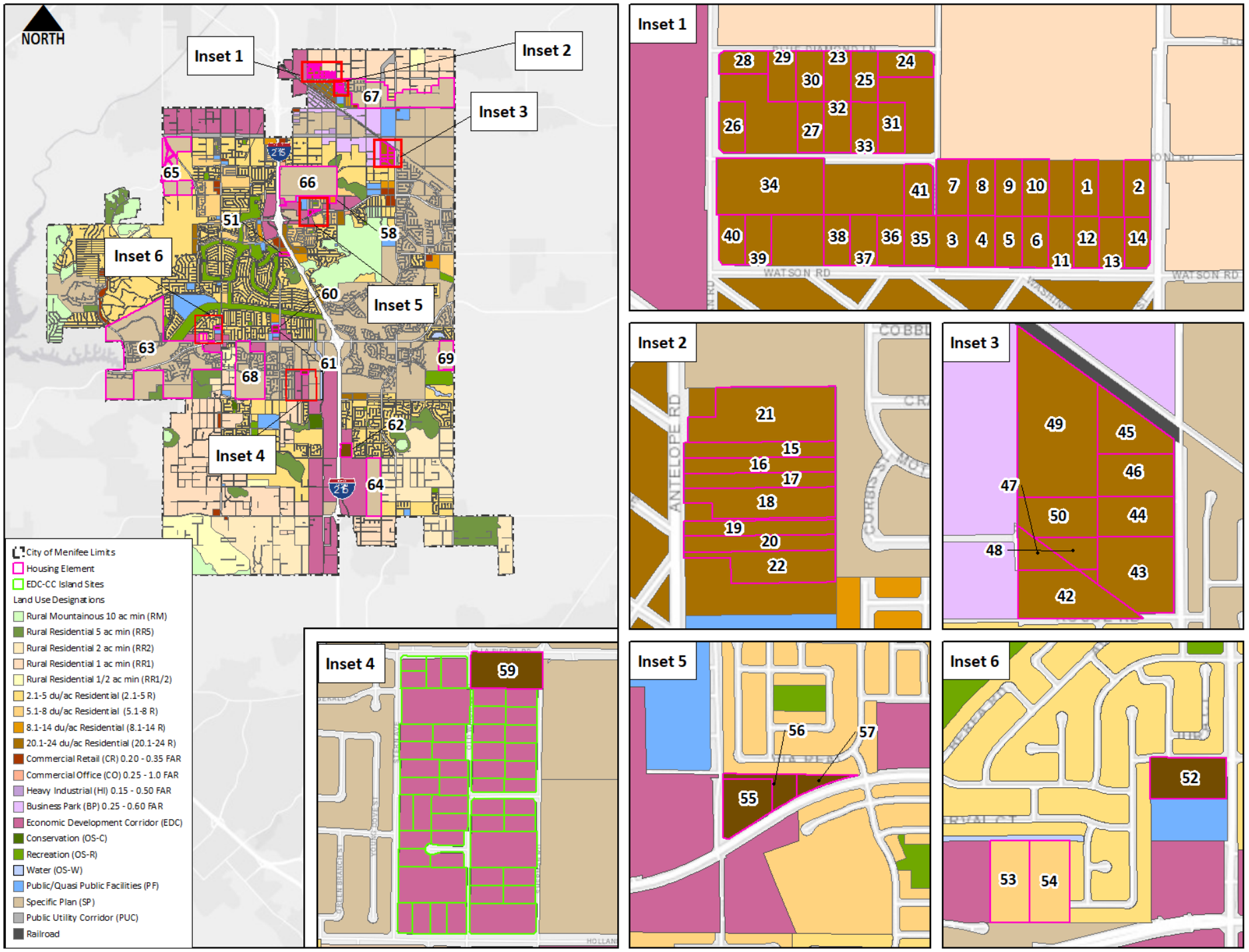


FIGURE 4.11-5: Proposed General Plan Land Use for Housing Element Candidate Rezone Sites

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

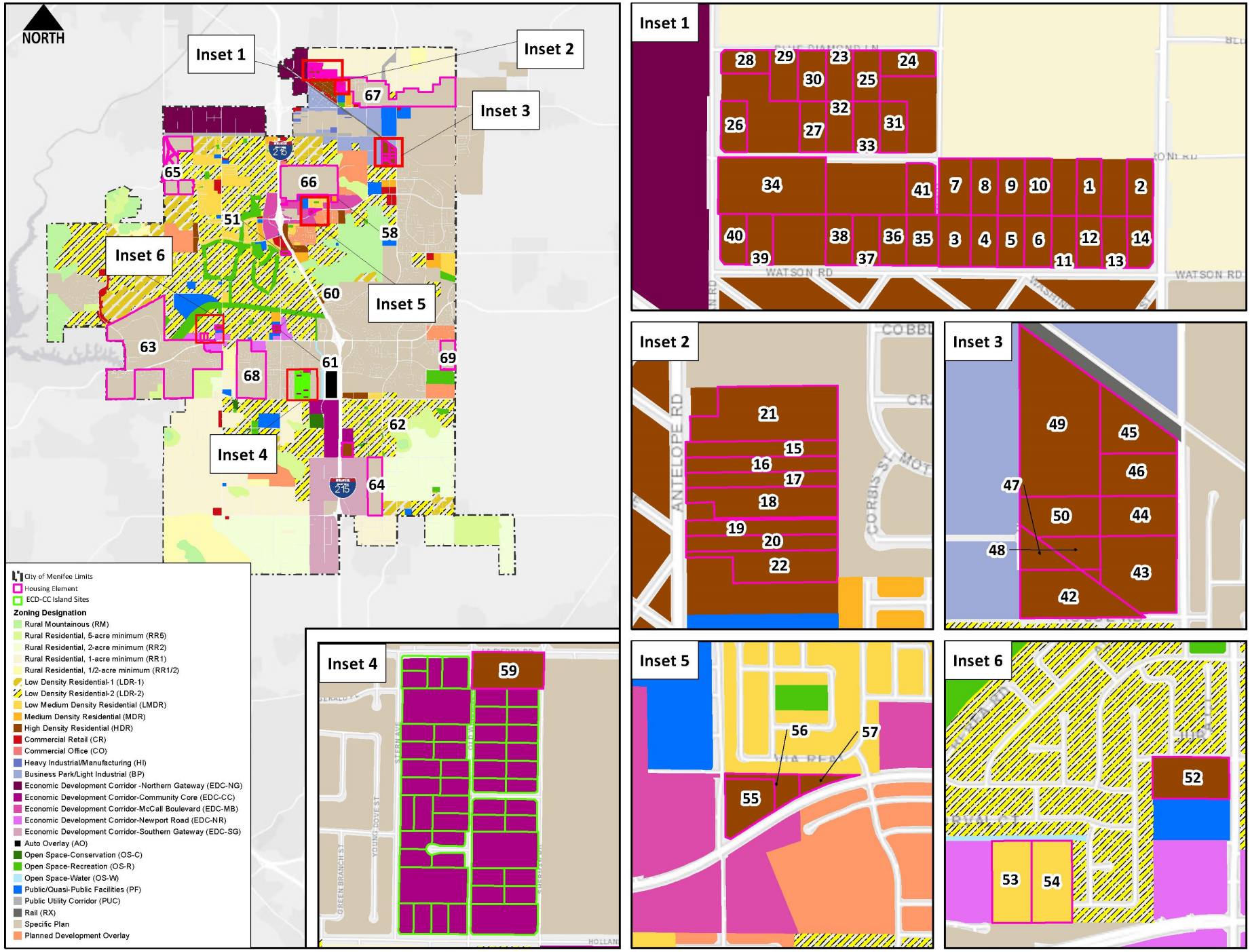


FIGURE 4.11-6: Proposed Zoning for Housing Element Candidate Rezone Sites

Not to scale

City of Menifee 6th Cycle Housing Element Update Project

Kimley»Horn

4.12 MINERAL RESOURCES

This section of the Programmatic Environmental Impact Report (PEIR) assesses the potential impacts to mineral resources and upon implementation of the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). Analysis of the Project's potential impacts are based on the existing environmental conditions within the City of Menifee (City). Relevant Federal, State, and local regulations provide additional framework for the analysis of potential impacts. Analysis of potential mineral resources impacts from development associated with the HEU, Land Use Element Update, Safety Element Update, and Environmental Justice policies area will identify impacts which may be significant. In cases where potentially significant impacts are identified, mitigation measures are proposed which would reduce those impacts to less than significant levels.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.12.1 Environmental Setting

Mineral resources are naturally occurring substances that aid in urban construction. These substances include sand, gravel, and crushed stone that can be used as Portland-cement-concrete (PCC) aggregate, asphaltic-concrete aggregate, road base, railroad ballast, riprap, fill and the production of other manmade structures. As required by the Surface Mining and Reclamation Act (SMARA) of 1975 (California Public Resources Code [PRC}, §§2710–2796), the California State Mining and Geology Board (SMGB) classifies California mineral resources with the Mineral Resource Zones (MRZs) system. These zones have been established based on the presence or absence of significant sand and gravel deposits and crushed rock source (e.g., products used in the production of cement). The MRZ zones are classified as:

- **MRZ-1:** Areas where the available geologic information indicates no significant mineral deposits or a minimal likelihood of significant mineral deposits.
- **MRZ-2a:** Areas where the available geologic information indicates that there are significant mineral deposits.
- **MRZ-2b:** Areas where geologic information indicates that significant mineral resources are likely to be present.
- **MRZ-3a:** Areas where geologic data indicates that mineral deposits exist while their significance remains unknown.
- **MRZ-3b:** Areas where geologic data indicates that mineral deposits are likely to exist and may quality as significant mineral resources.

- **MRZ-4:** Areas where available information cannot confirm the presence or absence of mineral deposits. Unlike MRZ-1, this zone implies a lack of data, not necessarily a lack of mineral deposits.[1]

The County of Riverside (County) contains deposits of clay, limestone, iron, sand, and aggregate stone materials.[2] According to the County general plan (GP), the western County region consists mainly of MRZ-3 deposit areas with smaller, scattered MRZ-1, MRZ-2, and MRZ-4 deposit areas.[3]

The City contains only two MRZs; the MRZ-1 and MRZ-3 areas along with urban built up areas that would not be suitable for large mineral deposits. For the City, MRZ-3 areas contain known or inferred mineral deposits with of undetermined significance. The City's MRZ-1 area is a small portion of the City running north/south along Murrieta Road from Fairlane Drive northward to Camino Juarez. Urban built up land makes up another portion of the City and includes the Quail Valley, Sun City, and Romoland communities. The City's MRZ-3 areas make up the majority of the City's area.[4] ***Figure 4.12-1: City of Menifee Mineral Resources*** displays the City's mineral resource locations.

4.12.2 Regulatory Setting

Federal

United States Code Title 30: Mineral Lands and Mining

The United States Code (USC) §30.21a defines the national mining and minerals policy of the United States. This policy dictates that the United States will encourage the development of rational domestic mining reclamation practices, the sustainable development of domestic mineral resources, mining and mineral research, and the advancement of mineral waste disposal and reclamation methods. Title 30 also describes the federal regulations involving the sale of mineral lands.[5]

State

Surface Mining Reclamation Act

The SMARA provides regulations and policy regarding surface mining and reclamation operations in California. SMARA ensures that adverse environmental impacts are minimized, and mined lands are restored to a usable condition. SMARA also encourages the production, conservation, and protection of California's mineral resources. Section 2207 of the California PRC provides annual reporting requirements for all mines in the State, and the SMGB is granted authority and obligations under this section.

The SMGB has classified land in California based on the availability of mineral resources. Multiple MRZ designations have been established for classifying sand, gravel, and crushed rock resources. These

[1] California Department of Conservation. (n.d.). *Guidelines for Classification and Designation of Mineral Lands*. Pages 4 -6. Retrieved from: https://www.conservation.ca.gov/smgb/Guidelines/Documents/ClassDesig.pdf (Accessed April 28, 2021)

[2] County of Riverside (2015). Riverside County General Plan. Pages OS-37 – OS-38. Riverside, CA: County of Riverside.

[3] Ibid. Page OS-41.

[4] City of Menifee. (2013). City of Menifee General Plan Open Space and Conservation Element. Retrieved from: https://www.cityofmenifee.us/250/Open-Space-Conservation-Element (Accessed April 28, 2021).

[5] United States of America. (1996). United States Code Title 30. Retrieved from: https://uscode.house.gov/browse/prelim@title30&edition=prelim (Accessed April 28, 2021)

designations include MRZ-1, MRZ-2a, MRZ-2b, MRZ-3a, MRZ-3b, and MRZ-4. These designations are further defined in ***Section 4.12.1: Environmental Setting***, above.

Under SMARA, aggregate materials are classified as reserves or resources. Reserves are defined as aggregate materials believed to be acceptable for commercial use that exist within property boundaries owned or leased by an aggregate-producing company, and for which permission allowing extraction and processing has been granted by the proper authorities. Aggregate resources include reserves and similar potentially usable aggregate materials that have been granted. Mineral lands are locally reviewed in an effort to ensure that significant mineral deposits are identified and protected. The State Geologist produces an annual report of the disturbed and reclaimed land totals and any amendments to the reclamation plan.

Local

City of Menifee General Plan

The Menifee GP, adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Open Space and Conservation Element

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

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

Policy OSC-4.4 Require that any future mining activities be in compliance with the State Mining Reclamation Act, federal and state environmental regulations, and local ordinances.

Policy OSC-4.5 Limit the impacts of mining operations on the City's natural open space, biological and scenic resources, and any adjacent land uses.

4.12.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- 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.
- 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.

Methodology

In determining whether Project implementation would result in impacts concerning mineral resources, this analysis considers the *State CEQA Guidelines* and Appendix G thresholds, as described above. The evaluation was based on reviewing the regulations and determining their applicability for the proposed

Project. Mineral resource information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses were based on analysis of aerial and ground-level photographs and review of various readily-available data in public records, including local planning documents. The determination that future development facilitated by the Project would or would not result in "substantial" adverse effects concerning mineral resources considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.12.4 Project Impacts and Mitigation

Impact 4.12-1: ***Would the proposed project, result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?***

Level of Significance: Less than Significant

As previously stated, the City contains urban developed areas, undeveloped areas, and two MRZ areas; a small MRZ-1 area and a large MRZ-3 area. MRZ-1 designations indicate that the area does not contain significant mineral resources. MRZ-3 designations imply that although mineral deposits are likely to exist in an area, their value is currently unknown or cannot be evaluated. No candidate housing sites are located within the City's MRZ-1 designated area. Candidate sites 42 through 50, 55 through 58, 64, 66and 69are located within the MRZ-3 area. The remaining candidate sites were within the City's urban areas. ***Appendix A, Candidate Housing Sites***, contains a list of all candidate housing sites along with their included parcels. Additionally, ***Figure 3-3, Candidate Housing Sites*** depicts the location of the Project's candidate housing sites.

The potential for candidate housing sites within MRZ-3 the City's regions to contain valuable mineral deposits is presently unknown. The candidate sites within the City's MRZ-3 region are zoned for residential and commercial uses which would not currently allow for mining activities. Sites with this type of zoning are therefore not feasible to contain mining activities. Candidate sites within the City's MRZ-1 region would not affect valuable resources as MRZ-1 areas are considered unlikely to contain valuable mineral resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.12-2: ***Would the proposed 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?***

Level of Significance:

According to the State Department of Conservation Mines Online map, only one prospective mine was located within the City. However, this mine is currently closed and was never opened for operations. Furthermore, no candidate sites are located on this closed mining site. As previously discussed in Impact discussion 4.12-1, candidate sites are located in areas which would be unlikely to be used for mining

activities. Therefore, implementation of the Project would not result in the loss of mineral recovery sites and a less than significant impact would occur.

Mitigation Measures

No mitigation measures are required.

4.12.5 Significant Unavoidable Resources

No significant and unavoidable impacts were identified.

4.12.6 Cumulative Impacts

The anticipated Project-related impacts, in conjunction with cumulative development in the City, would increase housing development in an already urbanized area which could result in impacts to mineral resources. Potential land use impacts are site-specific and would require evaluation on a case-by-case basis at the Project level when future development facilitated by the Project is proposed. Each cumulative Project would require separate discretionary approval and CEQA evaluation, which would address potential impacts to mineral resources and identify necessary mitigation measures, where appropriate.

Consequently, future development facilitated by the Project would not result in significant environmental impacts to mineral resources generated during future development construction or operation, nor would the Project conflict with or obstruct a state or local plan, ordinance, or standard aimed at avoiding or minimizing impacts to mineral resources. Therefore, the Project would not cause a cumulatively considerable impact to mineral resources, and no mitigation is required.

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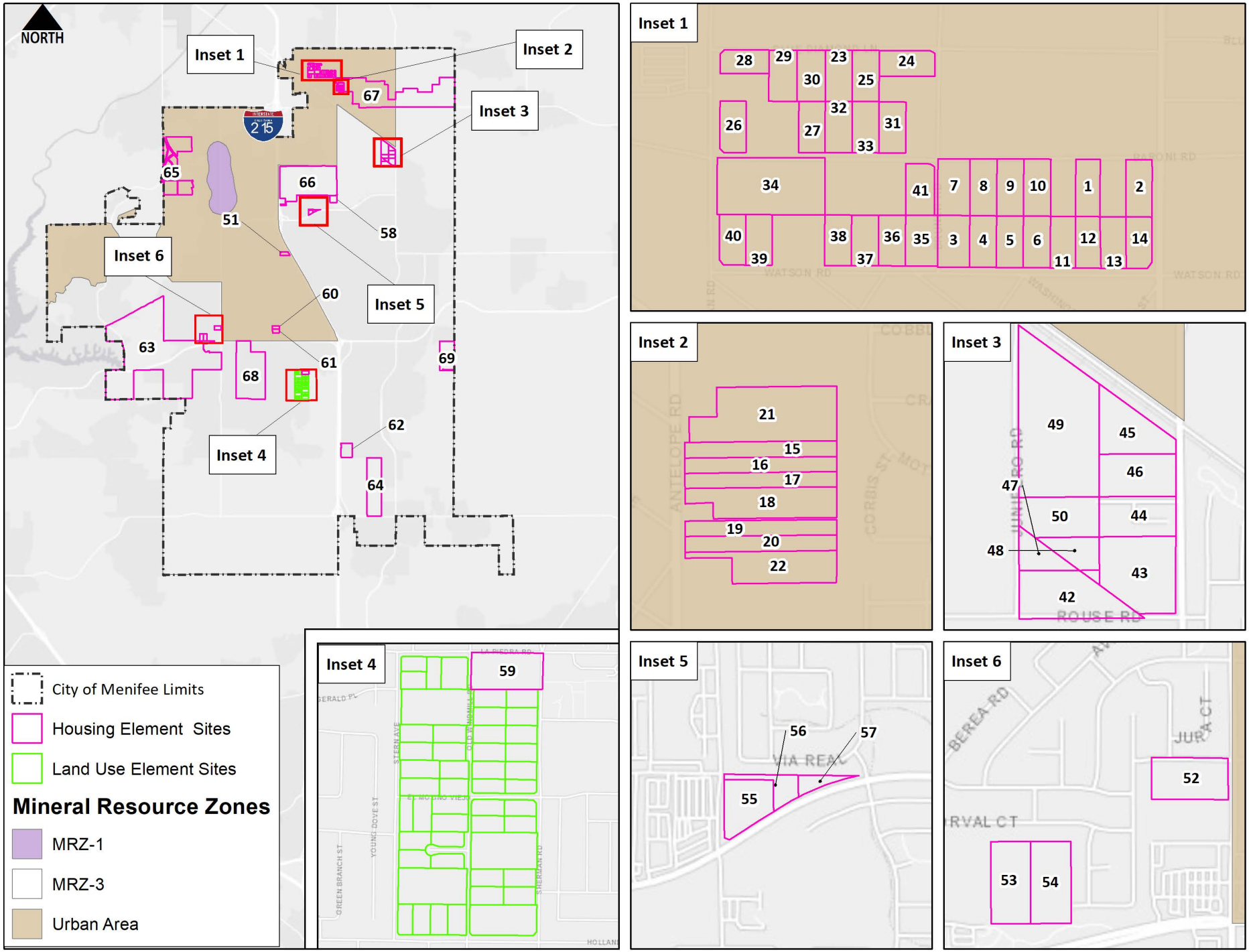


FIGURE 4.12-1: City of Menifee Mineral Resources

City of Menifee 6th Cycle Housing Element Update Project

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4.13 NOISE

This section of the Programmatic Environmental Impact Report (PEIR) discusses the fundamentals of sound; examines federal, state, and local noise guidelines, policies, and standards; reviews noise levels at existing noise-sensitive receptor locations; and evaluates potential noise and vibration impacts as a result of implementing the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). The analysis conducted in this section will be based on existing noise sensitivity present in the City of Menifee (City). In cases where impacts may be significant, mitigation measures are proposed that may minimize noise impacts at sensitive receptor locations within the City.

No site-specific surveys or technical studies were conducted for this analysis. The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted since it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.13-1 Environmental Setting

Technical Terminology

Noise is most often defined as unwanted sound. Although sound can be easily measured, the perception of noise and the physical response to sound complicate the analysis of its impact on people. People judge the relative magnitude of sound sensation in subjective terms such as "noisiness" or "loudness." The following are brief definitions of terminology used in this section:

- **Ambient Noise.** The composite of noise from all sources. In this context, the ambient noise level constitutes the normal or existing level of environmental (background) noise at a given location.
- **A-Weighted Decibel (dBA).** An overall frequency-weighted sound level in decibels that approximates the frequency response of the human ear.
- **Community Noise Equivalent Level (CNEL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 5 decibel (dB) added from 7:00 pm to 10:00 pm and 10 dB from 10:00 pm to 7:00 am. For general community/environmental noise, CNEL and Day-Night Sound Level (Ldn or DNL) values rarely differ by more than 1 dB (with the CNEL being only slightly more restrictive, that is, higher than the Ldn value). As a matter of practice, Ldn and CNEL values are interchangeable and are treated as equivalent in this assessment.
- **Day-Night Sound Level (Ldn or DNL).** The energy-average of the A-weighted sound levels occurring during a 24-hour period, with 10 dB added to the sound levels occurring during the period from 10:00 PM to 7:00 AM.
- **Decibel (dB).** A unitless measure of sound on a logarithmic scale.
- **Equivalent Continuous Noise Level (Leq),** also called the Energy-Equivalent Noise Level. The value of an equivalent, steady sound level which, in a stated time period (often over an hour) and at a stated location, has the same A-weighted sound energy as the time-varying sound. Thus, the Leq

metric is a single numerical value that represents the equivalent amount of variable sound energy received by a receptor over the specified duration.

- **Intrusive Noise.** Noise that intrudes over and above the existing ambient noise at a given location. The relative intrusiveness of a sound depends upon its amplitude, duration, frequency, time of occurrence, and tonal or informational content.
- **Noise.** Sound that is loud, unpleasant, unexpected, or otherwise undesirable.
- **Noise Contours.** Areas around a noise source with equal level of noise exposure. Noise contours are drawn similar to a topographical map.
- **Noise-Sensitive Land Uses.** Schools, hospitals, rest homes, long-term care facilities, mental care facilities, residential uses, libraries, passive recreation uses, places of worship, and other land uses where an excessive amount of noise would interfere with normal activities.
- **Peak Particle Velocity (PPV).** The peak signal value of an oscillating vibration velocity waveform usually expressed in inches per second (in/sec).
- **RCNM.** Federal Highway Administration Roadway Construction Noise Model.
- **Sensitive Receptor.** Noise- and vibration-sensitive receptors include land uses where quiet environments are necessary for enjoyment and public health and safety. Residences, schools, motels and hotels, libraries, religious institutions, hospitals, and nursing homes are examples.
- **Sound.** A disturbance created by a vibrating object, which, when transmitted by pressure waves through a medium such as air, is capable of being detected by a receiving mechanism, such as the human ear or a microphone.
- **Statistical Sound Level (Ln).** The sound level that is exceeded "n" percent of time during a given sample period. For example, the L50 level is the statistical indicator of the time-varying noise signal that is exceeded 50 percent of the time (during each sampling period); that is, half of the sampling time, the changing noise levels are above this value and half of the time they are below it. This is called the "median sound level." The L10 level, likewise, is the value that is exceeded 10 percent of the time (i.e., near the maximum) and this is often known as the "intrusive sound level." The L90 is the sound level exceeded 90 percent of the time and is often considered the "effective background level" or "residual noise level."
- **Vibration Decibel (VdB).** A unitless measure of vibration, expressed on a logarithmic scale and with respect to a defined reference vibration velocity. In the U.S., the standard reference velocity is 1 micro- inch per second (1x10^-6 in/sec).

Sound Fundamentals

Sound is a pressure wave transmitted through the air. It is described in terms of loudness or amplitude (measured in decibels), frequency or pitch (measured in Hertz [Hz] or cycles per second), and duration (measured in seconds or minutes). The standard unit of measurement of the loudness of sound is the dB. Changes of 1 to 3 dBA are detectable under quiet, controlled conditions and changes of less than 1 dBA are usually indiscernible. A 3 dBA change in noise levels is considered the minimum change that is detectable with human hearing in outside environments. A change of 5 dBA is readily discernable to most people in an exterior environment whereas a 10 dBA change is perceived as a doubling (or halving) of the

sound. The human ear is not equally sensitive to all frequencies. Sound waves below 16 Hz are not heard at all and are "felt" more as a vibration. Similarly, while people with extremely sensitive hearing can hear sounds as high as 20,000 Hz, most people cannot hear above 15,000 Hz. In all cases, hearing acuity falls off rapidly above about 10,000 Hz and below about 200 Hz. Since the human ear is not equally sensitive to sound at all frequencies, a special frequency dependent rating scale is usually used to relate noise to human sensitivity. The dBA performs this compensation by weighting frequencies in a manner approximating the sensitivity of the human ear. The normal range of human hearing extends from approximately 0 dBA (the threshold of detection) to 140 dBA (the threshold of pain).

Unlike linear units such as inches or pounds, decibels are measured on a logarithmic scale to better account for the large variations in pressure amplitude (the above range of human hearing, 0 to 140 dBA, represents a ratio in pressures of one hundred trillion to one). All noise levels in this study are relative to the industry-standard pressure reference value of 20 micro-pascals. Because of the physical characteristics of noise transmission and perception, the relative loudness of sound does not closely match the actual amounts of sound energy. ***Table 4.13-1: Change in Apparent Loudness*** presents the subjective effect of changes in sound pressure levels.

Table 4.13-1: Change in Apparent Loudness

Noise Scale (dBA)	Noise Level
± 3 dB	Threshold of human perceptibility
± 5 dB	Clearly noticeable change in noise level
± 10 dB	Half or twice as loud
± 20 dB	Much quieter or louder

Source: The City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed May 20, 2021)

Sound Measurement

Sound levels are generated from a source and their decibel level decreases as the distance from that source increases. Sound dissipates exponentially with distance from the noise source. This phenomenon is known as "spreading loss." For a single point source, sound levels decrease by approximately 6 dBA for each doubling of distance from the source. This drop-off rate is appropriate for noise generated by on-site operations from stationary equipment or activity at a project site. If noise is produced by a line source, such as highway traffic, the sound decreases by 3 dBA for each doubling of distance in a hard site environment. Line source noise in a relatively flat environment with absorptive vegetation decreases by 4.5 dBA for each doubling of distance.

Time variation in noise exposure is typically expressed in terms of a steady-state energy level equal to the energy content of the time varying period (called Leq), or alternately, as a statistical description of the sound level that is exceeded over some fraction of a given observation period. For example, the L50 noise level represents the noise level that is exceeded 50 percent of the time. Half the time the noise level exceeds this level and half the time the noise level is less than this level. This level is also representative of the level that is exceeded 30 minutes in an hour. Similarly, the L2, L8 and L25 values represent the noise levels that are exceeded 2, 8, and 25 percent of the time, or 1, 5, and 15 minutes per hour. These "Ln"

values are typically used to demonstrate compliance for stationary noise sources with a city's noise ordinance, as discussed below. Other values typically noted during a noise survey are the Lmin and Lmax. These values represent the minimum and maximum root-mean-square noise levels obtained over the measurement period.

Because community receptors are more sensitive to unwanted noise intrusion during the evening and at night, state law require that, for planning purposes, an artificial dB increment be added to quiet time noise levels in a 24-hour noise descriptor called the CNEL or Day-Night Noise Level (Ldn). As stated previously, the CNEL descriptor requires that an artificial increment of 5 dBA be added to the actual noise level for the hours from 7:00 p.m. to 10:00 p.m. and 10 dBA for the hours from 10:00 p.m. to 7:00 a.m. The Ldn descriptor uses the same methodology except that there is no artificial increment added to the hours between 7:00 p.m. and 10:00 p.m. Both descriptors give roughly the same 24-hour level with the CNEL being only slightly more restrictive (i.e., higher).

Psychological and Physiological Effects of Noise

Physical damage to human hearing begins at prolonged exposure to noise levels higher than 85 dBA. Exposure to high noise levels affects our entire system, with prolonged noise exposure in excess of 75 dBA increasing body tensions, and thereby affecting blood pressure, functions of the heart and the nervous system. In comparison, extended periods of noise exposure above 90 dBA could result in permanent hearing damage. When the noise level reaches 120 dBA, a tickling sensation occurs in the human ear even with short-term exposure. This level of noise is called the threshold of feeling. As the sound reaches 140 dBA, the tickling sensation is replaced by the feeling of pain in the ear. This is called the threshold of pain. ***Table 4.13-2: Typical Noise Levels*** shows typical noise levels from familiar noise sources.

Table 4.13-2: Typical Noise Levels

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Onset of physical discomfort	120+	
	110	Rock Band (near amplification system)
Jet Flyover at 1,000 feet		
	100	
Gas Lawn Mower at three feet		
	90	
Diesel Truck at 50 feet, at 50 mph		Food Blender at 3 feet
	80	Garbage Disposal at 3 feet
Noisy Urban Area, Daytime		
	70	Vacuum Cleaner at 10 feet
Commercial Area		Normal speech at 3 feet
Heavy Traffic at 300 feet	60	
		Large Business Office
Quiet Urban Daytime	50	Dishwasher Next Room
Quiet Urban Nighttime	40	Theater, Large Conference Room (background)
Quiet Suburban Nighttime		
	30	Library
Quiet Rural Nighttime		Bedroom at Night, Concert Hall (background)
	20	
		Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

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

Vibration Fundamentals

Vibration is an oscillating motion in the earth. Like noise, vibration is transmitted in waves, but in this case through the earth or solid objects. Unlike noise, vibration is typically of a frequency that is felt rather than heard. Vibration can be either natural as in the form of earthquakes, volcanic eruptions, landslides, or man-made as from explosions, heavy machinery or trains. Both natural and man-made vibration may be continuous such as from operating machinery, or impulsive as from an explosion. As with noise, vibration can be described by both its amplitude and frequency. Amplitude may be characterized in three ways including displacement, velocity, and acceleration. Particle displacement is a measure of the distance that a vibrated particle travels from its original position and for the purposes of soil displacement is typically measured in inches or millimeters. Particle velocity is the rate of speed at which soil particles move in inches per second or millimeters per second. Particle acceleration is the rate of change in velocity with respect to time and is measured in inches per second or millimeters per second. Typically, particle velocity (measured in inches per second) and/or acceleration (measured in gravities) are used to describe

vibration. ***Table 4.13-3: Human Reaction to Typical Vibration Levels*** presents the human reaction to various levels of PPV.

Table 4.13-3: Human Reaction to Typical Vibration Levels

Vibration Level Peak Particle Velocity (in/sec)	Human Reaction	Effects on Buildings
0.006–0.019	Threshold of perception, possibility of intrusion	Vibrations unlikely to cause damage of any type
0.08	Vibrations readily perceptible	Recommended upper level of vibration to which ruins and ancient monuments should be subjected
0.10	Level at which continuous vibration begins to annoy people	Virtually no risk of "architectural" (i.e., not structural) damage to normal buildings
0.20	Vibrations annoying to people in buildings	Threshold at which there is a risk to "architectural" damage to normal dwelling – houses with plastered walls and ceilings
0.4–0.6	Vibrations considered unpleasant by people subjected to continuous vibrations and unacceptable to some people walking on bridges	Vibrations at a greater level than normally expected from traffic, but would cause "architectural" damage and possibly minor structural damage

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

The way in which vibration is transmitted through the earth is called propagation. As vibration waves propagate from a source, the energy is spread over an ever-increasing area such that the energy level striking a given point is reduced with the distance from the energy source. This geometric spreading loss is inversely proportional to the square of the distance. Wave energy is also reduced with distance as a result of material damping in the form of internal friction, soil layering, and void spaces. The amount of attenuation provided by material damping varies with soil type and condition as well as the frequency of the wave.

Noise- and Vibration-Sensitive Receptors

Certain land uses are particularly sensitive to noise and vibration, including residential, school, and open space/recreation areas where quiet environments are necessary for enjoyment, public health, and safety. Sensitive land uses in the City and areas adjacent to the City boundaries includes residences, schools, churches, and recreational areas. Commercial and industrial uses are not considered noise- and vibration-sensitive uses for the purposes of this analysis.

Exiting Noise Environment

Mobile sources of noise, especially cars and trucks, are the most common and significant sources of noise in most communities. The City is impacted by a multitude of noise sources, many of them directly connected with the Interstate 215 (I-215) freeway and major roadways, such as State Route 74 (SR-74), that traverse the City, as well as a rail line operated by the Burlington Northern Santa Fe (BNSF) Railroad, which also contributes significant noise. The traffic noise levels for the City were estimated using the Federal Highway Administration (FHWA) Highway Traffic Noise Prediction Model (RD-77-108). The FHWA

model predicts noise levels through a series of adjustments to a reference sound level. These adjustments account for distances from the roadway, traffic flows, vehicle speeds, car/truck mix, length of exposed roadway, and road width. Further examples of noise impacting the City are described below.

Local Noise Monitoring Data

The City had conducted noise measurements at seven locations through the City in 2010, for a minimum period of 15 minutes at each location. The locations were selected based on the location of sensitive land uses in areas currently experiencing high levels of ambient noise and in areas that would experience the greatest change in noise levels due to planned development. The results are presented in ***Table 4.13-4: Noise Level Measurements***, and the location sites are described below.

Table 4.13-4: Noise Level Measurements

Noise Monitoring Location	Lmin	Leq	Lmax
1-Antelope Road at Mesa Crest Way	56.0	69.5	79.5
2- Antelope Road Between Craig Avenue and Garbani	57.7	68.7	76.7
3- Menifee Valley Middle School	36.2	45.4	67.6
4- Eastern Municipal Water District	42.9	46.1	61.2
5- Comwell Street and Bradley Road	54.8	66.3	81.6
6- Antelope Road at Ethanac Road	54.1	55.7	62.9
7- Pinacate Road at Palomar Road	48.8	68.2	81.2

Source: City of Menifee General Plan. (2013). Noise Element, Figure 5.12-2, Noise Measurement Locations, page 5.12-13.

As shown on ***Table 4.13-4: Noise Level Measurements***, the average noise levels during the daytime at the locations where the short-term measurements were taken ranged from 45.4 to 69.5 dBA Leq. During the noise monitoring and field reconnaissance, it was observed that the existing noise levels in the City are dominated mostly by transportation noise. The highest noise levels were observed in areas near I-215, SR-74, and major City roads.

On-Road Vehicles

I-215 and SR-74 are the major regional traffic thoroughfares that cross the City. The circulation network serving the City is essentially a grid system of roadways generally oriented in the north-south and east–west directions. SR-74, Ethanac Road, McCall Boulevard, Newport Road, and Bundy Canyon Road/Scott Road are the major east/west arterial roads in the City, and as a result, generate the most noise. The major north-south connectors are I-215, Goetz Road, Murrieta Road, Bradley Road, and Menifee Road. In the future, it is anticipated that Valley Boulevard and Briggs Road will play an increasingly important role in moving vehicles north–south, and Ethanac Road, Holland Road, and Garbani Road will help facilitate east-west connections.

Rail Noise

The San Jacinto Branch Line (SJBL) traverses the northern portion of the City going east-west, parallel to Case Road. This line begins at the BNSF mainline in the City of Perris, with its terminus in the City of San Jacinto. Noise generated by the train traffic on the SJBL contributes to the ambient noise environment of

the City. Noise from trains is generated by warning horns and crossing bells at at-grade crossings, and train noise. Trains are required by the Federal Railroad Administration to sound a warning horn at one-quarter mile from all at-grade crossings and at a maximum 110 dBA, as measured at 100 feet, except those that have established a Quiet Zone. A Quiet Zone is a segment of rail line where locomotive horns are not routinely sounded. There are no Quiet Zones established for the City. At most crossings, warning bells generate sound levels that should not be more than 105 dBA and not less than 85 dBA. They typically operate between 30 to 60 seconds per normal-through-train movement. The noise contours generated from existing train activity do not extend past the rail right-of-way; however, increased activity or expanded service may result in increased impacts on the City unless mitigated.

Aircraft Noise

Portions of the City are in the airport influence areas (AIA) of the March Air Reserve Base and the Perris Valley airports. Aircraft overflights, takeoffs, and landings at airports and heliports in the region contribute to the ambient noise environment. According to guidelines included in the Riverside County Airport Land Use Compatibility Plan (ALUCP), areas exposed to aircraft noise levels above 65 dBA CNEL are considered clearly unacceptable for new residential land uses, schools, libraries, and hospitals. For churches, auditoriums, concert halls, and amphitheaters, noise levels above 70 dBA CNEL are clearly unacceptable. In addition, the maximum, aircraft-related, interior noise level that shall be considered acceptable for sensitive land uses near airports is 45 dBA CNEL. In 2012, no portions of the City are within the 65 dBA CNEL noise contours of any airport. Aircraft overflights will be heard in the City; however, noise impacts would be minor.

March Air Reserve Base

According to the Air Installation Compatible Use Zone Study (AICUZ), the airport's 65 dBA CNEL is well outside the City boundaries; however, the 60 dBA CNEL contour extends through a portion of the City's limits with the affected land uses being low density residential uses. Furthermore, a portion of the City, is covered by March Air Reserve Base Compatibility Zones D (Flight Corridor Buffer) or E (Other Airport Environs). Development in this area is subject to the policies of the Riverside County ALUCP. Neither Compatibility Zones D or E have density or height restrictions, but uses that are hazards to flight (physical, visual, and electronic forms that interfere with the safety of aircraft operations) are prohibited. Although no explicit upper limit on usage intensity is defined for Zones D or E, land uses of the types listed in the Compatibility Plan—uses that attract very high concentrations of people in confined areas—are discouraged in locations below or near the principal arrival and departure flight tracks. Additionally, major spectator-oriented sports stadiums, amphitheaters, and concert halls are discouraged beneath principal flight tracks in Zone D, and electromagnetic radiation notification and deed notice and disclosure are required in Zone D but only disclosure is required in Zone E.

Perris Valley Airport

The Perris Valley Airport, approximately one-mile northwest of the City, is a specialized facility catering predominantly to skydivers and ultralight aircraft enthusiasts. According to the Perris Valley ALUP, portions of the AIA are located within City limits, in the northwestern portion of the City. Affected land uses within the AIA would be Economic Development Corridor (EDC) land uses, and residential land uses.

However, the 60 dBA CNEL noise contours for future operations are outside City limits. A portion of the Perris Valley Airport Compatibility Zone E (Other Airport Environs) extends into the City.

Stationary Sources of Noise

Stationary noise sources affect only their immediate areas. Many processes and activities in cities produce noise, most notably the operation of commercial, warehousing, industrial uses, schools, and at-grade railroad crossings. Noise exposure within industrial facilities is controlled by federal and state employee health and safety regulations. Noise levels outside of industrial and other facilities are subject to local standards.

Most of the City's industrial land uses, business parks, and commercial areas are adjacent to the SR-74, Mathews Road, and I-215. Schools are considered noise-sensitive because of the necessity for quiet in the classroom to provide an adequate environment for learning. However, outdoor activities that occur on school campuses throughout the City can generate noticeable levels of noise. While it is preferable to have schools in residential areas to support the neighborhood, noise generated on both the weekdays (by physical education classes and sports programs) and weekends (by use of the fields by youth organizations) can elevate noise levels.

Vibration

The primary existing vibration sources in the City are truck traffic and rail operations. Perceptible vibration levels can be caused by heavy trucks hitting discontinuities in the pavement from gaps and potholes. However, under normal conditions with well-maintained asphalt, vibration levels are usually not perceptible beyond the road right-of-way. The screening distance for vibration from freight train operations is 600 feet from the centerline. Rail operations in the San Jacinto Branch Line consist of two freight trains daily. A 25-car train at 20 miles per hour would last less than one minute; therefore, train pass-bys would have the potential to generate perceptible vibration levels at receptors within 600 feet of the railroad track for a few seconds, twice a day. According to vibration measurements taken in the Perris Valley line just north of the SJBL, vibration levels did not exceed the Federal Transit Administration's (FTA) thresholds for annoyance for residential uses for receptors beyond 100 feet from the tracks.

4.13-2 Regulatory Setting

Federal

Noise Control Act

The Noise Control Act of 1972 recognized the role of the federal government in dealing with major commercial noise sources that require uniform treatment. Since Congress has the authority to regulate interstate and foreign commerce, regulation of noise generated by such commerce also falls under congressional authority. The federal government specifically preempts local control of noise from aircraft, railroads, and interstate highways. The U.S. Environmental Protection Agency (EPA) has identified acceptable noise levels for various land uses to protect the public, with an adequate margin of safety, and to establish noise emissions standards for interstate commerce.

State

California Code of Regulations, §65302(f)

California Code of Regulations (CCR), §65302(f), requires local land use planning jurisdictions to prepare a general plan. The noise element is a mandatory component of the general plan. It may include general community noise guidelines developed by the California Department of Health Services and specific planning guidelines for noise/land use compatibility developed by the local jurisdiction. The state guidelines also recommend that the local jurisdiction consider adopting a local noise control ordinance. The California Department of Health Services developed guidelines for community noise acceptability for use by local agencies. Selected relevant levels are as follows (Ldn may be considered nearly equal to CNEL):

- CNEL below 60 dBA – normally acceptable for low-density residential use
- CNEL of 55 dBA to 70 dBA – conditionally acceptable for low-density residential use
- CNEL below 65 dBA – normally acceptable for high-density residential use
- CNEL of 60 to 70 dBA – conditionally acceptable for high-density residential use, transient lodging, churches, and educational and medical facilities
- CNEL below 70 dBA – normally acceptable for playgrounds and neighborhood parks

"Normally acceptable" is defined as satisfactory for the specified land use, assuming that normal conventional construction is used in buildings. "Conditionally acceptable" may require some additional noise attenuation or special study. Under most of these land use categories, overlapping ranges of acceptability and conditionally acceptable are presented, leaving some ambiguity in areas where noise levels fall within the overlapping range.

California Building Code

The California Building Code (CBC), Title 24, Part 2, Volume 1, Chapter 12, Interior Environment, §1207.11.2, Allowable Interior Noise Levels, requires that interior noise levels attributable to exterior sources shall not exceed 45 dB in any habitable room. The noise metric is evaluated as either the day-night average sound level (Ldn) or the community noise equivalent level (CNEL), consistent with the noise element of the local general plan.

The State of California's noise insulation standards for nonresidential uses are codified in the California Code of Regulations, Title 24, Building Standards Administrative Code, Part 11, California Green Building Standards Code (CALGreen). CALGreen noise standards are applied to new or renovation construction projects in California to control interior noise levels resulting from exterior noise sources. Proposed projects may use either the prescriptive method (§5.507.4.1) or the performance method (§5.507.4.2) to show compliance. Under the prescriptive method, a project must demonstrate transmission loss ratings for the wall and roof-ceiling assemblies and exterior windows when located within a noise environment of 65 dBA CNEL or higher. Under the performance method, a project must demonstrate that interior noise levels do not exceed 50 dBA Leq (1hr).

State of California Land Use Compatibility Criteria

Table 4.13-5: Noise Level Exposure and Land Use Compatibility Guidelines presents a land use compatibility chart for community noise adopted by the State of California as part of its General Plan Guidelines. This table provides urban planners with a tool to gauge the compatibility of new land uses relative to existing and future noise levels. This table identifies normally acceptable, conditionally acceptable, and clearly unacceptable noise levels for various land uses. A conditionally acceptable designation implies new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements for each land use is made and needed noise insulation features are incorporated in the design. By comparison, a normally acceptable designation indicates that standard construction can occur with no special noise reduction requirements.

Table 4.13-5: Noise Level Exposure and Land Use Compatibility Guidelines

Land Use Categories		Community Noise Equivalent Level (CNEL)			
Category	Uses	Conditionally Acceptable 1	Normally Acceptable 2	Normally Unacceptable 3	Clearly Unacceptable 4
Residential/ Lodging	Single Family/Duplex	<60	60-65	65-70	70-85
	Multi-Family	<60	60-65	65-75	75-85
	Mobile Homes	<60	60-65	-	65-85
	Hotel/Motel	<65	65-70	70-80	80-85
Public/Institutional	Schools/Hospitals	<60	60-65	65-70	70-85
	Churches/Libraries	<60	60-65	65-70	70-85
	Auditoriums/Concert Halls	<55	55-60	60-70	70-85
Commercial	Offices	<65	65-75	75-80	80-85
	Retail	<70	70-75	75-80	80-85
Industrial	Manufacturing	<70	70-75	75-85	-
	Warehousing	<70	70-80	80-85	-
Recreational/Open Space	Parks/Playgrounds	<65	65-70	70-75	75-85
	Golf Course/Riding Stables	<65	65-70	70-75	75-85
	Outdoor Spectator Sports	<60	60-65	65-70	-
	Outdoor Music Shells/Amphitheaters	-	<60	60-65	65-85
	Livestock/Wildlife Preserves	<70	-	70-75	75-85
	Crop Agriculture	<55-85	-	-	70-85

Source: City of Menifee General Plan

1.) New construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and the needed noise insulation features included in the design. Conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice.
2.) Specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements.
3.) New construction or development should generally be discouraged. If new construction does proceed, a detailed analysis of the noise reduction requirements must be made and needed noise insulation features included in the design.
4.) New construction or development generally should not be undertaken.

Regional

Riverside County Airport Land Use Commission

The California PRC requires that the adoption or approval of any amendment to a general or specific plan affecting the property within an AIA, as defined by an ALUCP, shall require review from the Airport Land Use Commission (ALUC) for determination of consistency with the Commission's Plan prior to their approval by the local jurisdiction. In general, consistency with the Commission's Plan is determined based on noise and safety compatibility issues.

The locations of CNEL contours are among the factors used to define compatibility zone boundaries and criteria. According to guidelines included in the Riverside County ALUCP, areas exposed to aircraft noise levels above 65 dBA CNEL are considered clearly unacceptable for new residential land uses, schools, libraries, and hospitals. For churches, auditoriums, concert halls, and amphitheaters, noise levels above 70 dBA CNEL are clearly unacceptable. These standards shall be based upon projected noise contours calculated based upon forecasted aircraft activity as indicated in an airport master plan, or that is considered by the Riverside County ALUC to be plausible.

The maximum, aircraft-related, interior noise level that shall be considered acceptable for land uses near airports is 45 dB CNEL in:

- Any habitable room of single- or multi-family residences;
- Hotels and motels;
- Hospitals and nursing homes;
- Churches, meeting halls, theaters, and mortuaries;
- Office buildings; and
- Schools, libraries, and museums.

According to the Riverside County ALUC, when reviewed as part of a general plan or zoning ordinance amendment or as a major land use action, evidence that proposed structures will be designed to comply with the above criteria shall be submitted to the ALUC under the following circumstances:

- Any mobile home situated within an airport's 55-dB CNEL contour. (A typical mobile home has an average exterior-to-interior noise level reduction (NLR) of approximately 15 dB with windows closed.)
- Any single- or multi-family residence situated within an airport's 60-dB CNEL contour. (Wood frame buildings constructed to meet 1990s standards for energy efficiency typically have an average NLR of approximately 20 dB with windows closed.)
- Any hotel or motel, hospital or nursing home, church, meeting hall, office building, mortuary, school, library, or museum situated with an airport's 65-dB CNEL contour.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Noise Element

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

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

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

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

Table 4.13-6: Stationary Source Noise Standards

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

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

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

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

Policy N-1.15 Employ noise mitigation practices and materials, as necessary, when designing future streets and highways, and when improvements occur along existing road segments. Mitigation measures should emphasize the establishment of natural buffers or setbacks between the arterial roadways and adjoining noise-sensitive areas.

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

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

Policy N-2.2 Require commercial or industrial truck delivery hours to be limited when adjacent to noise-sensitive land uses unless there is no feasible alternative or there are overriding transportation benefits.

City of Menifee Municipal Code

City of Menifee (Menifee MC) §9.210.060 provides regulations regarding noise limitations and analysis within the City. Sound standards provided in the section are consistent with those described above, in Menifee GP Policy N-1.7 and ***Table 4.13-6: Stationary Source Noise Standards***, above. Specific noise guidelines are presented for individual activities in the City. Special regulations are given to activities, including power tools and similar equipment. The Menifee MC stipulates that no person shall operate any power tools or equipment at any other time such that the power tools or equipment are audible to the human ear at a distance greater than 100 feet from the power tools or equipment.

Menifee MC §9.210.070 dictates the City's guidance on vibrations and potential effects of vibrations on residents and sensitive receptors. City uses and activities are not operated so that vibrations would be discernible without instruments by the average person while on or beyond the lot upon which the source is located or within an adjoining enclosed space if more than one establishment occupies a structure. This section does, however, exempt vibrations caused by the operation of motor vehicles and trains, as well as temporary construction vibrations.

4.13-3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies;
- Result in the generation of excessive groundborne vibration or groundborne noise levels; or
- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels.

Methodology

This analysis considers the State CEQA Guidelines, Appendix G thresholds, as described above, in determining whether the Project, including future housing development facilitated by the Project, would result in a substantial temporary or permanent increase in noise or vibration, or if the Project area is within the vicinity of a private airport or airport land use plan. The evaluation was based on a review of regulations and determining their applicability to the Project.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs, and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent noise

considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with these policies. No site-specific surveys or technical studies were conducted for this analysis. The candidate housing sites were evaluated based on information contained in this PEIR at a programmatic level, as discussed above.

4.13-4 Project Impacts and Mitigation

Impact 4.13-1: ***Would the project result in the generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?***

Level of Significance: Less Than Significant Impact

Impacts to noise occur largely due to the physical modification of land and structures within the City. The Project does not include physical alterations to the City. Instead, the Project proposes multiple regulatory changes to the City's GP. The Project components includes an update to the City's Housing Element to coincide with the 2021 - 2029 planning period. The housing element update would create new policies and programs within the City's housing element in order to ensure greater housing availability for residents of various income levels. Policies and programs included in the housing element update would facilitate the expansion of available housing in the City to meet the City's Regional Housing Needs Assessment (RHNA) allocation of 6,904 dwelling units (DUs). These candidate housing sites are spread throughout the City. ***Appendix A, Candidate Housing Sites*** summarizes the candidate sites as well as their included parcels. ***Figure 3-3, Candidate Housing Sites*** shows the location of the identified candidate housing sites within the City.

Accommodation of the City's RHNA allocation is also facilitated through the rezoning of select parcels to allow for higher density residential development. These changes will then be codified through a Land Use Element update. This component would also include the changing of the land use designation of an additional 48 parcels from EDC-CC to RR1. Typical construction equipment generates maximum noise levels at 50 feet from the noise source ranging between 80 dBA for backhoes and loading trucks, to 85-90 dBA for graders and excavators. In general, construction noise can vary substantially from day to day, depending on the level of activity and the specific type of equipment in operation. Additionally, construction activities associated with future housing development facilitated by the Project is anticipated to occur in incremental phases over time based on market demand, economic, and planning considerations. As a result, construction-related noise would not be concentrated in any one particular area of the City.

Construction of future housing units as facilitated by the Project would typically involve the following construction sequences: (1) site preparation and/or demolition; (2) grading and utilities construction; (3) building construction; (4) paving; and (5) architectural coatings. Typical construction equipment would include backhoes, excavators, graders, loaders, compactors, cranes, trucks, pavers, pneumatic tools, generator sets, and air compressors. With exception to pile-driving activities, construction equipment with substantially higher noise-generation characteristics (such as rock drills and blasting equipment) would not be anticipated for construction of typical residential developments. Future housing

development facilitated by the HEU would be required to comply with Menifee MC §9.210.060(C) which only exempts construction noise during off hours and Menifee MC §9.210.060(E)(2) which limits the sound from the use of power tools to no less than 100 feet from the nearest sensitive receptor. For some future housing developments, such as those near sensitive receptors, the City may choose to require conditions of approval to include measures under its Design Review process such as temporary sound barriers and shielding to reduce potential noise impacts on sensitive receptors. For example, acoustically designed enclosures and buildings can provide up to approximately 50 dBA of noise reduction, depending on the noise abatement treatments implemented.

Operational noise generation as a result of future development facilitated by the Project is likely to occur from stationary operation-related sources, such as heating, ventilation, and air conditioning (HVAC) units, tankless water heaters, generators, lawn maintenance equipment, and swimming pool pumps. The Project would generate noise from vehicular sources. Future development in accordance with General Plan would cause increases in traffic along local roadways. The increases would occur due to potential buildout of the Project and regional growth influenced by the Project. A noise increase greater than 5 dBA is readily perceptible to the average human ear and is the level that is considered a substantial noise increase. If the future noise compared to existing conditions results in a 5 dB increase and the future noise level is in excess of 65 dBA CNEL, there would be a significant noise impact. Noise emitted from a single point source, such as an HVAC unit, tends to decrease by about 6 dBA for each doubling of distance.

While the ultimate locations and specific model types of stationary equipment are not determined at the time of the preparation of this PEIR, heating, air conditioning, property maintenance equipment such as lawnmowers and leaf blowers, house and car alarms are exempt from the City's noise ordinance per Menifee MC §9.210.060(B). Furthermore, the operation of motor vehicles is also exempt from the City's noise ordinance.

The candidate housing sites were evaluated in this PEIR at a programmatic level, as discussed above. As a result, no site-specific surveys were conducted for this PEIR analysis. Through protentional development of the 6,904 DU of the Project site to the candidate housing sites, the net effect is anticipated to vary in mobile noise. In consideration of the DU's potentially being placed at varying residential densities, the generated traffic levels per dwelling unit will fluctuate, in proximity to transit and regional transportation facilities. This Project does not reduce the City's ability to monitor noise levels and does not conflict with existing standards and regulations regarding noise levels in the City through compliance of the City's policies, goals, and municipal code, as found in Policy N-1.2. Operational noise will be evaluated on a site-specific basis consistent with the City's GP and MC. Any future development of the candidate housing sites would be subject to environmental regulations as required under CEQA and the City's standard discretionary review process.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Policy updates associated with the Safety Element and Environmental Justice would not further affect the City's ability to manage noise hazards. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.13-2: Would the project result in the generation of excessive groundborne vibration or groundborne noise levels?

Level of Significance: Less Than Significant Impact

Construction operations can generate varying degrees of ground vibration, depending on the construction procedures and equipment. Operation of construction equipment generates vibrations that spread through the ground and diminish with distance from the source. Construction on the Project site would have the potential to result in varying degrees of temporary ground-borne vibration, depending on the specific construction equipment used and the operations involved.

The FTA has published standard vibration velocities for construction equipment operations. In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 in/sec) appears to be conservative. The types of construction vibration impacts include human annoyance and building damage. Human annoyance occurs when construction vibration rises significantly above the threshold of human perception for extended periods of time. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. For example, for a building that is constructed with reinforced concrete with no plaster, the FTA guidelines show that a vibration level of up to 0.20 in/sec is considered safe and would not result in any construction vibration damage.

Ground-borne vibration generated by construction equipment spreads through the ground and diminishes in magnitude with increases in distance. Based on FTA data, vibration velocities from typical heavy construction equipment operations that would be used during Project construction range from 0.003 to 0.089 in/sec PPV at 25 feet from the source of activity.

As discussed in Impact 4.13-1 above, the Project does not include physical alterations to the City. If proposed buildout were to occur, the additional allowable residential density at the candidate housing sites would remain within the expected population growth of the City and Region (See ***Section 4.14,***

Population and Housing. The increase in density is not anticipated to change the overall impact of growth in the City compared to what was assumed in the Menifee GP and Southern California Association of Governments (SCAG) Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS). Any future development within the candidate housing sites would be subject to the City's standard discretionary review process, including compliance with the City's GP, compliance with the municipal code, and site-specific CEQA review. Therefore, impacts are less than significant.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Policy updates associated with the Safety Element and Environmental Justice would not further affect the City's ability to manage noise hazards. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is necessary.

Impact 4.13-3: ***For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels?***

Level of Significance: Less Than Significant

The potential rezoning of the candidate housing sites has the potential to be placed in within the vicinity of an AIA. Aircraft overflights, takeoffs, and landings at airports and heliports in the City contribute to the ambient noise environment. Adoption or approval of any amendment to a project affecting property within an AIA shall require review from the ALUC for determination of consistency with the Commission's Plan, which in general is determined based on noise and safety compatibility issues.

According to guidelines included in the Riverside County ALUCP and as presented in ***Table 4.13-5: Noise Level Exposure and Land Use Compatibility Guidelines***, areas exposed to aircraft noise levels above 65 dBA CNEL are considered clearly unacceptable for new residential land uses, schools, libraries, and hospitals. For churches, auditoriums, concert halls, and amphitheaters, noise levels above 70 dBA CNEL are clearly unacceptable. In addition, the maximum, aircraft-related interior noise level that shall be considered acceptable for sensitive land uses near airports is 45 dBA CNEL. No portions of the City are located with the 65 dBA CNEL noise contours of any airport. The GP Noise Element Policy N1.17 would prohibit new residential land uses within the 65 dB CNEL contours of any public-use or military airports,

as defined by the Riverside County ALUC. Implementation of the General Plan would not expose noise-sensitive land uses to noise levels that are incompatible with aircraft noise.

Additionally, the following updated goals and policies from the Housing Element and Safety Element Updates would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.2 **Housing Design**. Require excellence in housing design with materials and colors, building treatments, landscaping, open space, parking, and environmentally sensitive design practices.

Policy updates associated with the Safety Element and Environmental Justice would not further affect the City's ability to manage noise hazards. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

4.13-5 Significant Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.13-6 Cumulative Impacts

The Project's anticipated noise and vibration-related impacts from future housing development facilitated by the Project, in conjunction with cumulative development in the City, would increase housing development in an already developed area, thereby resulting in increased ambient noise levels. Potential noise and vibration-related impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future development is proposed in accordance with the Community Plan and Project. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would verify compliance with the City's Noise Ordinance and address potential noise and vibration impacts and identify necessary mitigation measures, where appropriate.

Future development facilitated by the Project in conjunction with cumulative development is not anticipated to result in significant noise and vibration impacts, or conflict with or obstruct a state or local plan, ordinance, or standards aimed at avoiding or minimizing excessive noise, following compliance with the City's Noise Ordinance. Therefore, the Project would not cause a cumulatively considerable noise or vibration impact, and no mitigation is required.

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4.14 POPULATION AND HOUSING

This section of the Program Environmental Impact Report (PEIR) assesses the Menifee 6th Cycle Housing Element Update (HEU or Project) and its potential effects on the City's population and housing dynamics. Information for the City of Menifee (City) and Riverside County (County) population, housing availability, and employment have been researched along with relevant Federal, State, and local policies and regulations. This analysis would also take into account the proposed candidate sites and estimate, at a programmatic level, the impacts associated with their potential development. This analysis does not go beyond the programmatic level to avoid needless speculation based on unforeseeable events. In instances where implementation of the Project would potentially create significant environmental impacts, mitigation is be proposed in order to reduce those impacts back down to less than significant levels.

4.14.1 Environmental Setting

The regional and local population, housing, and economic conditions are discussed below to provide context for the environmental analysis. The California Department of Finance (DOF) provides population and housing data at a statewide, regional, and local level.

Population

County

The County reached a population of 2,442,304 persons in 2020 according to the DOF population and housing estimates. This marked a 126,598-person increase from the 2015 population and a 252,663-person increase from the 2010 population.[1] ***Table 4.14-1: Riverside County Existing Population*** summarizes the County's population in 2010, 2015, 2020, and future projections provided by the Southern California Association of Governments (SCAG) in their Regional Transportation Plan/Sustainable Communities Strategy (RTP/SCS).

Table 4.14-1: Riverside County Existing Population

Unit	Existing			Change from 2010 to 2020	
	2010	2015	2020	Numeric	Percentage
Total Population	2,189,641	2,315,706	2,442,304	252,663	11.5%
Household Population	2,153,812	2,282,231	2,407,990	254,178	11.8%
Group Quarters	35,829	33,475	34,314	-1,515	-4.2%
Persons per Household	3.14	3.21	3.23	0.09	2.8%

Source: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

As indicated in ***Table 4.14-1: Riverside County Existing Population,*** the County has experienced population growth of over 11 percent in both household count and total population since 2010. Along with increased household counts, average household size in the county has also increased by approximately three percent. Group quarters, or places in which people live collectively such as college housing, have experienced a reduction in population by over four percent. SCAG has provided updated

[1] California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

projections for growth within its member agencies. The County is a member agency within SCAG along with the Imperial, Los Angeles, Orange, San Bernardino, and Ventura Counties. Growth projections for the County were included in the 2020 SCAG RTP/SCS or Connect SoCal. ***Table 4.14-2: Riverside County Projected Population***, summarizes both the existing population as of 2020, and the SCAG projections for the County for the years 2030, 2035, and 2045.

Table 4.14-2: Riverside County Projected Population

Unit	Existing	Projected			Change 2020 to 2045	
	2020	2030	2035	2045	Numeric	Percentage
Total Population	2,442,304	2,853,000	2,996,000	3,252,000	809,696	33.2%
Households	746,160	930,000	988,000	1,086,000	-339,840	45.6%

Sources: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.
Southern California Association of Governments (SCAG). (2020). *Current Context Demographics and Growth Forecast*. Page 29. Los Angeles, CA: SCAG

As shown in ***Table 4.14-2: Riverside County Projected Population***, The County is expected to continue growing through 2045. The County's population is projected to increase by over 33 percent and the number of projected households is estimated to grow by over 45 percent.

City of Menifee

The City's population reached 97,093 persons in 2020 according to the DOF population and housing estimates.[2] ***Table 4.14-3: City of Menifee Existing Population*** summarizes the current estimates for the total population as well as number of households and population within group quarters.

Table 4.14-3: City of Menifee Existing Population

Unit	Existing			Change from 2010 to 2020	
	2010	2015	2020	Numeric	Percentage
Total Population	77,519	86,359	97,093	19,574	25.3%
Household Population	77,331	86,171	96,905	19,574	25.3%
Group Quarters	188	188	188	0.00	0.0%
Persons per Household	2.82	2.89	2.90	0.09	3.0%

Source: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

The City has experienced population increases at a relatively greater rate than the County in both total population and household population. According to the DOF data, the City has grown its total population and households by over 25 percent, respectively. However, the City has not experienced a growth in its population within group quarters. Similar to the County, the City has experienced a 3 percent growth in average household size from 2010 to 2020. ***Table 4.14-4: City of Menifee Projected Population***, summarizes both the existing population as of 2020, and the SCAG projections for the City in 2045. Note that SCAG does not provide growth data for the City for the years 2030 and 2035.

[2] Ibid.

Table 4.14-4: City of Menifee Projected Population

Unit	Existing	Projected	Change 2020 to 2045	
	2020	2045	Numeric	Percentage
Total Population	97,093	129,800	32,707	33.7%
Households	33,400	51,200	17,800	53.3%

Sources: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA:
Department of Finance. Southern California Association of Governments (SCAG). (2020). *Current Context Demographics and Growth Forecast*. Page 29. Los Angeles, CA: SCAG

As shown in ***Table 4.14-4: City of Menifee Projected Population***, the City is still expected to continue growing its total population through 2045 by an even greater percentage (33.7 percent). The number of households in the City is estimated to exceed the current number of households by approximately 53 percent.

Housing

County

The County was estimated to contain 856,124 housing units in 2020 with an average of 3.23 persons per household. The DOF report further details the County's housing supply by type, including:

- Single detached units,
- Single attached units,
- Two to four unit multifamily developments,
- Five or more unit multifamily developments, and
- Mobile homes.

Table 4.14-5: Riverside County Housing Estimates below summarizes the DOF housing data for 2020 as well the years 2015 and 2010.

Table 4.14-5: Riverside County Housing Estimates

Unit	Existing			Change	
	2010	2015	2020	Numeric	Percentage
Total Housing Units	800,707	822,911	856,124	55,417	6.9%
Single Detached	543,209	559,701	585,544	42,335	7.8%
Single Attached	50,784	51,294	52,844	2,060	4.1%
2 to 4 Units	38,409	38,618	39,044	635	1.7%
5 or more units	89,577	94,054	98,023	8,446	9.4%
Mobile Homes	78,728	79,244	80,669	1,941	2.5%
Occupied	686,260	711,395	746,160	59,900	8.7%
Vacancy Rate	14.3%	13.6%	12.8%	-0.01	-10.1%

Source: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

Available housing units have continued to increase for each type included in ***Table 4.14-5: Riverside County Housing Estimates*** except for the vacancy rate, which is shown to have decreased by approximately 10 percent from 2010 to 2020. This implies that the County is experiencing increased

populations which are reducing and outpacing the County's vacant housing units. ***Table 4.14-2: Riverside County Projected Population*** shows the SCAG projections for the County's households in the years 2030, 2035, and 2045. As summarized in the table, the County is projected to decrease its household amount from 2,153,812 households in 2020 to 1,086,000 households in 2045. The County would therefore experience a 49.6 percent decrease in households by 2045.

City of Menifee

In the year 2020 the City was estimated to contain 35,675 housing units. This was a 5,406 unit increase from the housing supply in 2010. ***Table 4.14-6: City of Menifee Housing Estimates*** below summarizes the DOF housing data for the City in 2010, 2015, and 2020.

Table 4.14-6: City of Menifee Housing Estimates

Unit	Existing			Change	
	2010	2015	2020	Numeric	Percentage
Total Housing Units	30,269	32,364	35,675	5,406	17.9%
Single Detached	25,562	27,309	30,552	4,990	19.5%
Single Attached	942	942	991	49	5.2%
2 to 4 Units	480	481	483	3	0.6%
5 or more units	716	1,060	1,060	344	48.0%
Mobile Homes	2,569	2,572	2,589	20	0.8%
Occupied	27,461	29,845	33,400	5,939	21.6%
Vacancy Rate	9.3%	7.8%	6.4%	-0.03	-31.3%

Source: California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

Like the County, the City has experienced an increase in housing availability in each housing unit category while experiencing a decrease in housing vacancy. This would imply, then, that City populations have grown to meet the excess units available in the City. As summarized in ***Table 4.14-4: City of Menifee Projected Population*** above, households are anticipated to decrease by 47.2 percent in 2045 from the amount estimated in 2020. However, the City is still expected to experience a population increase of over 30 by 2045, necessitating adequate housing availability.

Employment

County

The United States Census Bureau (USCB) has provided the employment estimates for the both the County and the City through the America Community Survey (ACS) 5-Year Estimates Data Profile. The County employment data provided by ACS is summarized in ***Table 4.14-7: County of Riverside Employment by Industry (2019)*** below.

Table 4.14-7: County of Riverside Employment by Industry (2019)

Industry	Amount	Percent of Workforce
Agriculture, forestry, fishing and hunting, and mining	14,694	1.4%
Construction	92,614	9.0%
Manufacturing	87,663	8.5%
Wholesale trade	28,762	2.8%
Retail trade	131,334	12.7%

Industry	Amount	Percent of Workforce
Transportation and warehousing, and utilities	68,110	6.6%
Information	14,545	1.4%
Finance and insurance, and real estate and rental leasing	51,994	5.0%
Professional, scientific, management, and administrative services	105,430	10.2%
Education services, health care, and social assistance	216,876	21.0%
Arts, entertainment, recreation, accommodation, and food services	117,439	11.4%
Other services (except public administration)	53,205	5.2%
Public Administration	49,925	4.8%
Total	**1,032,734**	**100%**

Source: United States Census Bureau. (2019). 2019 ACS 5-Year Estimates Data Profiles. Selected Economic Characteristics: Riverside County, California, Menifee city, California. Retrieved from: https://data.census.gov/cedsci/table?q=selected%20characteristics&t=Employment%3AIndustry&g=0500000US06065_1600000US0646842&tid=ACSDP5Y2019.DP03&hidePreview=true. (Accessed April 12, 2021).

Education services, health care, and social assistance occupations make up the largest percentage of County's 1,032,734-person workforce. The lowest percentage of the County's workforce have occupations within the Agriculture or Information industries (1.4 percent each). In 2019, the County's employment totaled 1,032,734 jobs and housing totaled 847,851 units, for a jobs-to-housing ratio of 1.2:1.[3] This means that in 2019, there were 1.2 jobs for every housing unit in the County. A jobs-to-housing ratio greater than one implies there is suitable housing available in the area to accommodate the workforce.

According to the SCAG RTP/SCS, the County is projected to experience an increase in employment of 70,266 by 2045 to a total of 1,103,000.[4] The County would also contain at least 1,086,000 housing units. This would create a jobs-to-housing ratio of approximately 1:1. This ratio is not greater than one and implies that there is just enough housing for anticipated population growth.[5] The County maintained a 7.5 percent unemployment rate in 2019.[6]

City of Menifee

Employment data for the City of Menifee provided by the ACS 5-Year Estimates is summarized in ***Table 4.14-8: City of Menifee Employment by Industry (2019)*** below.

Table 4.14-8: City of Menifee Employment by Industry (2019)

Industry	Amount	Percent of Workforce
Agriculture, forestry, fishing and hunting, and mining	162	0.4%
Construction	3,701	10.2%
Manufacturing	2,880	7.9%
Wholesale trade	1,258	3.5%
Retail trade	4,604	12.6%
Transportation and warehousing, and utilities	1,876	5.2%
Information	559	1.5%

[3] California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.
[4] Southern California Association of Governments (SCAG). (2020). *Current Context Demographics and Growth Forecast*. Page 29. Los Angeles, CA: SCAG
[5] Ibid.
[6] United States Census Bureau. (2019). 2019 ACS 5-Year Estimates Data Profiles. Selected Economic Characteristics: Riverside County, California, Menifee City, California. Retrieved from: https://data.census.gov/cedsci/table?q=selected%20characteristics&t=Employment%3AIndustry&g=0500000US06065_1600000US0646842&tid=ACSDP5Y2019.DP03&hidePreview=true. (Accessed April 12, 2021).

Industry	Amount	Percent of Workforce
Finance and insurance, and real estate and rental leasing	2,044	5.6%
Professional, scientific, management, and administrative services	3,480	9.6%
Education services, health care, and social assistance	8,393	23.1%
Arts, entertainment, recreation, accommodation, and food services	3,402	9.3%
Other services (except public administration)	1,815	5.0%
Public Administration	2,231	6.1%
Total	**36,405**	**100%**

Source: United States Census Bureau. (2019). 2019 ACS 5-Year Estimates Data Profiles. Selected Economic Characteristics: Riverside County, California, Menifee City, California. Retrieved from: https://data.census.gov/cedsci/table?q=selected%20characteristics&t=Employment%3AIndustry&g=0500000US06065_1600000US0646842&tid=ACSDP5Y2019.DP03&hidePreview=true. (Accessed April 12, 2021).

Similar to the County, the education services, health care, and social assistance industry employs the largest percentage of the City's workforce (23.1 percent). As well, the City's lowest employed industry is the Information industry with 1.5 percent of the workforce.

In 2019, the City's workforce totaled 36,405 persons and the City's housing unit stock totaled 34,769 units. This would equal a jobs-to-housing ratio of 1.1:1.[7] The City is projected to contain a workforce of 29,200 positions and at least 51,200 households. This would create a jobs-to-housing ratio of 0.6:1 meaning that there would not be enough jobs for the entire projected household population. This ratio is less than one and implies that there is not enough housing for anticipated population growth.[8] Like the County, the City held a 7.3 percent unemployment rate in 2019.[9]

4.14.2 Regulatory Setting

State

State Housing Law

In the face of mounting housing costs and lack of affordable housing throughout the State, the legislature has prioritized the provision of a decent home and suitable living environment to each Californian, with particular focus on housing affordable to low and very low-income households. As a result, State Housing law (California Government Code [CGC] §§ 65583 et seq.) now requires all incorporated cities and unincorporated counties to regularly update their general plan Housing Element to ensure that each city and county in the State provides its fair share of housing at all economic levels. State Housing law is discussed in detail in PEIR ***Section 3.0: Project Description***. State Housing law requires cities to regularly update their Housing Elements to identify and analyze housing need; establish reasonable goals, objectives, and policies based on those needs; and set forth a comprehensive list of actions to achieve the identified goals and substantially comply with State Housing law requirements.

[7] California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

[8] Southern California Association of Governments (SCAG). (2020). *Current Context Demographics and Growth Forecast*. Page 38. Los Angeles, CA: SCAG

[9] United States Census Bureau. (2019). 2019 ACS 5-Year Estimates Data Profiles. Selected Economic Characteristics: Riverside County, California, Menifee City, California. Retrieved from: https://data.census.gov/cedsci/table?q=selected%20characteristics&t=Employment%3AIndustry&g=0500000US06065_1600000US0646842&tid=ACSDP5Y2019.DP03&hidePreview=true. (Accessed April 12, 2021).

State Review

CGC §65585 requires that the City submit its draft and final (adopted) Housing Elements to Housing and Community Development (HCD) for review and "certification." Specifically, the City must submit its draft Housing Element to HCD at least 60 days prior to the adoption of its final Housing Element. HCD reviews the draft and reports its findings back to the City within 60 days. In its findings, HCD determines whether the draft Housing Element substantially complies with the requirements of State Housing law. The City must consider HCD's findings prior to adoption of its final Housing Element. State Housing law requires that HCD review the final element and report its findings of whether the element is substantially in compliance with State Housing law to the City within 90 days.

Assembly Bill 1233 (2005) and Senate Bill 375 (2008)

Assembly Bill (AB) 1233, approved by the Governor in 2005, requires that the Project analyze vacant sites, sites having potential for redevelopment, and the relationship of zoning, facilities, and services to these sites. AB 1233 requires that the Project specify action programs that will be taken to make sites available during the 6th Cycle Housing Element planning period (2021-2029), as necessary to accommodate the Regional Housing Needs Allocation (RHNA) units assigned to the City for the 6th Cycle, plus any additional actions that are necessary to make sites available to accommodate any RHNA units that were assigned during the 5th Cycle Housing Element (2013–2021) that were not accommodated.

Senate Bill (SB) 375 approved by the Governor in 2008, requires that the Project identify the existing and projected housing needs of all economic segments of the community. In certain cases, the State requires rezone actions to be included within the Project to accommodate 100 percent of the need for very low and low-income households. If a jurisdiction does not fulfill the Housing Element action programs that are tied to affordability levels (prior to the June 30, 2020 deadline for the 5th Cycle production period), then penalties may be incurred in accordance with SB 375 and AB 1233 for the Project (which in this case is the City's 6th Cycle Housing Element).

Assembly Bill 1397

AB 1397 made a number of changes to Housing Element law by revising what could be included in a jurisdiction's inventory of land suitable for residential development. AB 1397 changed the definition of land suitable for residential development to increase the number of multi-family sites. Identified sites must be "available" and "suitable" for residential development and have a "realistic and demonstrated potential" for redevelopment during the planning period. In addition, AB 1397 requires Housing Element inventory sites to be 0.5 acre to 10 acres, have sufficient infrastructure, or to be included in a program to provide such infrastructure, to support and be accessible for housing development. Further, the jurisdiction must specify the realistic unit count for each site and whether it can accommodate housing at various income levels.

Housing Crisis Act of 2019 (SB-330)

The California Housing Crisis Act (SB 330) was enacted by Governor Newsom in 2019 as a means to combat the State's growing housing crisis. This legislation's goal is to increase California's affordable housing stock

by 3.5 million new units by 2025. To streamline residential development, a new preliminary development application process is required which includes a staff-level review of basic information regarding a project such as:

- Site characteristics;
- The planned project;
- Certain environmental concerns;
- Facts related to any potential density bonus;
- Certain coastal zone-specific concerns;
- The number of units to be demolished; and
- The location of recorded public easements.

SB 330 further streamlines housing development by reducing the amount of public meetings or hearings to five or less (e.g., workshops, design review board meetings, planning commission meetings, advisory committee meetings, and city council meetings). A shortened approval time of 90 days instead of 120 days from the time of certification for an EIR is also required to streamline the development approval process.

Local agencies are no longer able to remove or modify land use designations or allowances to inhibit the development of housing, unless the local agency replaces the lost housing potential; therefore, ensuring no net loss in housing availability. Further, local agencies will no longer be able to limit the annual number of housing-focused land use approvals, create caps on the amount of constructed housing units, or limit the population size of their city. Subjective design limitations on parcels where housing is an allowable use is also no longer permissible for projects that are subject to processing per SB 330 (any housing project).

Regional

Regional Housing Needs Assessment

The RHNA is a program that the State imposes to determine a local agencies fair share of the projected regional housing need for the applicable Housing Element planning period. The RHNA allocation is based on a jurisdiction's access to transit, including rail stations, rapid bus stations, and major stops; and the total number of jobs in the jurisdiction. The RHNA allocation for the 6th Cycle also included an equity adjustment to promote equity and fair housing and address patterns of segregation. The Southern California Association of Governments (SCAG) oversees the RHNA process and provides the figures and estimates generated from the RHNA. For the Project, the City's RHNA allocation is 6,609 units comprised of the following:

- 1,761 units for very low-income households;
- 1,051 units for low-income households;
- 1,106 units for moderate-income households; and
- 2,691 units for above moderate-income households.

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 (MPO) 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 MPO, 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.

The City is a member city of SCAG, which allocates to the Riverside County cities and unincorporated areas their fair share of the total RHNA housing needed for each income category.

Regional Transportation Plan/Sustainable Communities Strategy

On April 2020, SCAG adopted the 2020–2045 RTP/SCS, a long-range visioning plan that balances future mobility and housing needs with economic, environmental, and public health goals. The 2020 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 2020 RTP/SCS is a living, evolving blueprint for the region's future (SCAG 2020).

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight general plan elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

Policy LU-1.2 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.

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

Policy LU 1-11 Allow for reasonable accommodation (or permitting) of a single-family residential dwelling on residentially designated, undeveloped, non-conforming parcels that were legally established on or before December 18, 2013, with a lot size that is inconsistent with the General Plan land use designation density. This policy is consistent with, and intends to support the housing production goals of the Housing Element of the General Plan and State Housing Element law. Notwithstanding the foregoing, a proposed dwelling unit on a non-conforming parcel may be limited due to the constraints (lot size and conditions) of the parcel, shall be subject to all other development standards of the General Plan and Development Code, and shall not cause or result in any detriment to the public health, safety and/or welfare.

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.

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.

4.14.3 Standards of Significance

The City relies on the thresholds of significance specified in California Environmental Quality Act (CEQA) Guidelines, Appendix G. Impacts to population and housing would be significant if the project would:

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); or
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere.

4.14.4 Methodology

This analysis considers the *State CEQA Guidelines,* Appendix G thresholds, as described above, in determining whether the Project, including future development facilitated by the Project, would result in a substantial temporary or permanent impact to the City's population or housing characteristics. The evaluation was based on a review of regulations and determining their applicability to the Project. Population and housing information was acquired through consultation with City staff and review of relevant documents

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" temporary or permanent impacts to population and housing considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.14.5 Project Impacts and Mitigation

Impact 4.14-1: ***Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?***

Level of Significance: Less than Significant Impact

The Project does not propose any physical developments or alterations within the City which would directly induce population growth in an area. However, the Project does involve Housing Element Update which would facilitate the future development of up to 8,696 additional housing units. Because the Project does not propose physical alterations, direct population growth would not be induced solely due to the Project's implementation.

The Project includes a Housing Element Update which has been created in accordance with the State Housing Element Law. Further, the Project has been created to comply with the 6,609-unit RHNA allocation given to the City through SCAG by the HCD. As a component of Statewide housing legislation, any housing growth associated with the Project would be in accordance with State-level regulation and would therefore not be unplanned.

In addition to the HEU, the GP Land Use Element Update would amend the designation of 48 parcels in the EDC from EDC-CC to RR-1 (1 unit per acre), as previously described. The proposed EDC-CC Land Use amendment area is bordered by La Peidra Road to the north, Holland Road to the south, Sherman Road to the east, and Stern Drive to the west. The surrounding existing land use and zoning designations around the area are Cal Neva Specific Plan (SP) to the west, Town Center SP to the north and east (northern half), Countryside SP to the east (southern half), and 2.1-5 R (LDR-2) and RR-1 to the south. The proposed amendment from EDC-CC to RR-1 would increase the total amount of residential use permitted on these sites from 25 percent within the EDC-CC designation (currently allowed mixed use with a maximum of 25% residential) to 100 percent residential as the underlying designation would only permit future buildout of a low density residential use on the 48 parcels. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units.

Future development facilitated by the Project would therefore enable the development of a total of 8,762 additional housing units within the City. When multiplied by the 2020 average household size of 2.90, as shown in ***Table 4.14-3: City of Menifee Existing Population***, the 8,762 housing units facilitated by the Project would generate an approximately 25,410-person population increase within the City. When combined with the 2020 total population of 97,093 persons, the City would grow to a total population of approximately 122,503. This would create an approximate 26.2 percent increase in the 2020 population. As shown in ***Table 4.14-4: City of Menifee Projected Population***, without implementation of the Project the City is anticipated to experience a population increase of approximately 33.7 percent to a population of 129,800 by 2045. Implementation of the Project would generate population growth at a rate that is 7.5 percent lower than previously projected growth. Therefore, potential population growth facilitated by the Project would not exceed expected quantities.

As previously noted, the Project update would result in a significant impact if it would "induce substantial unplanned population growth in an area." The slight variation in population forecasts is not considered substantial given it would occur over an extended period (i.e., 2021 through 2029). Additionally, the future housing development facilitated by the Project is intended to be dispersed throughout the community in areas suited for residential development. Further, seven candidate housing sites (sites designated for moderate and above moderate income housing) are located in approved Specific Plans. The City's developed state is contains existing infrastructure suitable to accommodate the increased demand from new development. See ***Section 4.19, Utilities and Service Systems*** for further information regarding the City's utility infrastructure. Therefore, the Project would not induce substantial unplanned population growth in the City by identifying future actions to increase capacity for the future development of new dwelling units, as necessary to meet State housing law requirements.

According to the National Association of Home Builders (NAHB), the building of an average single family home would generate approximately 2.90 jobs.[10] Using a worst-case scenario in which all future development facilitated by the Project are single family homes, then the Project would facilitate the development of an additional 8,762 single family homes. When applied to the development of 8,762 housing units, the NAHB employment generation rate of 2.90 per housing unit would generate approximately 25,410 new jobs. This would be equal to the anticipated population increase associated with future development facilitated by the Project. It is noted that the Project would facilitate development of affordable housing units, in accordance with State law. The increase in affordable housing units would provide housing opportunities in proximity to jobs for those employed within the City that meet these household income categories, including those working in local retail/commercial service businesses, hotels, caregivers, property caretakers, and public occupations. Therefore, job availability would not be readily affected by the implementation of the Project and would not lead to unexpected population growth.

Future housing development would be subject to discretionary permits and would be assessed on a case by case basis for potential effects concerning population growth. Additionally, future housing development would be subject to compliance with all Federal, State, and local requirements for minimizing growth-related impacts. Local requirements include those stated in the Menifee GP and City of Menifee Municipal Code (Menifee MC). Additional text, table, and exhibit amendment would be made to the Land Use, Safety Element and Environmental Justice policies for consistency with the Housing Element and to facilitate future development of the candidate sites. Updates to the City's Safety Element would address potential risks that the City may encounter due to increased climate change effects. These risks include increased risk and severity of wildfire, reduced air quality, and increased average temperature. The potential hazards to the City was analyzed in the Climate Vulnerability and addressed in new policies to be included in the updated Safety Element. As well, new Environmental Justice

[10] National Association of Home Builders (NAHB). (2020). *National Impact of Home Building and Remodeling: Updated Estimates*. Page 1. Retrieved from: https://www.nahbclassic.org/fileUpload_details.aspx?contentTypeID=3&contentID=272642&subContentID=738975&channelID=311 (Accessed April 12, 2021)

objectives and policies are proposed for the Menifee GP which would further encourage the equitable distribution of resources and services within the City's communities.

Additionally, the following updated goals and policies from the Housing Element, Land Use Element, and Environmental Justice would reduce any potential impacts to a level of less than significant:

Proposed Housing Element Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.1 **Adequate Sites**. Provide adequate sites to accommodate project housing unit growth needs identified by the 2021-2029 RHNA.

HE Policy 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.

Goal HE-3: Improved opportunities for moderate and low-income residents and those with special needs to rent, purchase, or maintain adequate housing.

HE Policy 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 Policy 3.4 **Preservation of Affordable Housing**. Preserve affordable rental housing by working with interested parties and providing technical assistance, as feasible and appropriate.

Goal HE-4 Effective and responsive housing program and policies.

HE Policy 4.3 **Housing Opportunities**. Encourage development of opportunity sites and encourage affordable housing through density bonuses and related incentives.

The updates proposed for Environmental Justice and the Safety Element would not include policies which would affect or modify the City's current population or future growth in a substantial manner. As such, a less than significant impact is anticipated.

Mitigation Measures

No mitigation is required.

Impact 4.14-2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Level of Significance: Less than Significant Impact

The Project does not propose the physical alteration of land within the City, this includes the demolition of existing structures and residences. However, the Project does involve the creation of policies and guidelines which may facilitate future development of housing units. This includes the identification of parcels within the City which are found to be suitable for future housing and expansion of housing density

allowances up to 24 units per acre for HDR zones. Many parcels (all but three of those designated for moderate and above moderate-income) are accommodated by approved specific plans and would be incorporated into their future development.

Parcels within the associated specific plans noted for accommodation of moderate and above moderate-income housing (sites 63 through 69) are currently vacant. Thirty-nine (39) of the 51 identified low and very low-income housing sites are currently nonvacant. However, the Project would not require modification of the parcels within these candidate sites. For parcels with existing structures, the Project would not evict the residents or redevelop the existing structures. The Project would instead create policies and incentives which would allow for increased residential development in the future.

Also, to minimize the potential for future housing displacement, the PEIR analyzed the potential for future housing development associated with the Housing Element Update at a scale of 8,696 units, which is a greater number of candidate sites than the 6,609 required by State law. The additional units estimated by the PEIR amounted to a 32 percent buffer (2,087 housing units). This buffer of additional units, which is considered in the inventory of candidate housing sites analyzed in this PEIR, is intended to help the City address future "no net loss," if it becomes necessary to identify a replacement site during the 6th Cycle Housing Element (2021-2029) implementation period. The PEIR also analyzed candidate sites with potential to accommodate up to 8,762 units, including the assigned RHNA units (6,609 housing units), the 32 percent buffer identified for the Housing Element Update (2,087 housing units), and the Land Use Element Update sites (66 housing units).

City compliance with SB 166 would also help to minimize the potential for future housing displacement. SB 166 prohibits a city or county from reducing, requiring, or permitting the reduction of the residential density to a lower residential density below what was utilized by the HCD in determining compliance with the Housing Element law, unless the City or county makes written findings supported by substantial evidence that the reduction is consistent with the adopted general plan, including the Housing Element. The inventory of candidate housing sites would be sufficient to accommodate the City's RHNA allocation, and all Project actions would occur such that there is no net loss of residential unit capacity. Accessory Dwelling Units (ADUs) could be developed on as-yet unidentified sites. However, since ADUs are by nature accessory and additional housing units, which do not displace existing housing units, no impact would occur from ADU construction. Furthermore, updates to the City's Safety Element and creation of additional Environmental Justice policies would not require the physical modification of parcels or structures, nor would those policies require the removal of residents. Therefore, communities would not be displaced. Therefore, the Project's potential impacts, including from future development facilitated by the Project, concerning displacement of existing people or housing, and need to construction replacement housing elsewhere would be less than significant, and no mitigation is required.

Proposed Housing Element Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 1.1 **Adequate Sites**. Provide adequate sites to accommodate project housing unit growth needs identified by the 2021-2029 RHNA.

HE Policy 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.

Goal HE-3: Improved opportunities for moderate and low-income residents and those with special needs to rent, purchase, or maintain adequate housing.

HE Policy 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 Policy 3.4 **Preservation of Affordable Housing**. Preserve affordable rental housing by working with interested parties and providing technical assistance, as feasible and appropriate.

Goal HE-4 Effective and responsive housing program and policies.

HE Policy 4.3 **Housing Opportunities**. Encourage development of opportunity sites and encourage affordable housing through density bonuses and related incentives.

The updates proposed for Environmental Justice and the Safety Element would not include policies which would affect or modify the City's current population or future growth in a substantial manner. As such, a less than significant impact is anticipated.

Mitigation Measures

No mitigation is required.

4.14.6 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.14.7 Cumulative Impacts

As previously stated, the Project would provide for a planned increase in the City's housing capacity to meet the City's RHNA allocation and additional units for the unmet need from the 5th Cycle Housing Element. The Project does not propose any housing development. Instead, the Project would identify a series of implementation actions to facilitate future housing development, as necessary to meet the City's housing obligations per State law. Future housing development facilitated by the Project would be subject to discretionary permits and would be required to undergo applicable CEQA review and compliance with the Menifee GP and Menifee MC before their approval. This would ensure that any potential environmental effects stemming from their development would be minimized to the extent feasible. The projected population growth associated with future development facilitated by the Project would also be less than the City's forecast total population under the existing projections provided by SCAG. As well, due to the active global pandemic related to COVID-19, which is projected to result in a significant and sustained recession, it is likely that the initial growth forecasts from the State and SCAG as presented in

this analysis are overstated and that actual population growth will end up being less. Cumulative impacts associated with Project implementation would therefore be less than significant.

4.15 PUBLIC SERVICES

This section of the Programmatic Environmental Impact Report analyzes the potential impacts to public services upon implementation of the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). The analysis is based on the existing environmental setting of the City of Menifee (City) including fire, health, educational, and police services. Impact analysis is further based on relevant Federal, State, and local regulations and policies which provide framework for impact discussion. Analysis of potential public service impacts from development associated with the HEU, Land Use Element Update, Safety Element Update, and Environmental Justice policies area will identify impacts which may be significant. Furthermore, in cases where impacts are anticipated to be significant, mitigation measures would be proposed in order to reduce the impact to less than significant levels.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.15.1 Environmental Setting

Public services are those entities that serve the City's residents, businesses, and community members. For purposes of this analysis, the term "public services" includes fire, police, emergency medical services, public schools, and libraries.

Fire Protection and Emergency Medical Services

The City receives fire protection services from the Riverside County Fire Department (RCFD). The RCFD is organized into two main departments. Administrative Support Groups function in a facilitating capacity, managing active personnel and available materials. The Office of the Fire Marshall provides review services for new projects within Riverside County (County) to ensure that fire safety is upheld in each prospective project. Operations Support Groups function in an active capacity in emergency response. This department conducts the RCFD's emergency services functions such as firefighting, emergency medical services and support, and hazardous materials emergencies.[1] These operations are conducted through RCFD's multiple fire stations placed throughout the County. Nearly 100 fire stations are operated by the RCFD. These stations utilize various types of emergency equipment and vehicles such as fire engines, ambulances, hazardous materials units, helicopters, and airplanes.[2]

The City contains four RCFD fire stations; stations 5, 7, 68, and 76. Station 5 is located in the western portion of the City in the Quail Valley community. This station is located on the northern corner of the

[1] Riverside County Fire Department (RCFD). (2020). *Administration and Operations*. Retrieved from: http://www.rvcfire.org/ourDepartment/AdminOps/Pages/default.aspx (Accessed April 29, 2021)
[2] Riverside County Fire Department (RCFD). (2020). *Fire Stations.* Retrieved from: http://www.rvcfire.org/stationsAndFunctions/FireStations/Pages/default.aspx (Accessed April 29, 2021)

Goetz Road and Ave Roble intersection. Station 7 is located in the Sun City portion of the City and is positioned generally northwest of the Bradley Road and Augusta Drive intersection. Station 68 is located in the southern portion of the City on the northeast corner of the Wickerd Road Murrieta Road intersection. Station 76 is located in the eastern portion of the City immediately east of Menifee Road and approximately 330 feet north of Newport Road.[3] The RCFD Emergency Medical Services (EMS) Bureau conducts medical support tasks within the County and City outside of and during transportation to nearby hospitals.[4]

Police Services/Public Safety

The City voted to terminate their contract with the Riverside County Sherriff's Department (RCSD) and create a City police department in November 2018. The Menifee Police Department (MPD) was activated in July 2020 and is currently the main public safety unit in the City.[5] The MPD was created with 77 filled positions among various departments. The MPD consists two divisions: the operations division and investigations and support services. The operations division carries out the public facing daily activity of the department. These are carried out over four patrol areas, or patrol beats, throughout the City. ***Figure 4.15-1: City of Menifee Patrol Beats*** displays the MPD patrol area delineations. Patrol Beat 1 covers the northeast portion of the City east of Interstate-215 (I-215) and north of Newport Road/Domenigoni Parkway. Patrol Beat 2 covers the southeast portion of the City east of I-215 and south of Newport Road/Domenigoni Parkway. Patrol Beat 3 covers the southwest portion of the City west of I-215 and south of Newport Road. Patrol Beat 4 covers the northwest portion of the City west of I-215 and north of Newport Road. Within the operations division, the MPD conducts activities through patrol, SWAT, traffic, and canine (K9) units.

- **Patrol:** Six patrol teams are assigned to the four patrol beats spanning the entire City. This team provide initial police interaction with the public and respond to emergency calls. Their role is to suppress and prevent crime in the City through the apprehension of criminal suspects and the enforcement of City ordinances.
- **SWAT:** The City conducts SWAT operations through a partnership with the Murrieta Police Department and Hemet Police Department called the Southwest Cities Special Weapons and Tactics team (SCSWAT). This team responds during situations that exceed the bounds of traditional law enforcement personnel including serving high risk search and arrest warrants, performing hostage rescues, subduing barricaded suspects, and engaging heavily-armed criminals.
- **Traffic:** The four man MPD traffic unit is comprised of one sergeant, two motor officers, and one community service officer. The main role of this team is to educate drivers and maintain the City's traffic laws. This team also provides feedback on engineering projects which would affect traffic and transportation within the City.

[3] Riverside County Fire Department (RCFD). (2020). *Station Locator.* http://www.rvcfire.org/stationsAndFunctions/FireStations/Pages/Fire-Station-Map.aspx (Accessed April 29, 2021)
[4] Riverside County Fire Department (RCFD). (2020). *EMS Bureau.* Retrieved from: http://www.rvcfire.org/stationsAndFunctions/AdminSppt/EMS/Pages/Emergency%20Medical%20Services.aspx (Accessed April 29, 2021)
[5] Menifee Police Department. (2020). Menifee Police Department Policy Manual. Retrieved from: https://menifeepolice.org/wp-content/uploads/2020/07/RELEASE_20200721_T120255_Menifee_Police_Department_Policy_Manual.pdf (Accessed April 30, 2021).

- **K9:** The City's K9 unit is planned to conduct to calls for searches, alarm activations, and other support services to operations division officers.

Schools

The City contains the Menifee Union School District (MUSD), Perris Union High School District (PUHSD), and Romoland Elementary School District (RESD). Fourteen (14) public schools from these three school districts are located within the City: one preschool, eight elementary schools, four middle schools, one high school, and one kindergarten through 12th grade (K-12) school.[6] ***Table 4.15-1: City of Menifee Schools*** summarizes the schools available in the City as well as their current enrollment and teacher student ratios.

Table 4.15-1: City of Menifee Schools

School	District	School Type	Current Enrollment	Student: Teacher Ratio
Boulder Ridge Elementary	RESD	Elementary (K – 5)	655	24:1
Callie Kirkpatrick Elementary	MUSD	Elementary (K – 5)	692	23:1
Chester W. Morrison Elementary	MUSD	Elementary (K – 5)	422	22:1
Evans Ranch Elementary	MUSD	Elementary (K – 5)	658	24:1
Freedom Crest Elementary	MUSD	Elementary (K – 5)	727	24:1
Southshore Elementary	MUSD	Elementary (K – 5)	793	25:1
Taawila Elementary	MUSD	Elementary (K – 5)	281	22:1
Paloma Valley High	PUHSD	High School (9 – 12)	3,191	27:1
Bell Mountain Middle	MUSD	Middle School (6 – 8)	1,245	24:1
Ethan A Chase Middle	RESD	Middle School (6 – 8)	1,232	25:1
Hans Christensen Middle	MUSD	Middle School (6 – 8)	781	22:1
Menifee Valley Middle	MUSD	Middle School (6 – 8)	1,169	24:1
Santa Rosa Academy	MUSD	K – 12	1,558	22:1
Menifee Preschool	MUSD	Pre-K	140	13:1

Source: Great Schools; Niche; Public School Review
RESD = Romoland Elementary School District
MUSD = Menifee Union School District
PUHSD = Perris Union High School District

As shown in the table above, most schools have student: teacher ratios higher than the California (State) average of 23:1 except for Chester W. Morrison Elementary, Taawila Elementary, Hans Christensen Middle, Santa Rosa Academy, and Menifee Preschool. Due to public health efforts in response to the COVID-19 (Coronavirus) pandemic currently affecting the world, MUSD is conducting both virtual and in-person education classes for the elementary and middle school grades. However, MUSD is planning on reopening for in-class education for the fall 2021/2022 school year based on current public health guidance.[7]

[6] California Department of Education. (2021). Search Results. Public Schools in Riverside County within Menifee. Retrieved from: https://www.cde.ca.gov/SchoolDirectory/Results?title=California%20School%20Directory&search=1&counties=33&city=Menifee&status=1%2C2&types=0&nps=0&multilingual=0&charter=0&magnet=0&yearround=0&qdc=0&qsc=0&tab=1&order=4&items=25&hidecriteria=False&isstaticreport=False (Accessed May 3, 2021)

[7] Menifee Union School District (MUSD). (2021). Parent Letter - Fall Reopening in English 4/16/2021. Retrieved from: https://drive.google.com/file/d/1iNAJhoE2qrqV1DoTViguQZEH5KTx5rxy/view (Accessed May 3, 2021)

Public Libraries

The Riverside County Library System (RCLS) provides library services to the City via the Sun City branch library located in the northwest corner of the Cherry Hills Boulevard and Bradley Road intersection. A new RCLS library is proposed for the City at 28798 La Piedra Rd.[8] This would become the City's second branch library.

4.15.2 Regulatory Setting

Federal

International Fire Code

The International Fire Code (IFC) establishes minimum requirements for fire prevention and fire protection systems using prescriptive and performance-related provisions. This is a model code that regulates minimum fire safety requirements for new and existing buildings, facilities, storage, and processes. The IFC includes general and specialized technical fire and life safety regulations addressing fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, use and storage of hazardous materials, protection of emergency responders, industrial processes, and many other topics. The IFC is issued by the International Code Council, an international organization of building officials.

State

California Fire Code

The California Fire Code (CFC) (California Code of Regulations [CCR], Title 24, Part 9) is based on the 2018 adoption of the IFC and includes amendments from the State of California fully integrated into the code. The CFC contains fire safety-related building standards that are referenced in other parts of Title 24 of the California Code of Regulations. The CFC is updated once every three years; the 2019 CFC took effect on January 1, 2020. The CFC sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises. Development under the Project would be subject to applicable regulations of the CFC.

California Health and Safety Code

The California Health and Safety Code §13000 et seq., includes fire regulations for building standards (also in the CBC), 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.

[8] City of Menifee. (2019). News Release: New Library Coming to Menifee Through the Riverside County Library System. Retrieved from: https://www.cityofmenifee.us/ArchiveCenter/ViewFile/Item/2684 (Accessed May 3, 2021)

California Occupational Safety and Health Administration

In accordance with the CCR, Title 8 §s 1270 "Fire Prevention" and 6773 "Fire Protection and Fire Fighting Equipment," California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, firehouse sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California Senate Bill 50 and California Government Code (Section 65995(b)) and Education Code (Section 17620)

California Senate Bill (SB) 50 places limitations on the power of local governments to require mitigation of school facilities by developers. Under the provisions of SB 50, school districts can collect fees to offset the cost of expanding school capacity, which becomes necessary as development occurs. These fees are determined based on the square footage of proposed uses. As a part of this Bill, school districts must base their long-term facilities needs and costs on long-term population growth in order to qualify for this source of funding. Payment of statutory school fees is deemed to be adequate mitigation of school impacts under the California Environmental Quality Act (CEQA). Prior to SB 50, case law allowed cities to consider and impose conditions to mitigate impacts of new development on school facilities.

SB 50 amended California Government Code (CGC) §65995, which contains limitations on Education Code §17620, the statute that authorizes school districts to assess development fees within school district boundaries. CGC §65995(b)(3) requires the maximum square footage assessment for development to be increased every two years, according to inflation adjustments. Currently, the maximum impact fees allowed by SB 50 are as follows:

- In the case of residential construction, $1.93 per square foot of assessable space.
- In the case of any commercial or industrial construction, $0.31 per square foot of chargeable covered and enclosed space. (CGC §65995, sub. (b)).

According to CGC §65995(3)(h), the payment of statutory fees is "deemed to be full and complete mitigation of the impacts of any legislative or adjudicative act, or both, involving, but not limited to, the planning, use, or development of real property, or any change in governmental organization or reorganization . . . on the provision of adequate school facilities." The school district is responsible for implementing the specific methods for mitigating school impacts under the CGC.

California State Assembly Bill 97 (AB 97)

Approved in July 2013, Assembly Bill (AB 97) revised existing regulations related to financing for public schools by requiring State funding for county superintendents and charter schools that previously received a general-purpose entitlement. The bill authorizes local educational agencies to spend, for any local educational purpose, the funds previously required to be spent for specified categorical education programs, including, among others, programs for teacher training and class size reduction.

Mutual Aid Agreements

The Emergency Management Mutual Aid (EMMA) system is a collaborative effort between city and county emergency managers in the Office of Emergency Services (OES) in the coastal, southern, and inland regions of the state. EMMA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center (REOC), local Emergency Operations Centers (EOCs), the Disaster Field Office (DFO), and community service centers. The purpose of EMMA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the Mutual Aid Agreements, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

Senate Bill 50

SB 50 (the Leroy F. Greene School Facilities Act of 1998), adopted in 1998, defined the school impact fee needs analysis process in CGC §§65995.5–65998. Pursuant to its provisions, school districts may collect fees to offset the costs associated with increasing school capacity as a result of development. By statute, payment of a statutory fee by developers serves as the total mitigation of the potential impact of a development on school facilities pursuant to CEQA.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

Policy LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the City.

Safety Element

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

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

Policy S-4.2: Ensure, to the maximum extent possible, that fire services, such as firefighting equipment and personnel, infrastructure, and response times, are adequate for all sections of the City.

Policy S-4.3: Encourage owners of nonsprinklered high-occupancy structures to retrofit their buildings to include internal sprinklers.

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

City of Menifee Municipal Code

The City of Menifee Municipal Code (Menifee MC) §8.20 contains the City's Fire Code. The City's Fire Code formally adopts the 2019 CFC. The Menifee MC §8.20.010.102.5 specifies that the City's Fire Code shall be consistent with parameters set in the State Fire Code. This includes consistency with premises identification, fire apparatus access and water supplies. This section of the Menifee MC also gives authority to the RCFD Fire Chief as well as references the City's Very High Fire Hazard Severity Zone maps.

4.15.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the CEQA Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- 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
    - Police Protection
    - Schools
    - Parks
    - Other Public Facilities

Methodology

This analysis considers the State CEQA Guidelines Appendix G thresholds, as described above, in determining whether the Project, including future development facilitated by the Project, would result in impacts concerning public services, this analysis considers the State CEQA Guidelines Appendix G thresholds, as described above. The evaluation was based on reviewing the regulations and determining their applicability to the Project. Public services information was acquired through consultation with City staff and the review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project would or would not result in "substantial" adverse effects concerning public services considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.15.4 Project Impacts and Mitigation

Impact 4.15-1: ***Would the proposed 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?***

Level of Significance: Less than Significant

The Project does not directly propose the development of additional housing units within the City. Instead, the Project would facilitate the future development of 8,762 dwelling units (DUs). The Project would accomplish this through updates to the City's GP Land Use, Housing, and Safety Elements which would facilitate future housing development in a manner conducive to the City's existing infrastructure and in consideration with potential hazards associated with climate change effects. Updates to the City's housing element would not include provisions that would conflict with established fire policies and regulations within the City. Furthermore, updates to the City's safety element would include provisions for fire safety including requirements for fuel brakes and evacuations in fire hazard scenarios.

Implementation of the Project would not require physical modification of existing fire protection facilities or the development of additional fire facilities. The candidate housing sites identified for future development consist largely of residential parcels which would are already planned to contain residential DUs. Of the Project's 69 candidate housing sites, 11 are identified for potential rezoning. However, 10 of these potential rezone sites are nonresidential economic development corridor sites which would be changed to high density residential parcels. Despite these changes, the potential housing generated through the implementation of the Project would continue to require development review, including assessment and confirmation of consistency with the City's fire standards. Because the Project 's updated fire standards would further protect the City and its developments from future fire hazards, and would not directly propose new development, a less than significant impact would occur.

Additionally, the following updated goals and policies from the Housing and Safety Element would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Safety Element Update Policies

S-4.8 When feasible locate new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in a state responsibility area or very high fire hazard severity zone.

S-4.17 The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

Policy updates associated with Environmental Justice would not affect fire services. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.15-2: ***Would the proposed 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?***

Level of Significance: Less than Significant Impact

As previously discussed in Impact 4.15-1, the Project would not result in the direct development of additional housing units within the City. As well, the Project does not include the removal of existing police stations or development of new police stations within the City. Candidate housing sites identified by the Project would be located within the four existing patrol beats established by the newly created MPD. As discussed in ***Section 4.14: Population and Housing***, implementation of the Project would not exceed the population growth projected in the City. Therefore, population growth facilitated by the Project would not be unplanned and would be within the projected range documented by the City for future safety assessment and regulation.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety Element Update would not affect police services. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.15-3: ***Would the proposed 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?***

Level of Significance: Less than Significant Impact

Future housing development facilitated by the Project would be subject to discretionary permits and would occur as market conditions allow and at the discretion of the individual property owners. Furthermore, future development facilitated by the Project and the resulting population growth of approximately 26,323 persons (see ***Section 4.14: Population and Housing***). The student population growth from future housing development facilitated by the Project is anticipated to incrementally increase the demand for school facilities/services. However, future development facilitated by the Project would require the inclusion of development impact fees which includes payments for educational facilities as described in Menifee MC §15.150.280(H)(f).

School funding generally consists of federal, state, and local sources such as businesses and personal income taxes, sales tax, and property taxes. Future housing development facilitated by the Project would require the developers to pay a fee at the time of issuance of building permits.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety Element Update would not affect school. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.15-4: ***Would the proposed 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 Parks?***

Impacts to parks and other public recreation resources are further discussed in ***Section 4.16: Recreation***.

Impact 4.15-5: ***Would the proposed 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?***

Level of Significance: Less than significant impact.

Future housing development facilitated by the Project would generate planned population growth within the City which could increase demand for the existing Sun City Branch Library and planning library facility. However, as concluded in ***Section 4.14: Population and Housing***, the forecast population growth from the future housing development facilitated by the Project would be within the projected population growth for the Region and the City and would not be considered "unplanned."

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update Goals and Policies

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety Element Update would not affect other public facilities. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

4.15.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts were identified.

4.15.6 Cumulative Impacts

The Project, including future housing development facilitated by the Project, in conjunction with cumulative development citywide and within neighboring cities that are also served by the respective service areas (i.e., neighboring school districts, the RCLS, RCSD, and RCFD), would increase demands for public services that could require facility expansion or construction. Potential land use impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future development is proposed in accordance with the Project and Community Plan. Each cumulative project would require separate discretionary approval and evaluation under CEQA, which would address potential impacts to public services and identify necessary mitigation measures, where appropriate. Consequently, the Project would not result in significant cumulative environmental impacts concerning fire and police protection services, schools, and library facilities. Therefore, the Project would not cause a cumulatively considerable impact on public services, and no mitigation is required.

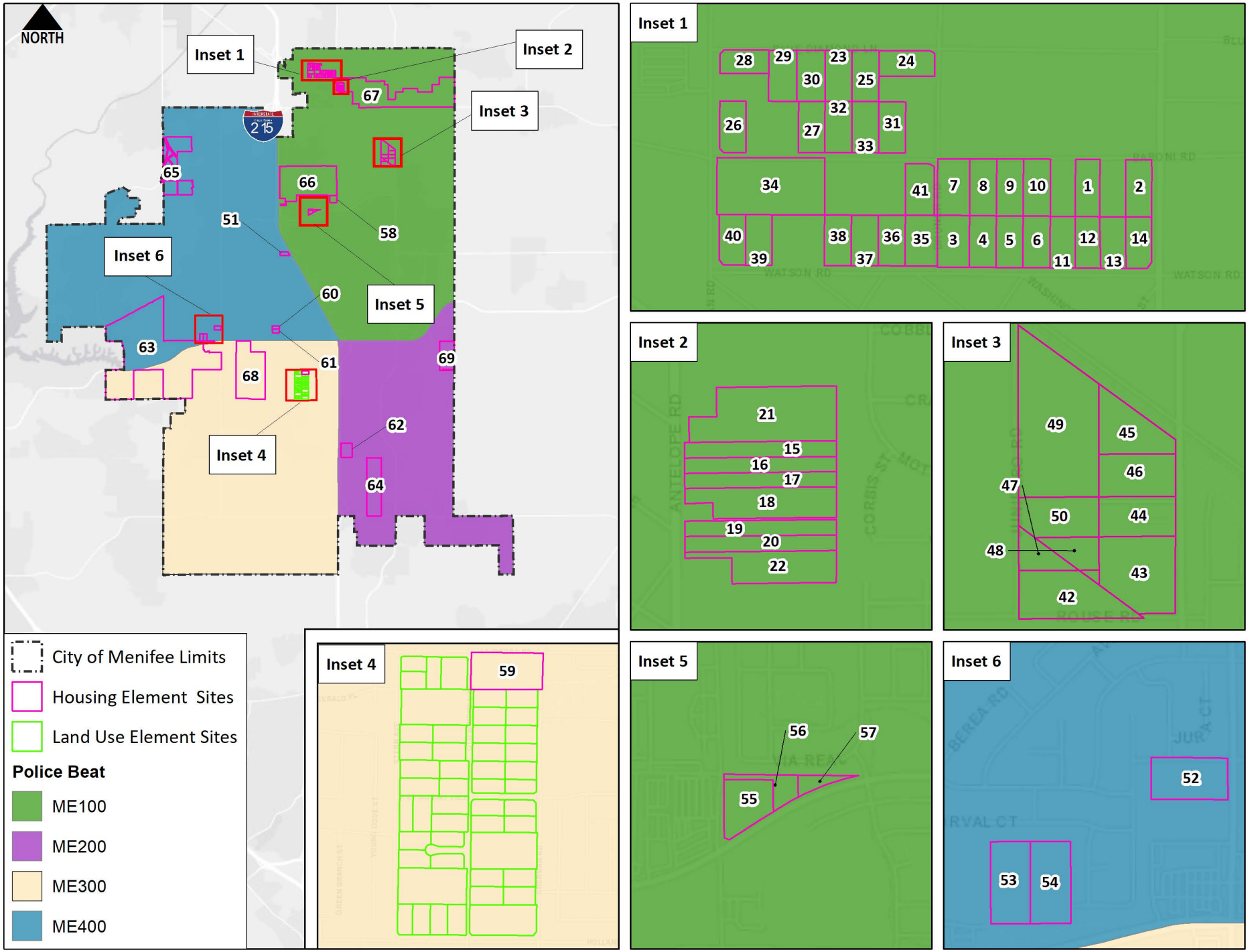


FIGURE 4.15-1: City of Menifee Patrol Beats

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

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4.16 RECREATION

This section of the Programmatic Environmental Impact Report (PEIR) assesses the Project's potential impacts to recreational resources within the City of Menifee (City). In order to analyze potential impacts to recreational resources, the existing resources and setting of the City will be described along with any relevant Federal, State, or local regulations which would provide the framework for the Project analysis. Analysis of potential recreation impacts from development associated with the Housing Element Update (HEU), Land Use Element Update, Safety Element Update, and Environmental Justice policies area will identify impacts which may be significant. As well, in the case that a significant impact is identified, mitigation measures would be proposed which would then reduce the impact to a less than significant effect.

Candidate housing sites were identified and evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.16.1 Environmental Setting

The City contains a varied natural landscape that has led to the creation of multiple unique recreational facilities. According to the Menifee General Plan (Menifee GP) Land Use Element, the City has allocated 780 acres of land for conservation and recreational use. Conservation land use areas are used for the protection of open spaces as well as natural and scenic resources. The recreational land use areas allow for public, open space uses such as parks, trails, athletic fields, golf courses, and drainage corridors which can be used as recreational facilities.

Parks

Parks within the City consist of eight categories. ***Table 4.16-1: City of Menifee Park Categories*** lists and describes the City's park types.

Table 4.16-1: City of Menifee Park Categories

Park Type	Description
Pocket/Mini Park (0-2 acres)	Pocket/Mini Parks are often used as a center for neighborhood involvement activities and small outdoor recreation points for the more urbanize portions of the City. These parks serve the immediate residences in its vicinity.
Neighborhood Park (2.1 -10 acres)	Neighborhood parks serve their surrounding community up to half a mile from the park. These parks often include play areas, small fields, picnic tables, and improved paths. Restroom facilities can also be included in neighborhood parks.
Community Park (10.1 – 25 acres)	Community parks serve multiple surrounding neighborhoods up to three miles from the park. These parks often include multiple uses that can include recreational facilities and group activities which are not provided by neighborhood parks. Community parks are meant to be accessible by arterial and/or collector streets.

Park Type	Description
Recreation Area/Regional Parks (25.1 – larger)	These parks are meant to serve needs that exceed those provided by community and neighborhood parks and are meant to serve the citywide community. Regional parks contain amenities for active recreation and often contain designated natural areas. Restroom facilities and off-street parking are generally provided for users.
Special Use Facility	This category refers to stand-alone parks or facilities that are designed to serve one particular use such as a golf course or senior center. These parks may serve a secondary or third use, but the primary use is prioritized with regard to design, maintenance, and funding decisions.
Natural Area/Greenbelt	Natural areas and Greenbelts act as protected areas meant for the stewardship of wildlife, habitat, and other natural systems support functions. Some natural areas are accessible for low-impact use and larger areas may contain sections developed as community parks.
Linear Park	Linear parks are aesthetically pleasing transportation corridors which include trails, green streets, and boulevards. These parks are also intended for safe pedestrian travel as well as recreation opportunities. Optionally, linear parks may include benches, play areas, viewpoints, public gathering spaces, fitness stations/par course and flat grassy areas for informal activity.
Joint Use Facilities	These parks supplement community parks, serving broader citywide recreation needs. The parks contain various assets, often for active recreation.

Source: City of Menifee. (2015). City of Menifee Parks, Trails, Open Space & Recreation Master Plan. Pages 33 – 35. San Juan Capistrano, CA: RJM Design Group

Fifteen City-owned parks are available for use. As well, the City contains 21 parks sites managed by Valley-Wide Recreation and Park District (VWRPD).[1] The VWRPD is a resident-elected provider of parks and recreation services. The service area of VWRPD includes the cities of Hemet, San Jacinto, and Menifee as well as the unincorporated areas of Murrieta, French Valley, Homeland, Romoland, Valle Vista, Sage, and Aguanga.[2] These parks are listed in ***Table 4.16-2: City of Menifee Parks***, below.

Table 4.16-2: City of Menifee Parks

Park Name	Acreage	Park Type[1]
City-Owned Parks		
Audie Murphy Ranch Sports Park	11.29	Community Park
E.L. Petersen Park	4.81	Neighborhood Park
Kay Ceniceros Senior Center	1.45	Pocket/Mini Park
La Ladera Park	8.3	Neighborhood Park
Lazy Creek Park and Recreation Center	3.4	Neighborhood Park
Lyle Marsh Park	6.07	Neighborhood Park
Nova Park	3.35	Neighborhood Park
John V. Denver Park	1.87	Pocket/Mini Park
Spirit Park	8.78	Neighborhood Park
Mayfield Park	2.54	Neighborhood Park
Hidden Hills Park	5.18	Neighborhood Park
Silver Star Park	3.42	Neighborhood Park
Creek View Park	2.56	Neighborhood Park

[1] City of Menifee. (2021). Parks. Retrieved from: https://www.cityofmenifee.us/285/Parks. (Accessed May 5, 2021)
[2] Valley Wide Recreation and Park District. (2021). Valley-Wide Agency Profile. Retrieved from: https://www.gorecreation.org/agency-profile-6de51869-dcd7-47a3-a495-c8ca74cab61c. (Accessed May 5, 2021)

Park Name	Acreage	Park Type[1]
Central Park	5.0	Neighborhood Park
Centennial Park	10.0	Neighborhood Park
City Owned Parks Subtotal Acreage	**78.02**	
VWRPD-Owned Parks		
Aldergate Park	8.1	Neighborhood Park
Autumn Breeze Park	1.48	Pocket/Mini Park
Desert Green Park	0.45	Pocket/Mini Park
Discovery Park	7.34	Neighborhood Park
El Dorado Park	3.12	Neighborhood Park
El Dorado Pocket Park (Brindle Mills Park)	0.37	Pocket/Mini Park
Eller Park	5.13	Neighborhood Park
Grand Vista Park (Richmond Park)	0.3	Pocket/Mini Park
Heritage Park	4.82	Neighborhood Park
Hidden Meadows Park	2.39	Neighborhood Park
La Paloma Park	4.36	Neighborhood Park
Mahogany Creek Park	3.36	Neighborhood Park
Marion V. Ashley Park and Community Center	11.36	Community Park
McCall Canyon Park	3.03	Neighborhood Park
Wheatfield Park and Menifee Gym and Community Center	26.87	Recreation Area/Regional Parks
Menifee South Tot Lot	1.11	Pocket/Mini Park
Mira Park	5.66	Neighborhood Park
Pepita Square Park	0.54	Pocket/Mini Park
Rolling Hills Park	2.46	Neighborhood Park
Sunrise Park	11.19	Community Park
Lago Vista	15.92	Community Park
VWPRD-Owned Parks Subtotal Acreage	**119.39**	
Total Acreage	**197.38**	

Source: City of Menifee. (2021). Parks. Retrieved from: https://www.cityofmenifee.us/285/Parks. (Accessed May 5, 2021)
VWRPD = Valley-Wide Recreation and Park District

The available parks within the City total 197.38 acres and include parks fitting the pocket/mini park, neighborhood park, community park, and recreation area/regional parks categories. The largest of these parks is the 26.87-acre Wheatfield Park and Menifee Gym and Community Center located immediately east of Mt. San Jacinto College. The City's smallest park is a the 0.37-acre El Dorado Pocket Park located at the western side of the Longleaf Street and Rustic Glen Street intersection. The City is largely comprised of neighborhood parks as 23 of the parks listed above are categorized as neighborhood parks. Eight of the parks are categorized as pocket/mini parks, four are community parks, and one is a recreation area/ regional park.

Trails

The City contains trails used by bicyclists, equestrian riders, hikers, and pedestrians. Trails are an important resource used by residents to connect to the City's natural environment as closely as possible. While providing open space and outdoor services, trails also allow for alternative modes of transportation within the City, reducing potential carbon emissions and other environmentally concerning effects associated with motorized travel. ***Figure 4.16-1: City of Menifee Trails*** identifies the City's existing and planned trails.

The City's trails are categorized as community trails, regional trails, and bike trails (Class I, Class II, Class II). Class I bike lanes are exclusive right-of-way passages for bicyclists and pedestrians away from the roadway. Class II bike lanes are created along streets and are defined by pavement striping and signage to delineate a portion of a roadway for bicycle travel. These bike lanes are also one-way routes. Class III bike lanes are housed within roadways that are shared with motor traffic. These bike lanes, also called bike routes, designate a preferred route for bicyclists on streets shared with motor traffic not served by dedicated bikeways to provide continuity to the bikeway network. Class III bike lanes are suitable for low traffic roadways.[3] Community and regional community trails are multipurpose recreational trails and are intended for the use of equestrians, hikers, joggers, non-motorized bikers, as well as the casual walker. These trails are also shown in ***Figure 4.16-1: City of Menifee Trails.***

4.16.2 Regulatory Setting

State

Quimby Act

The Quimby Act (California Government Code [CGC] §66477), within the Subdivision Map Act, authorizes the legislative body of a city or county to require the dedication of land or to impose fees for park or recreational purposes as a condition of the approval of a tentative or parcel subdivision map, if specified requirements are met. Existing law requires any fees collected to be committed within five years after the payment of the fees or the issuance of building permits on 1/2 of the lots created by the subdivision, whichever occurs later. Existing law requires any fees not committed to be distributed and paid to the then record owners of the subdivision, as specified.

Landscaping and Lighting Act

The Landscaping and Lighting Act (California Streets and Highways Code §22500 et seq.) enables cities, counties, and special districts to acquire land for parks, recreation, and open space. A local government may also use the assessments to pay for improvements and maintenance to these areas. In addition to local government agencies (i.e., counties and cities), park and recreation facilities may be provided by other public agencies, such as community service districts, park and recreation districts, etc. If so empowered, such an agency may acquire, develop, and operate recreational facilities for the public.

State of California Open Space Standards

State planning law provides a structure for the preservation of open space by requiring every city and county in the state to prepare, adopt, and submit to the Secretary of the Resources Agency a "local open-space plan for the comprehensive and long-range preservation and conservation of open-space land within its jurisdiction" (CGC §65560). The following open space categories are identified for preservation:

- Open space for public health and safety, including, but not limited to, areas that require special management or regulation due to hazardous or special conditions.

[3] California Department of Transportation (CalTrans). (2017). A Guide to Bikeway Classification. Retrieved from: http://lvbikecoalition.org/wp-content/uploads/2017/12/caltrans-d4-bike-plan_bikeway-classification-brochure_072517.pdf (Accessed May 5, 2021)

- Open space for the preservation of natural resources, including, but not limited to, natural vegetation, fish and wildlife, and water resources.
- Open space for resource management and production, including, but not limited to, agricultural and mineral resources, forests, rangeland, and areas required for the recharge of groundwater basins.
- Open space for outdoor recreation, including, but not limited to, parks, and recreational facilities, areas that serve as links between major recreation and open space reservations (such as trails, easements, and scenic roadways), and areas of outstanding scenic and cultural value.
- Open space for the protection of Native American sites, including, but not limited to, places, features, and objects of historical, cultural, or sacred significance such as Native American sanctified cemeteries, places of worship, religious or ceremonial sites, or sacred shrines located on public property (further defined in California Public Resources Code [PRC] §§5097.9 and 5097.993)).

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

Policy LU-1.7: Ensure neighborhood amenities and public facilities (natural open space areas, parks, libraries, schools, trails, etc.) are distributed equitably throughout the City.

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.

Circulation Element

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

Policy C-2.1: Require on- and off-street pathways to:

- Comply with federal, state and local design and safety standards.
- Meet the needs of multiple types of users (families, commuters, recreational beginners, exercise experts) and meet ADA standards and guidelines.
- Be compatible with the streetscape and surrounding land uses.

- Be maintained in accordance with best practices.

Policy C-2.2: Provide off-street multipurpose trails and on-street bike lanes as our primary paths of citywide travel and explore the shared use of low speed roadways for connectivity wherever it is safe to do so.

Policy C-2.3: Require walkways that promote safe and convenient travel between residential areas, businesses, schools, parks, recreation areas, transit facilities, and other key destination points.

Policy C-2.4: Explore opportunities to expand the pedestrian and bicycle networks; this includes consideration of utility easements, drainage corridors, road rights-of-way and other potential options.

Policy C-2.5: Work with the Western Riverside Council of Governments to implement the Non-Motorized Transportation Plan for Western Riverside County.

Open Space and Conservation Element

Goal OSC-1: A comprehensive system of high quality parks and recreation programs that meets the diverse needs of the community.

Policy 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.

Policy OSC-1.2: Require a minimum of five acres of public open space to be provided for every 1,000 City residents.

Policy 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.

Goal OSC-2: A comprehensive network of hiking, biking, and equestrian recreation trails that do not negatively impact the natural environment.

Policy 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.

Policy OSC-2.6: Protect existing equestrian trails, including those in the City's rural neighborhoods, and encourage connections to new trails in other parts of the City.

City of Menifee Municipal Code

Menifee Municipal Code (MC) §2.30 establishes the City's Parks, Recreation, and Trails Commission. The five commission members are residents of the City and must also be a registered voter. Commission members may not hold other government positions within the City or be a part of any other city commission. Parks, Recreation, and Trails Commission members are tasked with creating policies and procedures to improve management and operation of the City's recreational resources. The commission members also manage the City's parks budget and coordinate with other members of the City's joint use agreements.

Menifee MC §8.03 establishes the City's requirement of parks and recreation mitigation fees for new residential developments. These fees would be calculated based on dwelling units and apply to new residential projects except for those subject to the dedication of parkland or the imposition of in-lieu fees, or a combination of both. Once collected, these fees are then used solely to pay for the City's future acquisition and construction of parkland and improvements at least partially allocable to new development.

Menifee MC §13.01 (Ordinance No. 2014-146) contains the City's regulations regarding the use of public parks. Policies within this code include rules that dictate the allowance of animals within parks and prohibited actions such as fires and their exceptions. This section also outlines the authority of the City Manager to mandate allowed uses of public resources such as trails, parks, and other recreational facilities.

4.16.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the California Environmental Quality Act (CEQA) Guidelines Appendix G. Impacts related to recreation would be significant if the project would:

- 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.
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.

Methodology

This analysis considers the *State CEQA Guidelines,* Appendix G thresholds, as described above, in determining whether the HEU would result in a substantial temporary or permanent impact to the City's recreation amenities. The evaluation was based on a review of regulations and determining their applicability for the HEU. Recreation information was acquired through consultation with City staff and review of relevant documents. The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the HEU would or would not result in "substantial" temporary or permanent impacts to recreation considers the relevant policies and regulations established by local and regional agencies and the HEU's compliance with such policies.

4.16.4 Project Impacts and Mitigation

Impact 4.16-1: ***Would the proposed 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?***

Level of Significance: Less than Significant

The Project does not propose the development of additional housing units within the City. Instead, the Project would facilitate the future development of housing units through the creation of goals and policies to be implanted in an updated Housing Element, Land Use Element, Safety Element, and set of

Environmental Justice policies. These updates would allow for the increased potential of approximately 8,762 future housing developments. This will allow the City to meet the State-mandated Regional Housing Needs Assessment (RHNA) allotment of 6,609 residential dwelling units (DUs). To accomplish this, the Project has identified candidate housing sites to accommodate increased future housing development. The 69 candidate housing sites associated with the HEU are largely made up of residentially designated parcels facilitating the development of up to 8,696 DUs. However, 11 of these sites are planned for rezoning to accommodate increased housing density. These land use designation changes would be codified in a Menifee GP Land Use Element update which includes the proposed land use amendment of 48 parcels within the EDC-Community Core from EDC-CC to RR-1. The amendment of the parcels to the RR-1 designation would allow for the development of single-family residential on 1-acre minimum lot size. Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 additional DUs. The housing units facilitated by the Project would therefore total 8,762 DUs. Additionally, the Project includes updates to the Safety Element and Environmental Justice Element. However, these updates do not propose further increases in development beyond what would be facilitated by the Project's candidate housing sites.

Through its implementation, the Project would facilitate an increase of the City's population by approximately 25,410 residents. This would likely increase the demand on the City's existing parks, trails, and recreational resources. The forecast population growth could also incrementally increase the use of existing recreational facilities such that substantial physical deterioration could occur or be accelerated.

However, the population growth estimated from the implementation of the Project would be within the projected growth estimates of the City and the Region. Additionally, the Project's candidate housing sites are dispersed throughout the community to minimize the potential for adverse changes in the neighborhood character and reduce the potential for adverse impacts on recreation amenities. Adherence to mandatory discretionary permit requirements and regulations for providing recreation would support the City's goals for providing sufficient recreation opportunities for residents.

As well, any future housing development that involves the subdivision of land would be required to comply with all relevant Federal, State, and local regulations and policies. Future residential developments within the City would be required to provide land or in lieu fees for parks or recreation purposes to bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants pursuant to Menifee MC §8.03.050 (Park and Recreation Mitigation Fees). Fees garnered through Menifee MC §8.03.050 would then be used exclusively for future acquisition and construction of parkland and improvements.

Furthermore, the Project includes updates to the Menifee GP Safety Element which would revise and create policies meant to address natural hazards that may be present in the City. This includes updated fire response policies and the creation of a climate adaptation and resilience section. These updates are based on a climate impact assessment conducted for the City. The assessment included an evaluation of potential effects that the City would face due to climate change. Potential effects include increased occurrences of extreme heat days and a general temperature increase. Increased temperatures would likely lead to a decreased amount of population outside for portions of the year. This would further

minimize potential impacts to park and recreational resources as usage would decrease during these extreme heat days and generally, due to increased temperatures. Because the Project would neither create increased use beyond expected growth within the City as well as the projected reduction in usage due to climate effects, a less than significant impact would occur, and no mitigation is required.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect recreational resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

Impact 4.16-2: ***Would the proposed project, increase recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?***

Level of Significance: Less Than Significant

According to The Menifee GP Open Space and Conservation Element, The City includes a policy which requires a minimum of five acres of public open space to be provided for every 1,000 City residents. As shown in ***Section 4.14: Population and Housing***, the Project would increase the City's total population to 122,503 persons. To meet this requirement with that increased population total, the City would need to contain 617.08 acres of designated open space land. As shown in ***Table 4.16-2: City of Menifee Parks***, the City currently contains approximately 197 acres of parks and recreational spaces. However, as stated in the Menifee GP, the City has designated 780 acres of land to open space uses such as conservation and recreation. The City would contain an excess of 167.49 acres of open space areas beyond the requirements stated in the Menifee GP. The population growth associated with implementation of the Project would, therefore, not necessitate further development of new recreational facilities or the expansion of open space areas and parks. None of the candidate housing sites identified for the Project include land designated for open space or recreational uses. Instead the candidate housing sites consist largely of residentially designated parcels with few designated as economic development corridors. As well, the associated zone changes incorporated in the Project would not occur on open space parcels or require modification of open space designated parcels. Furthermore, the updates to the Menifee GP Safety Element would not spur an increased usage of recreational resources in a manner which would necessitate further expansion of those resources or the creation of new recreational resources such as

parks and trails. The data which is used to update the Safety Element shows that the City is at risk for increased average temperatures and an increased occurrence of extreme heat days. These climate-related effects are likely to reduce usage of public parks and outdoor recreational resources due to inhospitable weather conditions. This would therefore reduce overall usage and demand, removing the need for new or expanded facilities.

As stated in the discussion for Impact 4.16-1, above, future residential development facilitated by the Project would still be required to comply with all applicable regulations including the City review and approval process. This process includes compliance with Menifee MC §8.03.050 which requires new residential developments within the City to provide land or in lieu fees for parks or recreation purposes. These purposes include future acquisition and construction of parkland. Therefore, because the Project would not necessitate the creation of new or expanded recreational facilities, a less than significant impact would occur, and no mitigation is required.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect recreational resources. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

4.16.5 Significant and Unavoidable Impacts

No significant or unavoidable impacts were identified.

4.16.6 Cumulative Impacts

Future housing development facilitated by the Project, in conjunction with cumulative development within the City, would increase demands for recreational facilities, as indicated in the discussion above. However, the increased demand for park and recreation facilities during the Project planning period (2021-2029) would be within the expected growth rates of the City and could be accommodated by the existing supply without need for construction or expansion of recreational facilities. Potential increased demands for recreational facilities from cumulative development would be evaluated on a case-by-case basis at the project level when future development is proposed in accordance with the Project and Menifee GP. Based on forecasted land designations, the City's allotted land for open space and

recreational uses would be approximately 780 acres. As concluded above, the City's park and recreation land supply would exceed demand by approximately 162.92 acres. Additionally, each cumulative project would require separate discretionary approval and review under CEQA, which would address potential impacts to recreation facilities and identify mitigation measures, where appropriate. Consequently, the Project and cumulative development would not result in significant cumulative environmental impacts concerning parks or recreation facilities. Therefore, the project would not cause a cumulatively considerable impact on recreation resources, and no mitigation is required.

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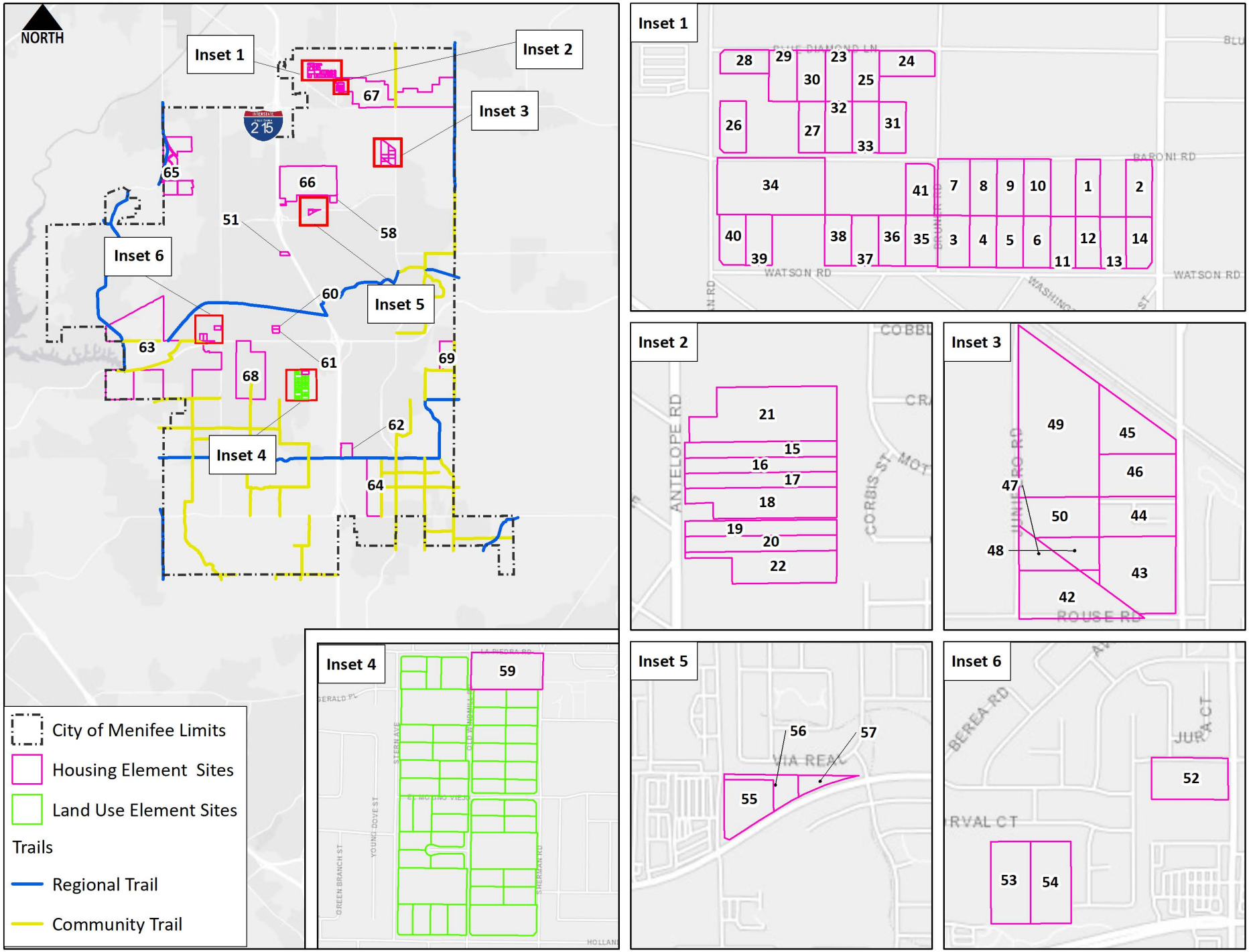


FIGURE 4.16-1: City of Menifee Trails

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

4.17 TRANSPORTATION

This section of the Program Environmental Impact Report (PEIR) discusses the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project) potential impacts to the City of Menifee's (City), existing transportation system. The analysis conducted in this section will be based on existing transportation conditions present in the City as well as applicable federal, state, and local regulations. Analysis of potential transportation impacts from future housing development facilitated by the HEU, Land Use Element update, Safety Element update, and Environmental Justice policies area will identify impacts which may be significant. In cases where impacts may be significant, mitigation measures are proposed that may minimize traffic and transportation impacts, as required.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because it would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.17.1 Environmental Setting

This section discusses the existing environmental setting related to transportation, including existing services and facilities for people who walk, bike, drive, and use the City's public transit. The PEIR analysis of transportation-related impacts is consistent with State California Environmental Quality Act (CEQA) Guidelines §15064.3 by focusing on traffic and transportation environmental impacts including noise, air pollution, safety issues, and vehicle miles traveled (VMT). Effective as of July 1, 2020, VMT is the transportation impact analysis metric that replaced Level of Service (LOS) in the CEQA transportation analysis, requiring lead agencies to determine significant transportation impacts based on VMT only. Pursuant to State CEQA Guidelines §15064.3, LOS is no longer considered an environmental impact under CEQA. Nevertheless, the has adopted vehicle LOS policies that set standards for which City infrastructure will strive to maintain and apply to discretionary approvals of new land use and transportation projects.[1] Therefore, LOS is still presented in this section of the PEIR for informational purposes as it related to existing transportation mobility conditions.

Vehicle Miles Traveled

California Senate Bill (SB) 743, signed by Governor Jerry Brown in 2013, changed the way transportation impacts are identified with the intent to "more appropriately balance the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of greenhouse gas emissions." The State CEQA Guidelines §15064.3 was amended in December 2018 to clarify that "traffic congestion shall not be considered a significant impact on the environment" within the CEQA transportation analysis for a project.

[1] City of Menifee. (2020). *City of Menifee Traffic Impact Analysis Guidelines for Vehicle Miles Traveled.* Retrieved at: https://cityofmenifee.us/DocumentCenter/View/10699/Final-Adopted-TIA-Guidelines-for-VMT_6-3-20 (Accessed May 24, 2021)

Mitigation that includes diversifying land use, improving pedestrian networks, implementing traffic calming infrastructure, multimodal transportation system improvements, ride sharing programs, and transportation demand management (TDM) strategies can be implemented to reduce VMT. Various land use planning strategies and policies presented with the Land Use Update would decrease VMT through efficient planning that would place people and destinations for homes, work, and activity choices close together to reduce trip demand. Multimodal transportation improvements would create options for residents to utilize the City's bike and transit services, including the promotion of walking instead of driving. The effectiveness of TDM strategies on VMT (and resultant emissions) are based on land use location efficiency and infrastructure investments that aim to support transit, walking, and bicycling.

Transit Services

Transit services are provided by the Riverside Transit Agency (RTA). The RTA provides fixed route and Dial-a-Ride bus service within the City and neighboring jurisdictions. As the City grows, transit nodes or transit centers may be considered to facilitate commuter express bus service, fixed-route bus service, future connections to Perris Valley Metrolink stations, and carpools. RTA operates two bus routes, 61 and 74, in the vicinity of the candidate housing sites. Route 61 begins in the Perris Station Transit Center, runs through Murrieta Road until reaching Newport Road, traverses La Piedra Road, and continues along Menifee Road leading into Scott Road. Route 61 continues into the City of Murrieta via Clinton Keith Road and ultimately ends at the Promenade Mall in the City of Temecula. Route 74 also begins at the Perris Station Transit Center and runs along Murrieta Road, Sun City Boulevard, and Bradley Road until reaching Newport Road. Route 74 continues through Winchester (a census-designated place [CDP]) via Newport Road/Domenigoni Parkway towards the City of Hemet. Route 74 continues into the City of San Jacinto via San Jacinto Avenue and ends at Mt. San Jacinto College.[2]

Pedestrian Facilities

Sidewalks are provided along Newport Road, Goetz Road, Watson Road, Pinacate Road, Case Road, Menifee Road, Encanto Drive, Haleblian Road, Bradley Road and La Piedra Road near or adjacent to the candidate housing sites.

Newport Road: Sidewalks are provided along both sides of Newport Road from the City's western boundary until Murphy Ranch Road. On the southern portion of Newport Road, sidewalks cease at Murphy Ranch Roach and continue sporadically from Winter Hawk Road to Bradley Road, Town Center Drive to Haun Road, and Antelope Road to Laguna Vista Drive. On the northern side, the pedestrian walkways are provided along the entire northern side until Menifee Road. The pedestrian walkway surfaces adjacent to Newport Road have different widths due to building setbacks and varying land uses. Landscape along Newport Road consist of a variety of trees and shrubbery.

Goetz Road: Sidewalks on Goetz road occur on a small portion from Goetz Park towards Goldenrod Avenue, primarily on the western walkway.

[2] RTA. (2021). *Routes 61 and 74 – Routing and Timetables.* Retrieved at: https://riversidetransit.com/ (Accessed May 24, 2021)

Watson Road/Antelope Road: The portion of Watson Road adjacent to the candidate housing sites do not contain any established sidewalks on either side. The eastern portion of Antelope Road contains a sidewalk starting at the intersection of Watson Road and Antelope Road and ending at State Route 74 (SR 74).

Pinacate Road: Pinacate Road contains pedestrian walkways on the northern portion of the street and ends before the Menifee North Specific Plan candidate housing site.

Case Road: Sidewalks are not provided on either side of Case Road near the candidate housing sites, with dirt located on both sides of the street.

Menifee Road: Sidewalks are provided along Menifee Road to the east near the existing residential neighborhoods. Landscape along Menifee Road consists of trees and shrubs consistent with the surrounding aesthetics of the area.

Encanto Drive: Encanto Drive is located along Interstate 215 (I-215) and does not contain sidewalks adjacent to the Legado Specific Plan area.

Haleblian Road: Haleblian Road is an unpaved street with no pedestrian walkways.

Bradley Road: Sidewalks are provided along most of Bradley Road except for a portion between Hotel Drive and El Ranch Road on the eastern portion and between Potomac Drive and Newport Road along the western portion.

La Piedra Road: Sidewalks are provided on both sides starting from the intersection of La Piedra Road and Stem Drive towards Pine Creek Drive towards the west. A pedestrian sidewalk continues from Pine Creek Drive along the northern side and ends at White Fir Drive.

Bicycle Network

As shown in *Exhibit C-4, Proposed Bikeway and Community Pedestrian Network,* of the City's Circulation Element, bicycle lanes near the candidate housing sites are present at Newport Road, Haun Road, Menifee Road, La Piedra Road, Bradley Road, Briggs Road, Encanto Road, Case Road/Matthews Road, and Watson Road/Antelope Road, and Goetz Road.

Newport Road has Class II Community on-street bikes lanes in both eastbound and westbound directions within the study area.

Haun Road has a Class I Community off-road bike trail that traverses Newport Road and La Piedra Road in a northbound and southbound direction until Holland Road to the south. Haun Road transitions into a Class II subregional route for on-street bike lanes towards the end of Zeiders Road.

Menifee Road is located adjacently to several candidate sites with Class II bicycle lanes (or facilities) in both northbound and southbound directions.

La Piedra Road has Class II bicycle facilities that extend from Haun Road to Evans Road in an eastbound to westbound direction.

Bradley Road starting from McCall Boulevard towards Newport Road contains two Class II bicycle facilities consisting of 1) the subregional route for on-street biking and 2) the community on-street NEV/bike lanes.

Briggs Road has Class II bicycle facilities in both northbound and southbound directions and located near a candidate housing site.

Encanto Road has Class II bicycle facilities in both northbound and southbound directions from McCall Boulevard toward McLaughlin Road.

Case Road/Matthews Road contains both Class I and Class II bicycle facilities that run in a northwestern and southeastern direction.

Watson Road/Antelope Road both contain Class II bicycle facilities in the northern portion of the Study Area. Antelope Road transitions into a Class I bicycle facility towards Case Road.

Goetz Road beginning from Ethanac Road has Class II bicycle facilities in both a northbound and southbound direction until transitioning into Valley Boulevard.

Multimodal Transportation Network

Based on the Office of Planning Research (OPR) guidelines pursuant to SB 743, criteria for determining the significance of transportation impacts include the promotion of reducing greenhouse gas (GHG) emissions, the diversity of land uses development, and development of multimodal transportation networks.

Roadway Network

As shown in *Exhibit C-3, Roadway Network,* of the City's Circulation Element, the City's roadway network includes:

Newport Road is a west-east six-lane divided urban arterial from the City of Canyon Lake to Domenigoni Parkway with three enhanced Intersections/additional lanes at Town Center Drive, Haun Road, and at the off-ramp of the I-215 heading northbound. The posted speed limit is 45 miles per hour (mph) and Class II bicycle facilities are provided in both directions. Parking is not permitted on both sides of the roads.

Haun Road is a north-south four-lane, divided major arterial with four enhanced intersections/additional lanes at Newport Road, Holland Road, Craig Avenue, and Scott Road. The posted speed limit ranges from 45 to 50 mph and Class I and Class II bicycle facilities are provided in both directions.

Menifee Road is a north-south six-lane divided urban arterial from Mapes Road towards McCall Boulevard and intersections Watson Road, SR 74, and Case Road/Matthews Road. Menifee Road transitions into a four-lane divided arterial towards the southern end of the study area and provides Class II bicycle facilities in both northbound and southbound directions. The posted speed limit ranges from 40 to 55 mph.

Murrieta Road is a north-south four-lane divided arterial that starts from Ethanac Road and ends at Bundy Canyon Road. The posted speed limit ranges from 35 to 50 mph and contains Class II bicycle facilities. No parking is allowed unless in residential areas.

La Piedra Road is a four-lane undivided secondary arterial that begins at Haun Road and continues into the City of Lake Elsinore in an east-west direction. The posted speed limit is 40 mph and contains Class II bicycle facilities in both directions. Parking is allowed in residential areas.

Bradley Road is a north-south four-lane undivided secondary arterial from Ethanac Road toward Newport Road with two enhanced Intersections/additional lanes at the Ethanac Road and McCall Boulevard. Bradley Road traverses Newport Road and continues as a four-lane divided major arterial toward Craig Avenue. The posted speed limit ranges from 35 to 45 mph and contains two types of Class II bicycle facilities.

Briggs Road is a north-south four-lane divided major arterial with Class II bicycle facilities in both northbound and southbound directions. The posted speed limit ranges from 40 to 55 mph and contains Class II bicycle facilities.

4.17.2 Regulatory Setting

Federal

Americans with Disabilities Act

The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in several areas, including employment, transportation, public accommodations, communications and access to state and local government programs and services. As it relates to employment, Title I of the ADA protects the rights of both employees and job seekers. The ADA also establishes requirements for telecommunications relay services.[3] The Department of Justice's revised regulations for Titles II and III of the ADA, known as the 2010 ADA Standards for Accessible Designs, set minimum requirements for newly designed and constructed or altered state and local government facilities, public accommodations, and commercial facilities to be readily accessible to and usable by individuals with disabilities. These standards apply to accessible walking routes, curb ramps, and other facilities.

State

Sustainable Communities Strategies: Senate Bill 375 – Land Use Planning

SB 375 provides for a planning process to coordinate land use planning and Regional Transportation Plans (RTP) and funding priorities in order to help California meet the GHG reduction goals established in Assembly Bill (AB) 32. SB 375 requires that RTPs developed by metropolitan planning organizations (MPO) relevant to the Project site (e.g., Southern California Association of Governments [SCAG]) incorporate a "sustainable communities strategy" that will achieve GHG emission reduction targets set by the California Air Resources Board (CARB). SB 375 also includes provisions for streamlined CEQA review for some infill projects, such as Transit-Oriented Developments (TODs).

As an MPO, SCAG is responsible for preparing and utilizing a public participation plan that is developed in consultation with all interested parties and provides reasonable opportunities for interested parties to comment on the content of SCAG's proposed RTP and the Regional Transportation Improvement Program (TIP). SB 375 requires SCAG to adopt a public participation plan for development of the sustainable communities' strategy (SCS) and an alternative planning strategy (APS). Further, as required

[3] United States Department of Labor. (1990). *Americans with Disabilities Act.* Retrieved at: https://www.dol.gov/general/topic/disability/ada (Accessed May 24, 2021).

by SB 375, SCAG conducted 14 informational briefings within the region for members of the board of supervisors and city councils on the SCS and APS, if any. The purpose of the meetings was to present a draft of the SCS to members of the board of supervisors and city council members and to solicit and consider their input and recommendations.

SB 743 – Update to the CEQA Guidelines for Transportation Impacts

In January 2019, the Natural Resources Agency finalized updates to the CEQA Guidelines including the incorporation of SB 743 modifications. The changes to the Guidelines were approved by the Office of Administrative Law and are now in effect. The updated guidelines shift traffic analysis from delay and operations to VMT when evaluating transportation impacts under CEQA. This change in methodology is a result of SB 743, which was signed into law in September 2013. SB 743 created a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 required the Governor's OPR to amend the CEQA guidelines to provide an alternative to LOS for evaluating transportation impacts. Particularly within areas served by transit, those alternative criteria must promote the reduction of GHG emissions, the development of multimodal transportation networks, and a diversity of land uses.

Measurements of transportation impacts may include VMT, VMT per capita, automobile trip generation rates, or automobile trips generated. According to SB 743, projects should aim to reduce VMT and mitigate potential VMT impacts through the implementation of TDM strategies. By July 1, 2020, all CEQA lead agencies must analyze a project's transportation impacts using VMT. Specific to SB 743, §15064.3(c) states, "A lead agency may elect to be governed by the provisions of this section immediately. Beginning on July 1, 2020, the provisions of this section shall apply statewide." In order to implement these new CEQA guidelines, each lead agency will need to identify their preferred VMT metric, VMT methodology, VMT impact significance threshold, and VMT mitigation options.

In anticipation of the change to VMT, the Western Riverside Council of Governments (WRCOG) completed a SB 743 Implementation Pathway Study in 2019 to assist their member organizations with answering important implementation questions about the methodology, thresholds, and mitigation approaches for VMT impact analysis. The City of Menifee is one of several WRCOG member organizations. The WRCOG study includes the following main components:

- Thresholds Evaluation Memorandum – Potential thresholds WRCOG agencies could consider when establishing thresholds of significance for VMT assessment;
- Methodologies and Calculations Memorandum – Types of VMT that could be considered for impact assessment;
- Tools Evaluation Memorandum – Types of tools that could be used to estimate VMT and the pros/cons associated with each tool;
- Mitigation Memorandum – Types of mitigation that can be considered for VMT mitigation; and
- VMT Screening Tool – An online GIS tool that can be used for VMT screening.

CEQA Guidelines §15064.7(b) encourages local agencies to adopt their own significance thresholds, which is a key part of the SB 743 implementation process. The City of Menifee built on the work WRCOG started

in order to determine appropriate thresholds of significance, analysis methodologies, and mitigation strategies. The City of Menifee's SB 743 Implementation Study applied the latest information available in the context specific for the City of Menifee. The study included the following components:

- Thresholds Assessment Memorandum – Updated documentation of available thresholds of significance for VMT assessment;
- VMT Impact Analysis Methodologies Memorandum – Updated documentation on potential project screening and analysis methodology for land use projects, land use plans, and transportation projects;
- VMT Impact Analysis Case Studies Memorandum – Applications of available thresholds and methodologies on real Menifee projects to provide context to decision makers; and
- Mitigation and TDM Strategy Assessment Memorandum – Updated discussion of available mitigation and TDM strategies specific to the City of Menifee, including potential VMT exchanges and banks.

Caltrans

The California Department of Transportation (Caltrans) oversees the state's highway system. Caltrans is the public agency responsible for designing, building, operating, and maintaining the state's highway system, which consists of freeways, highways, expressways, toll roads, and the area between the roadways and property lines. Caltrans is also responsible for permitting and regulating the use of State roadways. Caltrans' construction practices require temporary traffic control planning during activities that interfere with the normal function of a roadway.

Assembly Bill 1358 – California Complete Streets Act

AB 1358, or the California Complete Streets Act requires each county and city to adopt a comprehensive, long-term general plan for the physical development of the county or city with specified elements, including a circulation element consisting of the general location and extent of existing and proposed major thoroughfares, transportation routes, terminals, any military airports and ports, and other local public utilities and facilities, all correlated with the land use element of the plan. AB 1358 requires a city or county to modify the circulation element to plan for a balanced, multimodal transportation network that meets the needs of all users of streets, roads, and highways, defined to include motorists, pedestrians, bicyclists, children, persons with disabilities, seniors, movers of commercial goods, and users of public transportation, in a manner that is suitable to the rural, suburban, or urban context of the general plan.[4]

Regional

Southern California Association of Governments 2020-2045 RTP/SCS

On September 3, 2020, SCAG adopted the 2020-2045 RTP/SCS (Connect SoCal), which places a greater emphasis than ever on sustainability and integrated planning. The 2020-2045 RTP/SCS vision encompasses a long-range visioning plan that balances future mobility and housing needs with economic,

[4] State of California. (2008) *Assembly Bill No. 1358.* Retrieved at: http://www.leginfo.ca.gov/pub/07-08/bill/asm/ab_1351-1400/ab_1358_bill_20080930_chaptered.pdf (Accessed May 24, 2021).

environmental, and public health goals. The 2020-2045 RTP/SCS includes a strong commitment to reduce emissions from transportation sources to comply with SB 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 2020-2045 RTP/SCS is a living, evolving blueprint for the region's future.

Local

City of Menifee General Plan[5]

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below:

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

Policy C-1.1 Require roadways to:

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

Policy 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.

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

City of Menifee CEQA Assessment for Transportation Impact Analysis and VMT Analysis[6]

The City Council adopted Resolution No. 20-920 on June 3, 2020, which approved an update to the City's CEQA Guidelines to determine appropriate thresholds of significance, analysis methodologies, and mitigation strategies when analyzing transportation-related impacts of projects that are subject to State CEQA Guidelines §15064.3. The new local CEQA Guidelines are consistent with the State CEQA Guidelines by focusing the transportation impact analysis on VMT instead of LOS.

Pursuant to local Guidelines, the following activities and project types are anticipated to result in a less than significant impact on the environment and therefore do not require a Traffic Impact Analysis (TIA) that includes VMT analysis, unless otherwise indicated by the City's Traffic Engineering Department:

- Projects located in a Transit Priority Areas (TPA)

[5] City of Menifee. (2014). *City of Menifee General Plan - Circulation Element.* Retrieved at: https://cityofmenifee.us/211/Circulation-Element (Accessed May 25, 2021)

[6] City of Menifee. (2020). *City of Menifee Traffic Impact Analysis Guidelines for Vehicle Miles Traveled.* Retrieved at: https://cityofmenifee.us/DocumentCenter/View/10699/Final-Adopted-TIA-Guidelines-for-VMT_6-3-20 (Accessed May 24, 2021)

- Projects located in a low-VMT generating area
- K-12 schools
- Local parks
- Daycare centers
- Local-serving retail uses less than 50,000 square feet, including:
    - Gas stations
    - Banks
    - Restaurants
    - Shopping Center
- Local-serving hotels (e.g., non-destination hotels
- Student housing projects on or adjacent to college campuses
- Local-serving assembly uses (places of worship, community organizations)
- Local-serving community colleges that are consistent with the assumptions noted in the Regional Transportation Plan/Sustainable Committees Strategy (RTP/SCS)
- Affordable or supportive housing
- Assisted living facilities
- Senior housing (as defined by the U.S. Department of Housing and Urban Development (HUD)
- Projects generation less than 110 daily vehicle trips

For purposes of SB 743 compliance, a VMT analysis would be conducted for land use projects as deemed necessary by the Traffic Division and would apply to projects that have the potential to increase the average VMT per service population (e.g., population plus employment) compared to the WRCOG region or the lead agency threshold. Normalizing VMT per service population provides a transportation efficiency metric for the analysis. Using this efficiency metric allows the user to compare the project to the remainder of an established geographic area (city, county, or region) for purposes of identifying transportation impacts. Thus, there are three options for screening projects from a project-level assessment:

Step 1: Transit Priority Area (TPA) Screening

Projects located within a TPA[7] may be presumed to have a less than significant impact absent substantial evidence to the contrary. This presumption may NOT be appropriate if the project:

- Has a Floor Area Ratio (FAR) of less than 0.75;

[7] A TPA is defined as a half mile area around an existing major transit stop or an existing stop along a high-quality transit corridor per the definitions below. As of July 1, 2020, no Transit Priority Areas exist in the City of Menifee.

- Includes more parking for use by residents, customers, or employees of the project than required by the jurisdiction (if the jurisdiction requires the project to supply parking);
- Is inconsistent with the applicable Sustainable Communities Strategy (as determined by the City of Menifee, with input from the Metropolitan Planning Organization); or
- Replaces affordable residential units with a smaller number of moderate- or high-income residential units.

Step 2: Low VMT Area Screening

Residential and office projects located within a low VMT-generating area are presumed to have a less than significant impact absent substantial evidence to the contrary. In addition, other employment-related and mixed-use land use projects may qualify for the use of screening if there is a reasonable expectation that the project will generate VMT per service population that is similar to the existing land uses in the low VMT area.

For this screening in the City of Menifee, the RIVTAM travel forecasting model was used to measure VMT performance for individual jurisdictions and for individual traffic analysis zones (TAZs). TAZs are geographic polygons similar to Census block groups used to represent areas of homogenous travel behavior. Total daily VMT per service population (population plus employment) was estimated for each TAZ. This presumption may not be appropriate if the project land uses would alter the existing built environment in such a way as to increase the rate or length of vehicle trips.

To identify if a project is in a low VMT-generating area, the project applications may utilize WRCOG's screening tool and apply the appropriate threshold within the tool. Additionally, as noted above, the analyst must identify if the project is consistent with the existing General Plan land use within that TAZ and use professional judgment that there is nothing unique about the project that would otherwise be misrepresented utilizing the data from the travel demand model.

Step 3: Project Type Screening

Local-serving projects, including retail projects less than 50,000 square feet, are presumed to have a less than significant impact absent substantial evidence to the contrary. Local serving retail generally improves the convenience of shopping close to home and has the effect of reducing vehicle travel. In addition to local serving retail, the activities and project types listed above are presumed to have a less than significant impact absent of substantial evidence to the contrary as their uses are local serving in nature.

Projects that are not screened out through the three steps listed above are required to mitigate VMT by:

1. Modifying the project-built environmental characteristics to reduce VMT generated by the project;
2. Implementing TDM measures to reduce VMT generated by the project; and
3. Participated in a VMT fee program and/or VMT mitigation exchange/banking program, if available, to reduce VMT from the project or other land uses to achieve acceptable levels.

The City's *Traffic Impact Analysis Guidelines for Vehicles Miles Traveled Plan* includes a variety of TDM Measures that include the following that could be implemented for a residential project:

- Increase diversity of land uses
- Provide pedestrian network improvements
- Provide traffic calming measures and low-stress bicycle network improvements
- Implement car-sharing program
- Increase transit service frequency and speed
- Encourage telecommuting and alternative work schedules
- Provide ride-sharing programs

Implementation of these TDMs, if applicable, would be required to lower a projects VMT to a less than significant level.

City of Menifee Municipal Code[8]

Menifee Municipal Code (Menifee MC) §503.2.2 Dimensions

Menifee MC §503.2.2 states that fire apparatus access roads shall have an unobstructed width of not less than 24 feet (7315 mm), exclusive of shoulders, except for approved security gates in accordance with §503.6, and an unobstructed vertical clearance of not less than 13 feet 6 inches (4115 mm). For additional requirements or alternatives see Riverside County Fire Department Standards and Policies, as may be amended from time to time.

4.17.3 Standards of Significance

State CEQA Guidelines Appendix G has been utilized to identify transportation-related impact analysis related to VMT Impacts would be significant if the HEU would:

- Conflict with an adopted program, plan, ordinance or policy addressing the transportation system including transit, roadways, bicycle, and pedestrian facilities.
- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b).
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).
- Result in inadequate emergency access.

Methodology

The Project is evaluated against the aforementioned significance criteria/thresholds, as the basis for determining the impact's level of significance concerning traffic and transportation conditions. The

[8] City of Menifee (2020). *City of Menifee Municipal Code.* Retrieved at: https://codelibrary.amlegal.com/codes/menifee/latest/menifee_ca/0-0-0-1887 (Accessed May 25, 2021)

baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the HEU would or would not result in "substantial" adverse effects on transportation considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies. Where significant impacts remain despite compliance with the regulatory framework, feasible mitigation measures are recommended, to avoid or reduce the Project's potentially significant environmental impacts.

4.17.4 Project Impacts and Mitigation

Impact 4.17-1: ***Would the project Conflict with an adopted program, plan, ordinance or policy addressing the transportation system including transit, roadways, bicycle, and pedestrian facilities?***

Level of Significance: Less Than Significant Impact

Applicable plans, policies, and regulations are discussed above in ***Section 4.17.2: Regulatory Setting.***

Caltrans oversees the state's highway system and construction practices require traffic control planning that could interfere with the normal function of a roadway. Therefore, future housing development facilitated by the HEU within candidate sites located near I-215 would be required to comply with Caltrans requirements.

SCAG's Connect SoCal Plan encompasses a long-vision plan that balances future mobility and housing needs with economic, environmental, and public health goals. The City is located in the southwestern part of Riverside County within the SCAG Region. The purpose of the HEU is to minimize transportation impacts by facilitating future housing development in locations throughout the City close to major roadways, near public transportation, within established bicycle paths, and near major retail facilities.

The City's GP and MC provides recommended transportation improvements within the City that are intended to maintain aesthetic views, enforce vehicle speed, and promote safety and development of local street patterns that unify neighborhoods and work within and out of the City. The HEU, including the Land Use Update, Safety Update, and Environmental Justice goals and policies would facilitate future housing development consistent with the goals and policies related to transportation.

All future housing development facilitated by the Project would be subject to discretionary permits and development impact fees, if applicable. As previously stated, all future housing development would comply with all applicable City policies and regulations set in the Menifee GP and Menifee MC. Furthermore, future housing development facilitated by the Project would be required to adhere to all applicable state and regional transportation plans and Caltrans requirements. Therefore, any future housing development facilitated by the Project would not conflict with an adopted program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

GOAL HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect transportation policies. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.17-2: Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Level of Significance: Less Than Significant Impact

As previously described in the local regulatory framework above, the City adopted CEQA Guidelines on June 3, 2020, to address potential transportation related to VMT and LOS. CEQA Guidelines implement SB 743 by eliminating auto delay, LOS, and other similar vehicular capacity or traffic congestion with the intent to assist in balancing the needs of congestion management with statewide goals related to infill development, promotion of public health through active transportation, and reduction of GHG emissions. The City selected VMT thresholds of significant based on the guidance/substantial evidence prepared in the WRCOG and City Implementation Studies. Thus, a project would result in a significant project-generated VMT impact if either of the following conditions are satisfied:

- The baseline project-generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT per service population; or
- The cumulative project-generated VMT per service population exceeds the County of Riverside General Plan Buildout VMT per service population and utilizing the Origin Destination OD/VMT

per service population methodology for County General Plan Buildout and utilizing RIVTAM (March 2020), the County VMT/service population threshold is 35.68.

A project's effect on VMT would be considered significant if it resulted in either of the following conditions to be satisfied:

- The baseline link-level Citywide boundary VMT per service population to increase under the plus project condition compared to the no project condition; or
- The cumulative link-level Citywide boundary VMT per service population to increase under the plus project condition compared to the no project condition.

In accordance with the City's Guidelines, affordable or supportive housing, senior housing, projects generating less than 110 daily vehicle trips corresponding with the development of 11 single-family housing units and 16 multi-family condominiums or townhouse housing units and projects located in TPA and low VMT areas are presumed to cause a less than significant impact on the environment, unless substantial evidence otherwise indicates that future housing development facilitated by the HEU would generate a potentially significant level of VMT. Thus, future housing development facilitated by the HEU would be subject to discretionary review to determine if the future housing development would create a significant impact to VMT.

Since the Project does not directly propose housing development, it cannot be determined that future housing development facilitated by the Project would cause a less than significant impact per the City's adopted three-step screening criteria or whether future housing development would result generate a significant level of VMT. If a project is not screened out in the three steps identified above, mitigation in the form of TDMs or payment of lieu-in fee would be required to reduce the project-level VMT below the County General Plan Buildout baseline or cumulative VMT per service population. In addition, candidate housing sites are located throughout the City, near public transit, and within establish bicycle facilities that would aid to minimize VMT impacts.

Future housing development facilitated by the Project would also be required to adhere to all state, regional, and local requirements to reduce or avoid significant impacts related to VMT. Any TDM measures required would be consistent with the City established TDMs or comply with the policies of the Menifee GP and MC, City CEQA Guidelines for TIA and VMT Analysis, and AB 1358. As a result, future housing development facilitated would be expected to be consistent with CEQA Guidelines in reducing VMT levels below the County's established VMT Levels.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

GOAL HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not affect transportation policies. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.16-3: ***Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?***

Level of Significance: Less Than Significant Impact

Future housing development facilitated by the HEU would utilizing existing roadways that are adjacent or connected to the candidate housing sites. The City has adopted the California Fire Code which applies to all development within the City. Menifee MC §503.2.2 – Dimensions provides fire apparatus roadway design features compliance with Riverside County Fire Department Standards and Policies. Further, the Fire Code provides standards for additional road dimensions, designs, grades, and other fire safety features.

Although future housing development facilitated design features are not known at this time, all future development would be subject to the City's discretionary review and approval process pursuant to CEQA Guidelines that would determine a project's potential to substantially increase transportation-related hazards at a project-specific level. Furthermore, all future housing projects facilitated by the HEU would be required to comply with applicable building and fire safety regulations required for the design of new housing and emergency access and would be required to adhere to all state and local requirements for reducing construction and operations impacts related to design and incompatible uses.

Additionally, the following updated goals and policies from the Housing Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

GOAL HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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 Policy 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.

Policy updates associated with Environmental Justice and Safety would not generate additional transportation hazards. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.16-4: Would the project result in inadequate emergency access.

Level of Significance: Less Than Significant Impact

Refer to Impact 4.16-3 above. Future housing development facilitated details are not known at this time. Therefore, all future housing development would be subject to the City's discretionary review and approval process pursuant to CEQA Guidelines to determine whether a future housing project facilitated by the Project would result in significant inadequate emergency access. Furthermore, all future housing development facilitated would be required to be comply with all applicable state, regional, and local requirements for roadway and safe emergency access designs. Therefore, compliance with applicable regulatory framework would ensure safe and adequate emergency access for future housing development facilitated by the HEU.

Additionally, the following updated goals and policies from the Housing Element and Safety Element would reduce any potential impacts to a level of less than significant:

Housing Element Update

Goal HE-1 A diverse housing stock that offers a full range of housing opportunities for Menifee residents and supports the local economy.

HE Policy 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 Policy 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.

GOAL HE-2 Quality residential development, sustainable safe neighborhoods with a variety of housing types, designs and opportunities, well served by ample parks, infrastructure, community amenities, and public services and facilities.

HE Policy 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 Policy 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.

Safety Element Update Policies

S-4.12 All new development located in the LRA VHFHSZ shall be required to provide a site-specific Fire Protection Plan (FPP) and a Fuel Modification Plan that address fuel modification or incorporate open space and other defensible space areas, as well as multiple points of ingress and egress before approval.

S-4.14 All new parcel maps and tentative maps in the LRA, SRA, and VHFHSZ shall provide two points of access to the project in conformance with the California Building Code and California Fire Code and CA GC 65302 (g)(5). Approval of parcel maps and tentative maps in LRA's, SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.).

S-4.15 When feasible, the City will prepare a survey of existing non-conforming developments to identify all existing developments within the City that do not provide two points of access/ evacuation routes and identify measures or improvement plans to address opportunities to improve access. Where no additional access opportunities exist, the City and Fire Department should identify a plan for emergency operations in fire/emergency events.

S-4.16 The City and Fire District shall develop a policy or program promoting public outreach about defensible space and evacuation routes. The City and Fire District shall include specific plans to reach at-risk populations.

S-4.17 The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

Policy updates associated with Environmental Justice would not affect transportation policies. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.17.5 Significant and Unavoidable Impacts

No significant and unavoidable impacts are anticipated to occur with the implementation of the Project.

4.17.6 Cumulative Impacts

Naturally, future housing development facilitated by the HEU, in conjunction with cumulative development, could potentially result in transportation-related impacts. All future housing development projects would be subject to the City's discretionary review and approval process pursuant to CEQA Guidelines at a project-specific level. More specifically, each project would require separate discretional approval and CEQA assessment to address potential transportation-related impacts and identify applicable TDMs and/or lieu-in fees, if applicable.

Thus, future housing development facilitated by the Project would not result in significant cumulative transportation-related impacts. In addition, future housing development facilitated by the Project would not conflict or obstruct with applicable federal, state, regional, and local plans or regulation associated with transportation. Therefore, implementation of the HEU is not anticipated to cause a cumulatively considerable impact to transportation.

4.18 TRIBAL CULTURAL RESOURCES

This section of the Programmatic Environmental Impact Report (PEIR) discusses the potential impacts to tribal cultural resources as a result of implementing the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). The existing environmental conditions of the City of Menifee (City) are presented as the baseline condition for the analysis. As well, relevant federal, state, and local regulations and policies are identified. These regulations will provide a framework for the subsequent analysis. Analysis of potential tribal cultural impacts from development associated with the Housing Element Update, Land Use Element Update, Safety Element Update, and Environmental Justice policies area will identify impacts which may be significant. In cases where impacts may be significant, mitigation measures are proposed that may minimize aesthetic impacts, as needed.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the lack of site specific information would cause the analysis to be speculative. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.18.1 Environmental Setting

Historical Overview

Prehistory

Occupation of the area which would become the City is estimated to have occurred within the early Holocene period, or approximately 8,000 to 11,000 years ago. The earliest settlers consisted of hunter-gatherer cultures. These cultures had advances to the point of using flaked stone tools. The existence of these early groups was identified in archeological deposits found at the Eastside Reservoir, the Lake Elsinore shoreline, and the area surrounding Mystic Lake in the San Jacinto Valley. As the climate began to warm 8,000 years ago, cultures inhabiting the City's area adapted to different tools such as ground stone tools instead of chipped or flaked stone. This ingenuity continued as the cultures developed bifacially worked dart points and grinding stones, hand-stones, and metates. The introduction of grinding stones signaled a change in overall diet for early cultures as grains and harvested foods were able to be ground into finer flours and materials.

Up to 1,500 years ago, industry had advanced to the usage of soapstone bowls, tiny projectile points (arrowheads), pottery vessels, rock paintings, and cremations. The last 1,500 years of civilization in the City area is divided into four periods:

- Saratoga Springs (1,500 to 750 years ago),
- The Late Prehistoric Period (750 to 410 years ago),
- The Protohistoric Period (410 to 180 years ago), and
- The Historic Period (within the last 180 years).

Starting 7,500 years ago, the City experienced consistent occupation and settlement by various cultures and societies. This is at least partially attributed to the more ideal climate found in the western Riverside County (County) area compared to other surrounding areas.[1]

Protohistoric and Historic Periods

Within the Protohistoric and Historic periods, multiple people groups and societies were encountered in the City area. The Luiseno occupied a wide territory that included the area which would later become the City. The Luiseno society utilized a variety of tools such as grinding slabs, shell and bone fishhooks, stone and shell ornaments, bone awls, wood throwing sticks, hammer stones, handstones, pestles, mortars, and drills. Luiseno culture also included many traditions which were used to address societal events such as girls' and boys' initiations, marriages, peace-making, hunting, and death rites. Artistic expression through mediums such as rock and sand painting would also be practiced during the traditional Luiseno rituals. Some of these art pieces are still visible on rock formations throughout the City.[2] In the modern day, many Luiseno descendants live within western Riverside County in the Pechanga, Soboba, and Pala tribal reservations.

Nearby cultures to the City during this period included the Cahuilla peoples east of the City, the Serrano peoples north of the City, and the Gabrielino peoples west of the City. Over the years these groups may have taken turns controlling the City area. Currently, it is unknown which culture occupied the area originally.[3]

Historical Periods

The historical period is further broken down into three subperiods. These include the Spanish Period (1769 to 1821), the Mexican Period (1822 to 1848), and the American Period (1848 to present).

The Spanish Period (1769 to 1821)

The Spanish period began in 1769 with Captain Gaspar de Portolá's land expedition and ended in 1821 and represented a time of European exploration and settlement. During this period, the Mission San Luis Rey was established (1798) and allowed for many Luiseno people to take up residence within their mission and surrounding villages. The nearest ranches to the City at the time were located in San Jacinto and in Temecula.[4] Despite the proximity to the nearby missions, the Menifee Valley did not have contact with the mission system.[5]

[1] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center
[2] City of Menifee (2013). *City of Menifee General Plan Open Space and Conservation Background Document & Definitions*. Pages 8 through 9. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1081/3_OSC_Background-Document_HD_0913?bidId= (Accessed May 17, 2021).
[3] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center
[4] Ibid.
[5] The Planning Center. (2010). *Archival Report for Cultural and Paleontological Resources: City of Menifee, Riverside County*. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1092/Archival-Report-for-Cultural-and-Paleontological-Resources?bidId= (Accessed May 17, 2021)

Mexican Period (1821 to 1848)

The emission system was secularized by the Mexican government during the Mexican Period, allowing for the dramatic expansion of the rancho system. The southern California economy became increasingly based on cattle ranching. Land grants were given to soldiers, citizens and a few Native Americans by Spanish authorities first, and then, after 1821, by Mexican Governors. Riverside County contained 16 land grants. However, none of these land grants were made given for land in the City area. The City remained unclaimed through the Mexican Period until the American Period. However, the land would continue to be active and productive.

American Period (1848 to Present)

The Gold Rush of 1849 would see tremendous influx of Americans and Europeans flooding into southern California. Population growth data showed that the California population increased exponentially from 1847 to 1860 by over 300,000 residents. In 1880, years after the discovery of gold in southern California, Luther Menifee Wilson discovered gold about eight miles south of Perris. The area in which he discovered the gold deposit was named the Menifee Mining District. After the discovery, gold mining in western Riverside County expanded through the mid-1890s. After that time, mineral deposits decreased, and many mines and operations were unable to remain open for longer periods.

Despite the reduction of gold and the increasing volatility of the gold market, residents found suitable, stable work in more traditional businesses, ranching, and farming. The profitability of these market sectors further improved upon the completion of the transcontinental railroad in 1869. Farming activities were expanded by commercial enterprises in many areas of southern California, including the Menifee Valley. A large scale commercial farm was purchased in the Menifee Valley by William Newport in 1885 and was expanded to 15,000 acres by 1906. The City area also contained other farming outfits, although at smaller scales.

The City continued to industrialize as time passed but remained largely residential due to its agricultural roots. As rail lines were laid across the City in the late 1880s, an influx of residents was experienced as well as an expansion of businesses. Damaged railroads left the City disconnected from important cities and commercial hubs in the late 1880s and early 1890s. Because of the limited connection to business centers and communities, agriculture remained the main character of the Menifee area. Population increased gradually over time but found renewed growth in the opening of Sun City in 1960. 5,000 residences were created through the development of Sun City by 1977.[6] The Residents of Sun City along with those from Quail Valley and Romoland agreed to incorporate into one City, Menifee, in June 2008. On October 1, 2008 the City was officially recognized as the County's 26th City.[7]

[6] City of Menifee. (2013). *City of Menifee General Plan Draft Environmental Impact Report*. Pages 5.5-1 to 5.5-2. Santa Ana, CA: The Planning Center

[7] The Planning Center. (2010). *Archival Report for Cultural and Paleontological Resources: City of Menifee, Riverside County*. Retrieved from: https://www.cityofmenifee.us/DocumentCenter/View/1092/Archival-Report-for-Cultural-and-Paleontological-Resources?bidId= (Accessed May 17, 2021)

Known Tribal Resources

Assembly Bill (AB) 52 requires that lead agencies evaluate a project's potential impact on "tribal cultural resources," which include "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are eligible for inclusion in the California Register of Historical Resources or included in a local register of historical resources." AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a "tribal cultural resource."[8]

Native American groups may have knowledge about the area's cultural resources and may have concerns about a development's adverse effects on tribal cultural resources, as defined in Public Resources Code (PRC) §21074. Formal notification was provided to California Native American tribal representatives which may have interest in projects within the geographic area traditionally and culturally affiliated with the tribe(s) pursuant to PRC §21080.3.1(b).

The Notice of Preparation (NOP) for the Project was sent to the Native American Heritage Commission (NAHC) by the City on February 3, 2021. Based on the information received from the NAHC, the City provided formal notification pursuant to SB 18 and AB 52 on February 19, 2021 and February 9, 2021, respectively. Reply letters were received from the NAHC and multiple tribes with recommendations for consultation with California Native American tribes as well as recommended requirements for consolation during the environmental review process.

Correspondence was received from the designated contact/tribal representative for the following tribes:

- Soboba Band of Luiseno Indians (Note. two letters: AB 52 and SB 18)
- Agua Caliente Band of Cahuilla Indians
- Morongo Band of Mission Indians
- Quechan Tribe of the Fort Yuma Reservation
- Rincon Band of Luiseno Indians

Correspondence received from each tribe is included in this PEIR in ***Appendix B, Noticing and Tribal Consultation***.

4.18.2 Regulatory Setting

Federal

Archaeological Resources Protection Act

The intent of the Archaeological Resources Protection Act of 1979 (ARPA) is to ensure preservation and protection of archaeological resources on public and Native American lands. ARPA places primary emphasis on a Federal permitting process in order to control the disturbance and investigation of

[8] California Legislature. (2013). *Assembly Bill No. 52 Chapter 532*. Retrieved from: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52 (Accessed May 20, 2021)

archaeological sites on these lands. In addition, ARPA's protective provisions are enforced by civil penalties for violation of the Act.

Under this regulation, the term "archaeological resources" includes but is not limited to:

> *pottery, basketry, bottles, weapons, weapon projectiles, tools, structures or portions of structures, pit houses, rock paintings, rock carvings, intaglios, graves, human skeletal materials, or any portion or piece of any of the foregoing items. Nonfossilized and fossilized paleontological specimens, or any portion or piece thereof, shall not be considered archaeological resources, under the regulations under this paragraph, unless found in an archaeological context. No item shall be treated as an archaeological resource under regulations under this paragraph unless such item is at least 100 years of age.*

ARPA mandates consultation procedures before initiation of archaeological research on Native American lands or involving Native American archaeological resources. Section 4(c) requires Native American tribes be notified of possible harm to, or destruction of, sites having religious or cultural significance to that group. The Federal land manager must notify affected tribes before issuing the permit for archaeological work. Section (g)(2) specifies that permits to excavate or remove archaeological resources from Indian lands require consent of the Native American or Native American tribe owning or having jurisdiction over such lands. The permit, it is also stipulated, must include such terms and conditions as may be requested by the affected Native Americans.

Concerning the custody of archaeological resources, ARPA stipulates that any exchange or ultimate disposition of archaeological resources excavated or removed from Native American lands must be subject to the consent of the Native American or Native American tribe that owns or has jurisdiction over such lands.

Native American Graves Protection and Repatriation Act of 1990

The Native American Graves Protection and Repatriation Act of 1990 sets provisions for the intentional removal and inadvertent discovery of human remains and other cultural items from federal and tribal lands. It clarifies the ownership of human remains and sets forth a process for repatriation of human remains, associated funerary objects, and sacred religious objects to the Native American groups claiming to be lineal descendants or culturally affiliated with the remains or objects. It requires any federally funded institution housing Native American remains or artifacts to compile an inventory of all cultural items within the museum or with its agency and to provide a summary to any Native American tribe claiming affiliation.

National Historic Preservation Act of 1966

Enacted in 1966 and amended in 2000, the National Historic Preservation Act (NHPA) declared a national policy of historic preservation and instituted a multifaceted program, administered by the Secretary of the Interior, to encourage the achievement of preservation goals at the federal, State, and local levels. The NHPA authorized the expansion and maintenance of the National Register of Historic Places (NRHP),

established the position of State Historic Preservation Officer (SHPO) and provided for the designation of State Review Boards, set up a mechanism to certify local governments to carry out the purposes of the NHPA, assisted Native American tribes to preserve their cultural heritage and created the Advisory Council on Historic Preservation (ACHP).

American Indian Religious Freedom Act, Title 42, United States Code, §1996

The American Indian Religious Freedom Act protects Native American religious practices, ethnic heritage sites, and land uses.

State

Assembly Bill 52

AB 52 was approved by California State Governor Edmund Gerry "Jerry" Brown, Jr. on September 25, 2014. The Act amended California PRC §5097.94, and added PRC §§21073, 21074, 21080.3.1, 21080.3.2, 21082.3, 21083.09, 21084.2, and 21084.3. AB 52 applies specifically to projects for which a NOP or a Notice of Intent to Adopt a Negative Declaration or Mitigated Negative Declaration (MND) was filed on or after July 1, 2015. The primary intent of AB 52 is to include California Native American Tribes early in the environmental review process and to establish a new category of resources related to Native Americans that require consideration under the California Environmental Quality Act (CEQA), known as tribal cultural resources (as defined in PRC §21074(a)). On July 30, 2016, the California Natural Resources Agency adopted the final text for tribal cultural resources update to Appendix G of the CEQA Guidelines, which was approved by the Office of Administrative Law on September 27, 2016.

PRC §21080.3.1 requires that within 14 days of a lead agency determining that an application for a project is complete, or a decision by a public agency to undertake a project, the lead agency provide formal notification to the designated contact, or a tribal representative, of California Native American Tribes that are traditionally and culturally affiliated with the geographic area of the project (as defined in PRC §21073) and who have requested in writing to be informed by the lead agency (PRC §21080.3.1(b)). Tribes interested in consultation must respond in writing within 30 days from receipt of the lead agency's formal notification and the lead agency must begin consultation within 30 days of receiving the tribe's request for consultation (PRC §§21080.3.1(d) and 21080.3.1(e)).

PRC §21080.3.2(a) identifies the following as potential consultation discussion topics: the type of environmental review necessary; the significance of tribal cultural resources; the significance of the project's impacts on the tribal cultural resources; project alternatives or appropriate measures for preservation; and mitigation measures. Consultation is considered concluded when either: (1) the parties agree to the measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or (2) a party, acting in good faith and after reasonable effort, concludes that a mutual agreement cannot be reached (PRC §21080.3.2(b)).

PRC §21082.3(c)(1) states that any information, including, but not limited to, the location, description, and use of the tribal cultural resources, that is 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 without the prior consent of the tribe that provided the information. If the lead agency publishes any information submitted by a California Native American tribe during the consultation or environmental review process, that information 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.

Senate Bill 18 - Traditional Tribe Cultural Places Act

The local and Tribal Intergovernmental Consultation process, commonly known as SB 18 was signed into law in September of 2004 and took effect on March 1, 2005. SB 18 established responsibilities for local governments to contact, provide notice to, refer plans to, and consult with California Native American Tribes. The purpose of this consultation process is to protect the identity of the cultural place and to develop appropriate and dignified treatment of the cultural place in any subsequent project. The consultation is required whenever a general plan, specific plan, or open space designation is proposed for adoption or to be amended. As part of the application process, California Native American Tribes must be given the opportunity to consult with the applicant of the project and with the lead agency for the purpose of preserving, mitigating impacts to, and identifying cultural places located on project land.

Native American Graves Protection and Repatriation Act

The California Native American Graves Protection and Repatriation Act (California Repatriation Act), enacted in 2001, requires all state agencies and museums that receive state funding and that have possession or control over collections of human remains or cultural items, as defined, to complete an inventory and summary of these remains and items on or before January 1, 2003, with certain exceptions. The California Repatriation Act also provides a process for the identification and repatriation of these items to the appropriate tribes.

Native American Historic Resource Protection Act; Archaeological, Paleontological, and Historical Sites; Native American Historical, Cultural, and Sacred Sites (PRC §§5097-5097.994)

PRC §5097 specifies the procedures to be followed in the event of the unexpected discovery of Native American human remains on non-federal public lands. California PRC §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:

> *"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."*

PRC §5097.91, PRC §5097.98, PRC §5097.94 and the Native American Heritage Commission

PRC §5097.91 established the NAHC, the duties of which include inventorying places of religious or social significance to Native Americans and identifying known graves and cemeteries of Native Americans on private lands. PRC §5097.98 specifies a protocol to be followed when the NAHC receives notification of a discovery of Native American human remains from a county coroner.

PRC §5097.94 establishes the powers and duties of the NAHC, including, but not limited to:

a) To identify and catalog places of special religious or social significance to Native Americans and known graves and cemeteries of Native Americans on private lands. The identification and cataloging of known graves and cemeteries shall be completed on or before January 1, 1984. The commission shall notify landowners on whose property the graves and cemeteries are determined to exist and shall identify the Native American group most likely descended from those Native Americans who may be interred on the property.

b) To make recommendations relative to Native American sacred places that are located on private lands, are inaccessible to Native Americans, and have cultural significance to Native Americans for acquisition by the state or other public agencies for the purpose of facilitating or assuring access thereto by Native Americans.

c) To make recommendations to the Legislature relative to procedures that will voluntarily encourage private property owners to preserve and protect sacred places in a natural state and to allow appropriate access to Native American religionists for ceremonial or spiritual activities.

For a complete list of powers and duties, visit:
https://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=5097.94.

California Government Code §§6254 and 6254.10

California Government Code (CGC) §6254(r) explicitly authorizes public agencies to withhold information from the public relating to "Native American graves, cemeteries, and sacred places maintained by the Native American Heritage Commission." Section 6254.10 specifically exempts from disclosure requests for "records that relate to archaeological site information and reports, maintained by, or in the possession of the Department of Parks and Recreation, the State Historical Resources Commission, the State Lands Commission, the NAHC, another state agency, or a local agency, including the records that the agency obtains through a consultation process between a Native American tribe and a state or local agency."

California Health and Safety Code

California law protects Native American burials, skeletal remains, and associated grave goods, of their antiquity, and provides for the sensitive treatment and disposition of those remains. California Health and Safety Code §7050.5 requires that if human remains are discovered in any place other than a dedicated cemetery, no further disturbance or excavation of the site or nearby area reasonably suspected to contain human remains shall occur until the county coroner has examined the remains (§7050.5b). If the coroner determines or has reason to believe the remains are those of a Native American, the coroner must contact the NAHC within 24 hours (§7050.5c). The NAHC will notify the Most Likely Descendant. With the permission of the landowner, the Most Likely Descendant may inspect the site of discovery. The inspection must be completed within 24 hours of notification of the Most Likely Descendant by the NAHC. The Most Likely Descendant may recommend means of treating or disposing of, with appropriate dignity, the human remains, and items associated with Native Americans.

Public Resources Code §5097.5

California PRC §5097.5 prohibits excavation or removal of any "vertebrate paleontological site…or any other archaeological, paleontological or historical feature, situated on public lands, except with express permission of the public agency having jurisdiction over such lands." Public lands are defined to include lands owned by or under the jurisdiction of the state or any city, county, district, authority or public corporation, or any agency thereof. California PRC §5097.5 states that any unauthorized disturbance or removal of archaeological, historical, or paleontological materials or sites located on public lands is a misdemeanor.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Open Space and Conservation Element

Goal OSC-5 Archaeological, historical, and cultural resources that are protected and integrated into the City's built environment.

Policy OSC-5.1 Preserve and protect significant archeological, historic, and cultural sites, places, districts, structures, landforms, objects and native burial sites, and other features, such as Ringing Rock and Grandmother Oak, consistent with state law.

Policy OSC-5.3 Preserve sacred sites identified by the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians, such as tribal burial grounds, by avoiding activities that would negatively impact the sites through specific project design and other measures.

Policy OSC-5.4 Establish clear and responsible practices in consultation with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians to identify, evaluate, and protect previously unknown archeological, historic, and cultural sites, following CEQA and NEPA procedure.

Policy OSC-5.5 Establish clear and responsible practices in consultation with the Pechanga Band of Luiseño Indians and Soboba Band of Luiseño Indians to identify, evaluate, and protect previously unknown archeological, historic, and cultural sites, following CEQA and NEPA procedure.

4.18.3 Standards of Significance

The City relies on the thresholds of significance that are specified in the CEQA Guidelines Appendix G. Impacts related to land use would be significant if the project would:

- Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is

geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k)
- A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

4.18.4 Project Impacts and Mitigation

Impact 4.18-1: ***Would the proposed 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)?

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?

Level of Significance: Less than Significant with Mitigation Applied

AB 52 set forth in Chapter 532 Statutes of 2014 requires that lead agencies evaluate a project's potential impact on tribal cultural resources such as which include features, places, cultural landscapes, sacred places, and objects with cultural value. AB 52 also gives lead agencies the discretion to determine, based on substantial evidence, whether a resource qualifies as a tribal cultural resource.[9]

The Project does not directly propose the development of physical housing units within the City. Instead the Project includes a series of regulatory changes to the Housing Element, Safety Element, Land Use Element, and Environmental Justice policies which would facilitate increased housing development within the City.

Unknown tribal cultural resources have a higher potential of occurring in previously vacant, undeveloped sites. The majority of sites identified for the Project contain vacant, undeveloped parcels. Despite not making up a large part of the identified sites and parcels, future development facilitated by the Project

[9] California Legislature. (2013). *Assembly Bill No. 52 Chapter 532*. Retrieved from: https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201320140AB52 (Accessed May 20, 2021)

may still affect previously unidentified Native American tribal cultural resources. This risk remains for both the parcels that are developed and those that are vacant and undeveloped. Candidate sites identified for the Project also occupy areas noted for potential paleontological significance. As shown in Exhibit OSC-4 of the Menifee GP Open Space and Conservation Element, the majority of the City contains land designated with high paleontological sensitivity.[10]

Furthermore, the individual history of each candidate site selected for the Project are currently unknown. Therefore, the candidate sites could have potential to contain tribal cultural resources. However, future residential development on these sites facilitated by the Project would be subject to discretionary approvals and site-specific CEQA evaluation on a project by project basis.

Formal letters inviting consultation for the Project pursuant to PRC §21080.3.1(b) were sent to Native American representatives from the Agua Caliente Band of Cahuilla Indians, Augustine Band of Cahuilla Mission Indians, Cabazon Band of Mission Indians, Cahuilla Band of Indians, Juaneno Band of Mission Indians Acjachemen Nation-Belardes, La Jolla Band of Luiseno Indians, Los Coyotes Band of Cahuilla and Cupeno Indians, Morongo Band of Mission Indians, Pala Band of Mission Indians, Pauma Band of Luiseno Indians, Pechanga Band of Luiseno Indians, Quechan Tribe of the Fort Yuma Reservation, Ramona Band of Cahuilla, Rincon Band of Luiseno Indians, San Luis Rey Band of Mission Indians, Santa Rosa Band of Cahuilla Indians, Soboba Band of Luiseno Indians, and Torres-Martinez Desert Cahuilla Indians. SB 18 letters were distributed to these tribes on February 19, 2021. AB 52 letters were distributed to the Pechanga Band of Luiseno Indians, Rincon Band of Luiseno Indians, Soboba Band of Luiseno Indians, Agua Caliente Band of Cahuilla Indians, and the Torres Martinez Desert Cahuilla Indians on February 9,2021.

Consultation on the Project was requested by Native American representatives from the Soboba Band of Luiseno Indians. Other Native American Tribes (Agua Caliente Band of Cahuilla Indians, Morongo Band of Mission Indians, and Rincon Band of Luiseno Indians) requested access to and inclusion in the distribution of environmental documents such as any cultural studies conducted and document review notices. Along with adequate tribal consultation, future housing development facilitated by the Project will be subject to discretionary permits and compliance with all Federal, State, and local requirements for protecting tribal cultural resources, including the following mitigation measures that will be imposed as a condition of approval. With the Project's compliance with existing regulations and implementation of mitigation measures, impacts in this regard would be less than significant.

Mitigation Measures

MM TCR-1 **Unanticipated Discovery of Tribal Cultural and Archaeological Resources**: Upon discovery of any tribal, cultural, or archaeological resources during ground-disturbing activities, the Applicant shall immediately cease such activities in the immediate vicinity. The find will then be assessed by a qualified archeologist retained by the Applicant and a tribal monitor/ consultant approved by the consulting tribe. The applicant shall promptly notify the Planning and Community Development Director

[10] City of Menifee (2013). Open Space and Conservation Element Exhibit OSC-4. Retrieved from: https://www.cityofmenifee.us/250/Open-Space-Conservation-Element (Accessed May 20, 2021)

to the discovery of resources. If the resources are Native American in origin, the consulting tribe shall coordinate with the landowner regarding treatment and curation of these resources. Typically, the tribe will request preservation in place or recovery for educational purposes. At the direction of the qualified archaeologist and tribal monitor/consultant, and in coordination with the Planning and Community Development Department, work may continue on other parts of the affected site while evaluation and, if necessary, additional protective measures are completed at the affected portion of the site pursuant to State CEQA Guidelines §15064.5 [f]. If a resource is determined by the qualified archaeologist to constitute a "historical resource" or "unique archaeological resource," time and funding to allow for sufficient implementation of avoidance measures must be made available. The treatment plan established for the resources shall be in accordance with State CEQA Guidelines §15064.5(f) for historical resources.

Preservation in place (i.e., avoidance) is the preferred manner of treatment upon identification of unique archeological resources (Public Resources Code §§21083.2(b)). If preservation in place is not feasible, treatment may include implementation of archaeological data recovery excavations to remove the resource along with subsequent laboratory processing and analysis. All tribal cultural resources shall be returned to the consulting tribe. Any historic archaeological material that is not Native American in origin shall be curated at a public, non-profit institution with a research interest in the materials, such as the San Diego Archeological Center. Acceptance and curation of the historic archeological materials will be at the discretion of the institution. If no institution accepts the archaeological material, they shall be offered to the consulting tribe or the Del Mar Historical Society for educational purposes.

MM TCR-2 **Consultation with the Soboba Tribe of Luiseno Indians.** Consultation from the Soboba Tribe of Luiseno Indians should be requested during the permitting and development of future housing units facilitated by the Project. Future applicants should also include a Soboba Band of Luiseño Indians Native American Monitor to be present during any ground disturbing proceedings. Including surveys and archaeological testing. As well, the future applicants conduct proper procedures when encountering tribal cultural resources of the Soboba Tribe of Luiseno Indians.

Cultural Items (Artifacts). Future applicants should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the tribal monitor for appropriate treatment. If found to be of significance to the Soboba Tribe of Luiseno Indians, 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, the archeologist of the future applicant 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.

Future applicants should also 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 future applicants 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. 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. The Soboba Band, as Most Likely Descendent (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). Future applicants and the Soboba Band should discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.

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 future applicants, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains. 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 future applicants should accommodate on-site reburial in a location mutually agreed upon by the Parties.

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.

4.18.5 Significant Unavoidable Impact

No significant and unavoidable impacts were identified.

4.18.6 Cumulative Impacts

The anticipated impacts of future housing development on the candidate housing sites facilitated by the Project, in conjunction with cumulative development in the Project area, would increase housing development in a largely developed area and could result in impacts to tribal cultural resources. Potential land use impacts are site-specific and would require evaluation on a case-by-case basis at the project level when future housing development on the candidate housing sites is proposed in accordance with the Project Program. Each cumulative project would require separate discretionary approval and CEQA evaluation, which would address potential tribal cultural resource impacts and identify necessary

mitigation measures, where appropriate such as **MM TCR-1** which details required actions upon the discovery of tribal cultural and archeological resources during development.

Consequently, future housing development on the candidate housing sites facilitated by the Project would not result in significant environmental impacts to tribal cultural resources , nor would the Project conflict with or obstruct a State or local plan, ordinance, or standards aimed at avoiding or minimizing impacts to tribal cultural resources. Therefore, with the implementation of mitigation and compliance with applicable regulations, the Project would not significantly contribute to a cumulatively considerable impact on tribal cultural resources.

4.19 UTILITIES AND SERVICE SYSTEMS

This section evaluates potential impacts to utilities and service systems that could result from the Menifee 6th Cycle Housing Element Update (HEU or Project), including housing development on the candidate housing sites facilitated by the HEU. The utilities and service systems analysis summarizes existing conditions in the Project area, the utilities and services systems regulatory framework, a discussion of the potential utilities and service systems impacts of future action programs and development facilitated by the Project, and identification of mitigation of development on candidate housing sites that may minimize impacts to utilities and service systems, as needed. Analysis of potential utilities impacts from development associated with the HEU, Land Use Element Update, Safety Element Update, and Environmental Justice policies area will identify impacts which may be significant.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City of Menifee (City) where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the HEU. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable

4.19.1 Environmental Setting

Water

Water for the City is provided by Eastern Municipal Water District (EMWD). According to the EMWD 2015 Urban Water Management Plan (UWMP) published in 2016, the EMWD service area includes 555 square miles of western Riverside County (County). The service area includes unincorporated areas of the County as well as the Cities of Hemet, Menifee, Moreno Valley, Murrieta, Perris, San Jacinto, and Temecula. Water supplied by EMWD is sourced from imported water through the Metropolitan Water District (MWD), local groundwater, desalinated groundwater, and recycled water. EMWD's groundwater supply is sourced from the San Jacinto Groundwater Basin.

EMWD received a total of 123,087 acre-feet (AF) of water in 2015 and is projected to receive 197,800 AF of water in the year 2040. ***Table 4.19-1: Eastern Municipal Water District Retail Water Supplies (AFY)*** summarizes EMWD's actual water supplies in 2015 and projected supplies in five year increments up to 2040. Imported and recycled water supplies are expected to increase continuously through 2040 while groundwater and desalinated water supplies are projected to remain stable. Generally, water supplies are projected to increase through the year 2040.

Table 4.19-1: Eastern Municipal Water District Retail Water Supplies (AFY)

Supply Type	2015	2020	2025	2030	2035	2040
Imported	56,397	73,697	81,597	92,997	104,097	114,597
Groundwater	15,252	12,303	12,303	12,303	12,303	12,303
Desalinated	7,288	7,000	10,100	10,100	10,100	10,100
Recycled	44,150	45,245	48,334	50,017	51,800	53,300
Total	**123,087**	**145,745**	**159,834**	**172,917**	**185,800**	**197,800**

Source: Eastern Municipal Water District. (2016). *2015 Urban Water Management Plan. Tables 6-18: Retail Water Supplies – Actual (AFY).* Page 6-29. Irvine, CA: RMC Water and Environment
Eastern Municipal Water District. (2016). *2015 Urban Water Management Plan. Tables 6-20: Retail Water Supplies – Projected (AFY).* Page 6-30. Irvine, CA: RMC Water and Environment - AFY = acre-feet per year

EMWD's imported water supply is conveyed through the MWD Henry J Mills Water Treatment Plant (Mills) and Robert F Skinner Water Treatment Plant (Skinner). Raw imported water is treated at the Perris Water Filtration Plant and the Hemet Water Filtration Plant. Groundwater wells which draw from the San Jacinto Groundwater Basin are located in the San Jacinto Watershed and provide water mostly to the northern region of the EMWD service area. EMWD's two desalination plants–the Menifee Desalter and the Perris I Desalter–are located in Sun City where they treat brackish groundwater. EMWD also operates a regional recycled water system which provides tertiary-treated water for agricultural, irrigation, industrial, and environmental use. Recycled water is treated at four Regional Water Reclamation Facilities (RWRFs) including the San Jacinto Valley RWRF, the Moreno Valley RWRF, the Temecula Valley RWRF, and the Perris Valley RWRF.[1]

Water Conservation

EMWD's UWMP includes an assessment of potential changes to the water supply due to environmental factors such as climate change. The water supply vulnerabilities identified in the assessment include reductions in the Sierra Nevada snowpack, increased strain on imported supplies, an inability to meet water demands during drought, and a shortage of long-term water storage.[2] In order to curb these risks, EMWD has focused on the growth of local water sources and efficient water usage strategies. Examples of these strategies include expanded recycled water use and purposeful recharging of local groundwater basins. EMWD was able to reach their goal of 100 percent reuse of wastewater generated in their service area in 2014. EMWD has also reduced their groundwater production in the Hemet/San Jacinto area in 2015 from the previous 9,300 AF to 7,303 AF. Simultaneously, EMWD's desalination program is anticipated to expand to offset groundwater demands and prevent brackish groundwater from contaminating potable supplies.[3]

A Water Shortage Contingency Plan was developed by EMWD which includes five (5) stages meant to incrementally decrease water use as shortage severity increases. The fifth and most severe stage is intended to be implemented in cases of catastrophic water loss and would implement a 50 percent reduction in water use. EMWD has also developed and implemented. Best Management Practices in order to further minimize excessive and inefficient water usage.[4]

Wastewater

The four RWRFs operated by EMWD are interconnected and allow for the efficient treatment of wastewater throughout the entire service area. The tertiary filtration process conducted at each of the four RWRFs ensures that the wastewater conveyed from each facility meets the standard for safe usage in such activities involving agriculture, irrigation and bodily contact. In total, EMWD is capable of

[1] Eastern Municipal Water District. (2016). *2015 Urban Water Management Plan*. Irvine, CA: RMC Water and Environment
[2] Ibid. Page 6-31
[3] Ibid. Page 7-4
[4] Ibid Pages 9-3 through 9-17

processing and treating 81,800 AFY of wastewater at all four facilities. ***Table 4.19-2: RWRF Treatment Capacity (AFY)*** displays the treatment capacity at each facility. The four treatment plants processed a total of 45,385 AF of the 48,665 AF of wastewater collected in the year 2015.[5]

Table 4.19-2: RWRF Treatment Capacity (AFY)

Facility	Treatment Capacity	Actual Volume 2015	Recycled Volume 2015
San Jacinto Valley	15,700	6,884	5,157
Moreno Valley	17,900	11,554	8,656
Temecula Valley	20,200	14,071	10,542
Perris Valley	28,000	12,876	9,646
Total	**81,800**	**45,385**	**34,001**

Source: Eastern Municipal Water District. (2016). *2015 Urban Water Management Plan. Tables 6-7: RWRF Treatment Capacity (AFY).* Page 6-17. Irvine, CA: RMC Water and Environment

Recycled water supplies received through the post-tertiary treatment at the RWRFs are conveyed either directly to customers, discharged into temescal creek, or los via percolation and evaporation in surface retention ponds. These retention ponds are also operated by EMWD and contain excess wastewater effluent which can be stored for use during nonpotable water activities in lieu of the potable supply. Recycled water. The retention of this recycled water also provides a source of excess water in the winter months when evaporation rates decline.[6]

Storm and Drainage

EMWD captures stormwater for groundwater recharge in the Hemet/San Jacinto Basin. The basins are further described in ***Section 4.10, Hydrology and Water Quality***. EMWD's San Jacinto Water Harvesting Project uses the San Jacinto Reservoir as a retention basin for flows rerouted from Riverside County Flood Control and Water Conservation District. Although not currently monitored, it is estimated that the San Jacinto Water Harvesting Project is capable of capturing 300 to 320 AFY of stormwater on average.[7]

The City has enacted multiple ordinances within the Menifee Municipal Code (Menifee MC) which address stormwater runoff within the City. Although the City does not include major waterways, the best management practices (BMPs) included in the Menifee MC contain policies regarding runoff from commercial and industrial developments. As well, the Menifee MC includes requirements for the procurement of a National Pollutant Discharge Elimination System (NPDES) permit. The NPDES permit further monitors and regulates potential runoff into the City's stormwater system.

Solid Waste

The City has an exclusive franchise agreement with Waste Management-North County for solid waste services, including refuse, recycling, and green waste. Residential trash, recycling, and green waste is collected on the same day weekly. This is proposed in order to create a more aesthetically pleasing community.[8]

[5] Ibid. Page 6-19
[6] Ibid.
[7] Ibid. Page 6-15
[8] City of Menifee. (2020). *Trash & Recycling: Recycling & Waste Disposal.* Retrieved from: https://www.cityofmenifee.us/209/Trash-Recycling (Accessed February 15, 2021)

The City's solid waste is collected and transported to the El Sobrante Landfill located on Dawson Canyon Road in the City of Corona. According to the Solid Waste Information System (SWIS) database maintained by Department of Resources Recycling and Recovery (CalRecycle), the El Sobrante Landfill has a maximum permitted throughput of 16,054 tons per day with a maximum permitted capacity of 209,910,000 cubic yards. As of April 1, 2018, the facility had a remaining capacity of 143,977,170 cubic yards. El Sobrante Landfill's anticipated closure date is January 1. 2051.[9]

Energy and Natural Gas

Southern California Edison (SCE) and Southern California Gas Company (SCGC) currently provides natural gas and electricity service in the County through their transmission and distribution infrastructure. Both SCE and SCGC are regulated by the California Public Utilities Commission (CPUC), which is responsible for ensuring that California utilities' customers have safe and reliable utility service.

4.19.2 Regulatory Setting

Federal

Energy Policy Act of 2005

The Energy Policy Act of 2005 sets equipment energy efficiency standards and seeks to reduce reliance on non-renewable energy resources and provide incentives to reduce current demand on these resources. For example, under the Act, consumers and businesses can receive federal tax credits for purchasing fuel-efficient appliances and products, including hybrid vehicles; constructing energy-efficient buildings; and improving commercial buildings' energy efficiency. Additionally, tax credits are available for installing qualified fuel cells, stationary micro-turbine power plants, and solar power equipment.

National Energy Conservation Policy Act

The National Energy Conservation Policy Act serves as the underlying authority for federal energy management goals and requirements. Signed into law in 1978, it has been regularly updated and amended by subsequent laws and regulations. This act is the foundation of most federal energy requirements.

National Pollution Discharge Elimination System

Section 402 of the Clean Water Act established the NPDES to regulate the discharge of pollutants from point sources. The U.S. Environmental Protection Agency (U.S. EPA) has authorized California to administer its NPDES permitting program. The NPDES permitting program prohibits the unauthorized discharge of pollutants from a point source (e.g., pipe, ditch, well) to waters of the United States. The permitting program addresses municipal, commercial, and industrial wastewater discharges and discharges from large animal feeding operations. Permittees must verify compliance with permit requirements by monitoring their effluent, maintaining records, and filing periodic reports. The program is administered at the local level by the Regional Water Quality Control Boards.

[9] CalRecycle. (2020). *SWIS Facility/Site Activity Details El Sobrante Landfill (33-AA-0217).* Retrieved from: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402 (Accessed February 15, 2021)

State

State Water Resources Control Board

The State Water Resources Control Board (SWRCB) preserves, enhances, and restores the quality of California's water resources and ensures proper allocation and efficient use for the benefit of present and future generations. Wastewater generators must obtain a permit to discharge their wastewater. Pursuant to the federal Clean Water Act and California's Porter-Cologne Water Quality Control Act, the SWRCB regulates wastewater discharges to surface waters through the NPDES program. Some wastewater discharges are exempt from federal NPDES requirements, but California law may still apply. Under California law, the SWRCB requires waste discharge requirements for some discharges, in addition to those subject to NPDES permits. Permits contain specific requirements that limit the pollutants in discharges. They also require dischargers to monitor their wastewater to ensure that it meets all requirements. Wastewater dischargers must maintain their treatment facilities, and treatment plant operators must be certified. The SWRCB routinely inspects treatment facilities and strictly enforces permit requirements.

Sanitary Sewer Management Plan

On May 2, 2006, the SWRCB adopted Wastewater Discharge Requirements Order 2006-0003-DWQ. This order mandated all federal and state agencies, municipalities, counties, districts, and other public entities ("enrollees") that own or operate sanitary sewer systems greater than one mile in length that collect and/or convey untreated or partially treated sewer to a publicly owned treatment works facility in California to comply with the terms of the order. Order 2006-0003-DWQ also stated that, to facilitate proper funding and management of sanitary sewer systems, each enrollee must develop and implement a system-specific sewer management plan. To be effective, sewer system management plans must include provisions to provide proper and efficient management, operation, and maintenance of sanitary sewer systems, while taking into consideration risk management and cost/benefit analysis. Additionally, a sewer system management plan must contain a spill response plan that establishes standard procedures for immediate response to a sewer system overflow in a manner designed to minimize water quality impacts and potential nuisance conditions.

Assembly Bill 75

Assembly Bill (AB) 75 was passed in 1999, and the State Agency Project Integrated Waste Management Act (Chapter 764, Statutes of 1999, Strom-Martin) took effect on January 1, 2000. The State Agency Project Integrated Waste Management Act mandated that state agencies develop and implement an integrated waste management plan. The Act also mandated that community service districts providing solid waste services report disposal and diversion information to the city, county, or regional agency in which the community service district is located. The Act requires all state agencies and large state facilities to divert at least 50 percent of solid waste from landfills after 2004, and that each state agency and large facility submit an annual report to CalRecycle summarizing its yearly progress in implementing waste diversion programs.

Assembly Bill 939

California's Integrated Waste Management Act of 1989 (AB 939) requires that cities and counties divert 50 percent of all solid waste from landfills as of January 1, 2000, through source reduction, recycling, and composting. AB 939 also establishes a goal for all counties to provide at least 15 years of ongoing landfill capacity. To help achieve this goal, AB 939 requires that each city and county prepare a Source Reduction and Recycling Element to be submitted to CalRecycle, a department within the California Natural Resources Agency, which administers programs formerly managed by the State's Integrated Waste Management Board and Division of Recycling.

As part of CalRecycle's Zero Waste Campaign, regulations affect what common household items can be placed in the trash. Household materials—including fluorescent lamps and tubes, batteries, electronic devices and thermostats— containing mercury are no longer permitted in the trash and must be disposed separately.

In 2007, Senate Bill (SB) 1016 amended AB 939 to establish a per capita disposal measurement system. The per capita disposal measurement system is based on a jurisdiction's reported total disposal of solid waste divided by a jurisdiction's population. CalRecycle sets a target per capita disposal rate for each jurisdiction. Each jurisdiction must submit an annual report to CalRecycle with an update of its progress in implementing diversion programs and its current per capita disposal rate.

Assembly Bill 1668 and Senate Bill 606

AB 1668 and SB 606 build on former Governor Brown's efforts to make water conservation a way of life in California and create a new foundation for long-term improvements in water conservation and drought planning. SB 606 and AB 1668 establish guidelines for efficient water use and a framework for the implementation and oversight of the new standards, which must be in place by 2022. The two bills strengthen the State's water resiliency in the face of future droughts with provisions that include:

- Establishing water use objectives and long-term standards for efficient water use that apply to urban retail water suppliers; and indoor residential water use, outdoor residential water use, commercial, industrial and institutional irrigation with dedicated meters, water loss, and other unique local uses.
- Providing incentives for water suppliers to recycle water.
- Identifying small water suppliers and rural communities that may be at risk of drought and water shortage vulnerability and provide recommendations for drought planning. Requiring both urban and agricultural water suppliers to set annual water budgets and prepare for drought.

Efficiency Standards

California Code of Regulations (CCR) Title 24 contains the California Building Code, including the California Plumbing Code (Part 5), which promotes water conservation. CCR Title 20 addresses Public Utilities and Energy conservation. In addition, the following California regulations require water-efficient plumbing fixtures in structures:

- CCR Title 20 §1604(g) establishes efficiency standards that give the maximum flow rate of all new showerheads, lavatory faucets, sink faucets, and tub spout diverters.
- CCR Title 20 §1606 prohibits the sale of fixtures that do not comply with established efficiency regulations.
- CCR Title 24 §25352(I) and (j) address pipe insulation requirements, which can reduce water used before hot water reaches equipment or fixtures. Insulation of water-heating systems is also required.
- Health and Safety Code §17921.3 requires low-flush toilets and urinals in virtually all buildings.

Water Conservation in Landscaping Act 2006

This act required cities, counties, charter cities, and charter counties to adopt landscape water conservation ordinances by January 1, 2010.

California Senate Bill 1087: Sewer and Water Service Priority for Housing Affordable to Lower-Income Households (2006)

This statute requires local governments to provide a copy of the updated Housing Element to water and sewer providers immediately after adoption. Water and sewer providers must grant priority for service allocation to proposed development that includes housing units affordable to lower-income households. Additionally, Urban Water Management Plans are required to include projected water use for future lower-income households.

Recycled Water Policy Resolution No. 2009-0011

The purpose of the Recycled Water Policy is to increase the use of recycled water from municipal wastewater sources that meets the definition in California Water Code, §13050(n), in a manner that implements state and federal water quality laws. When used in compliance with the policy, Title 22, and all applicable state and federal water quality laws, the SWRCB strongly supports recycled water as a safe alternative to potable water for approved uses.

Assembly Bill 341

AB 341, approved in October 2011, is intended to reduce greenhouse gas emissions by diverting commercial solid waste to recycling efforts and to expand the opportunity for additional recycling services and recycling manufacturing facilities in the state. It is the State's goal that not less than 75 percent of solid waste generated be source reduced, recycled, or composted by the year 2020. This law requires commercial businesses and public entities that generate four or more cubic yards of commercial solid waste per week or is a multi-unit residential dwelling with five or more units to arrange for recycling services.

Each local jurisdiction is required to inform businesses about the recycling requirement and to keep track of the level of recycling within the business community. In addition, each jurisdiction is required to report

to CalRecycle, the State agency that oversees recycling and solid waste, on progress in the business community.

Assembly Bill 1826

In October 2014, Governor Brown signed AB 1826, Chesbro (Chapter 727, Statutes of 2014), which requires businesses to recycle their organic waste on and after April 1, 2016, depending on the amount of waste they generate per week. Organic waste means food waste, green waste, landscape and pruning waste, nonhazardous wood waste, and food-soiled paper waste that is mixed in with food waste. For businesses that generate eight or more cubic yards of organic waste per week, this requirement began April 1, 2016, while those that generate four cubic yards of organic waste per week must have an organic waste recycling program in place beginning January 1, 2017. This law also requires that on and after January 1, 2016, local jurisdictions across the state implement an organic waste recycling program to divert organic waste generated by businesses, including multi-unit residential dwellings that consist of five or more units. Mandatory recycling of commercial organics would be phased in overtime, and an exemption process is available for rural counties.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Land Use Element

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

Policy LU-3.2: Work with utility provides to increase service capacity as demand increases.

Policy LU-3.4: Require that approval of new development be contingent upon the project's ability to secure appropriate infrastructure services.

Open Space and Conservation Element

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

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

Policy OCS-4.3: Advocate for cost-effective and reliable production and delivery of electrical power to residents and businesses throughout the community.

Goal OSC-7: A reliable and safe water supply that effectively meets current and future user demands.

Policy 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.

Policy OSC-7.5: Utilize a wastewater collection, treatment, and disposal system that adequately serves the existing and long-term needs of the community.

Policy OCS-7.6: Work with the Eastern Municipal Water District to maintain adopted levels of service standards for sewer service systems.

Community Design Element

Goal CD-3: Projects, developments, and public spaces that visually enhance the character of the community and are appropriately buffered from dissimilar land uses so that differences in type and intensity do not conflict.

Policy CD-3.3: Minimize visual impacts of public and private facilities and support structures through sensitive site design and construction. This includes, but is not limited to: appropriate placement of facilities; undergrounding, where possible; and aesthetic design (e.g., cell tower stealthing).

4.19.3 Standards of Significance

The City relies on thresholds of significance specified in *State CEQA Guidelines,* Appendix G. Impacts concerning utilities and service systems would be significant if the proposed Project implementation would:

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects.
- Have insufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.
- Result in a determination by the wastewater treatment provider which serves or may serve the project that it has inadequate capacity to serve the project's projected demand in addition to the provider's existing commitments.
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.
- Conflict with federal, state, and local management and reduction statutes and regulations related to solid waste.

4.19.4 Methodology

This analysis considers the recommendations of the *State CEQA Guidelines,* Appendix G, as described above, in determining whether Project implementation would result in the impacts on utilities. The evaluation was based on a review of regulations and determining their applicability for the proposed

Project. Utilities information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination that the Project implementation would or would not result in "substantial" adverse effects on utilities considers the relevant policies and regulations established by local and regional agencies and the Project's compliance with such policies.

4.19.5 Project Impacts and Mitigation

Impact 4.19-1: ***Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?***

Level of Significance: Less Than Significant Impact

The Project does not propose any physical developments or alterations to the City. Instead, the Project proposes modifications to the City's GP and Zoning Code which would allow for the future development of housing units to meet the requirements of the State-mandated Regional Housing Needs Assessment (RHNA) allocation for the City through the expansion of maximum residential development densities from 22 dwelling units per acre (du/ac) to 24 du/ac. The project also includes an update to the City's Safety Element which would include the addition of policies recommending the siting of developments nearby adequate water facilities.

Although not directly proposed by the Project, future housing development facilitated by the Project would require discretionary permits as market conditions allow and at the discretion of the individual property owners. As discussed in ***Section 4.14, Population and Housing***, the Project would include a series of implementing actions to increase housing capacity that would induce population growth in the City. Future housing development facilitated by the Project and the resulting population growth of approximately 25,410 persons would incrementally increase the demand for utility and service systems.

Table 4.19-3: Utility Demands and Generation

Provider	Water	Wastewater	Natural Gas	Electricity	Solid Waste
	EMWD	EMWD	SCGC	SCE	Waste Management
Existing Demand/Generation	123,087 AF per year	45,385 AF per year	2409 MM cf per day	101,000 GWh	Unknown
Demand Factor	212 gallons per person per day	55 gallons per capita per day	0.04 MM cf per household per year	7,300 kWh per household per year	10 lbs per housing unit per day
HEU RHNA Units + estimated 5th Cycle carryover	8,696 units				
Land Use Element Update Units	66 units				

Provider	Water	Wastewater	Natural Gas	Electricity	Solid Waste
	EMWD	EMWD	SCGC	SCE	Waste Management
Total Project Units	8,762 units				
Forecast Population	25,410 persons[1]				
Project Demand/ Generation	6,034 AF per year	1,566 AF per year	351 MM cf per year	63,962,600 kWh per year	44 tons per day
Total Existing + Project Demand/Generation	125,168 AF per year	45,925 AF per year	2,760 MM cf per year	101,064 GWh	not applicable
Capacity	145,745 AF per year projected for 2020. Project is 4.1% of capacity	81,800 AF per Year Project is 3.5% of capacity	Not available- HEU represents approximately 15% increase over existing demand	Not available- HEU represents approximately 0.06% increase over existing demand	16,054 tons per day- Project is 0.27% of capacity
Capacity Sufficient to Meet HEU Demand?	**Yes**	**Yes**	**Yes**	**Yes**	**Yes**

1. See Section 4.13, Population and Housing

Overall, future housing development construction and operation would result in increased water, wastewater treatment, electric power, natural gas, and telecommunications demands, and wastewater and solid waste generation. Any construction and operation effects to utilities and service systems from future housing development is facilitated by the Project would be subject to compliance with all federal, State, and local requirements for minimizing construction and operational impacts to utilities, including water and wastewater system capacities, solid waste reduction goals, and supplies of electric power, natural gas, and telecommunications. Because the Project does not directly involve physical development of housing units and instead modifies existing policies and regulations, it would not directly result in the relocation or construction of new or expanded utility facilities.

Water Facilities

Water would be provided to future housing units facilitated by the Project through the City's continued partnership with EMWD. Future housing developments would be expected to connect to the City's domestic water supply system in adjacent areas and would provide infrastructure/pipelines that are adequately sized to accommodate its demands. Applicants for future development projects would be required to submit proper building and safety documents.

Wastewater Treatment Facilities

The four RWRF managed by EMWD would continue to provide wastewater services to future housing developments facilitated by the implementation of the Project. Future housing developments would be expected to connect to existing wastewater infrastructure in adjacent areas. Further, future housing developments would not require the construction or expansion of wastewater facilities. See ***Table 4.19-3: Utility Demands and Generation*** above; see also ***Impact 4.19-3*** below.

Stormwater Infrastructure

All stormwater infrastructure, including on- and off-site improvements, would connect to the City's existing stormwater infrastructure. Thus, future housing development would not require construction of new stormwater treatment and conveyance facilities, including on-site storm drains and water quality biofiltration basins.

Dry Utilities (i.e., Electric Power, Natural Gas, and Telecommunications)

Although the City contains undeveloped areas which could house future candidate sites, the City is largely developed and contains adequate capacity to expand dry utility infrastructure to accommodate future potential housing developments in those undeveloped areas. Thus, future housing developments would not be expected to require the construction or expansion of electric power, natural gas, and telecommunication facilities.

Overall, future housing development construction and operation would result in increased water, wastewater treatment, electric power, natural gas, and telecommunications demands, and wastewater and solid waste generation. Any construction and operation effects to utilities and service systems from future housing development in accordance with the HEU would be subject to compliance with all Federal, State, and local requirements for minimizing construction and operational impacts to utilities, including water and wastewater system capacities, solid waste reduction goals, and supplies of electric power, natural gas, and telecommunications.

All future housing development facilitated by the HEU would be required to meet the mandatory requirements under the City's various programs aimed at ensuring adequate supplies and service infrastructure are available to serve the development. Furthermore, ***Table 4.19-3: Utility Demands and Generation*** shows utility providers have sufficient capacity for the project's forecast demands and generation volumes. Additionally, the following updated goals and policies from the Housing Element, Land Use Element, and Environmental Justice Element would reduce any potential impacts to a level of less than significant:

S-4.17: The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

S-7.2: Ensure that the City's water supply is protected against drought conditions intensified by climate change.

S-7.9: Promote drought resistant landscaping to continue reducing water consumption and potential fuel sources.

Therefore, a less than significant impact would occur, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.19-2: ***Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?***

Level of Significance: Less Than Significant Impact

Table 4.19-3: Utility Demands and Generation summarizes the City's capacity to accommodate the future housing development that may be facilitated by the Project. According to the table, the EMWD, which provides water to the City, is projected to have a greater than adequate supply capable of meeting the needs of future development facilitated by the Project. This remains consistent in single and multiple dry years. ***Table 4.19-4: Single and Multiple Dry Year Water Supply*** summarizes the City's water supplies in single and multiple dry years.

Table 4.19-4: Single and Multiple Dry Year Water Supply

Year	2020	2025	2030	2035	2040
First Year	182,400	197,400	212,000	225,700	182,400
Project Demand Percentage	3.3%	3.1%	2.8%	2.7%	3.3%
Second Year	155,400	167,400	179,000	190,100	155,400
Project Demand Percentage	3.9%	3.6%	3.4%	3.2%	3.9%
Third Year	162,000	175,100	186,900	198,600	162,000
Project Demand Percentage	3.7%	3.4%	3.2%	3.0%	3.7%

Source: Eastern Municipal Water District. (2016). 2015 Urban Water Management Plan. Table 7-8: Retail Multiple-Dry Years Supply and Demand Comparison (AFY). Page 7-12. Irvine, CA: RMC Water and Environment

Project implementation would not facilitate development in a manner that would exceed the water supply capacity for EMWD in single or multiple dry years. Further, future development facilitated by the Project would be required to adhere to all federal, State, and local requirements during construction and operation for ensuring that sufficient water supplies are available. Additionally, the updated goals and policies from the Housing Element, Land Use Element, and Environmental Justice Element identified above in Impact 4.19-1 would reduce any potential impacts to a level of less than significant. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.19-3: ***Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?***

Level of Significance: Less Than Significant.

As identified in ***Table 4.19-3: Utility Demands and Generation***, future housing development facilitated by the development of the Project's 8,762 housing units would generate approximately 45,925 AFY of wastewater. This wastewater would be treated at the four RWRF facilities noted in ***Table 4.19-2: RWRF Treatment Capacity (AFY)*** above. The Project would constitute only 3.5 percent of EMWD's RFWR capacity. Therefore, EMWD has adequate capacity to serve the Project's estimated demand for wastewater treatment, in addition to its existing commitments.

Future housing development facilitated by the Project would be subject to discretionary permits and required to adhere to all federal, State, and local requirements related to wastewater treatment during construction and operations, including the City's stormwater and urban runoff policies within the Menifee MC §15.01. Considering these requirements, and the available capacity discussed above, the Project would not result in a determination by the wastewater treatment provider that it has inadequate capacity to serve the Project's projected demand in addition to the provider's existing commitments.

Impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.19-4: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Level of Significance: Less Than Significant Impact

The City would continue to collect and process solid waste through its partnership with Waste Management. As described in ***Section 4.19.1: Environmental Setting***, The El Segundo Landfill would be the nearest landfill to the City and would be the most likely receptor for the City's solid waste. El Segundo Landfill has a daily throughput capacity of 16,054 tons and a remaining capacity of 143,977,170 cubic yards.[10]

The Project would expand the City's current housing volume by 8,762 units in order to accommodate the City's 6th Cycle RHNA allocation and the remaining carryover units from the 5th Cycle RHNA allocation as well as the 66 units associated with the Land Use Element Update. Solid waste is generated in the City's residential areas at an average rate of 10 pounds per day.[11] Therefore, the 8, 762 RHNA units would lead to the daily generation of 87,620 pounds of solid waste which is equivalent to 43.81 tons of solid waste per day. This would comprise approximately 0.27 percent[12] of the current daily throughput of the El Segundo Landfill. This amount would be further decreased through compliance with Menifee MC

[10] CalRecycle. (2020). *SWIS Facility/Site Activity Details El Sobrante Landfill (33-AA-0217).* Retrieved from: https://www2.calrecycle.ca.gov/SolidWaste/SiteActivity/Details/2280?siteID=2402 (Accessed February 15, 2021)

[11] City of Menifee. (2013). *Menifee General Plan Draft Environmental Impact Report Chapter 5.17: Utilities and Service Systems. Table 5.17-4: Solid Waste Generation*. Page 5.17-13. Santa Ana, CA: The Planning Center/DC&E

[12] 43.48 tons per day is .26 percent of El Segundo Landfill's maximum permitted throughput.

§ 6.30.090 which requires that at least 50 percent of solid waste be diverted from landfills through recycling programs and practices.

Due to the Project's lack of substantial waste generation and through compliance with applicable regulations such as the Menifee MC and AB 341, impacts would be less than significant, no mitigation is required.

Impact 4.19-5: Would the project comply with federal, state, and local statutes and regulations related to solid waste?

Level of Significance: Less Than Significant Impact

The City is required by the California Integrated Waste Management Board to divert 50 percent of its waste stream away from landfills. To achieve this target, Menifee MC §6.30, Collection of Solid Waste and Recycling, designates recyclable materials based on land use type. Any future development would be required to separate recyclable materials such as glass, plastics, cardboard, paper, and metals for recovery by Waste Management.[13]

Such measures would reduce the amount of solid waste disposed of at the Miramar Landfill. All future development would be required to demonstrate compliance with federal, State, and local statutes and regulations concerning solid waste. Construction activities would be subject to compliance with the 50 percent diversion of solid waste requirement pursuant to AB 939. In addition, all future housing development under the HEU would be required to comply with the Green Building Code, which implements design and construction measures that act to reduce construction-related waste through material conservation measures and other construction-related efficiency measures.

Future housing development facilitated by the Project would be required to adhere to all federal, state, and local management and reduction statutes related to solid waste, including AB 939 and the Menifee MC §6.30. Considering these requirements, the Project would comply with federal, state, and local statutes and regulations related to solid waste.

Therefore, the Project would not conflict with statutes and regulations related to solid waste. Impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

4.19.6 Significant Unavoidable Impacts

No Significant unavoidable impacts were identified.

[13] Menifee MC § 6.30.090

4.19.7 Cumulative Impacts

The Project's anticipated impacts, in conjunction with cumulative development in the City, would increase housing development in a predominately urbanized area and could result in impacts to utilities and service systems. Potential impacts would be site-specific and would require evaluation on a case-by-case basis at the project level when future development is proposed in accordance with the Project. Each cumulative project would require separate discretionary approval and review under CEQA, which would address potential impacts to utilities and service systems, and identify necessary mitigation measures, where appropriate.

Consequently, the Project implementation would not result in significant environmental impacts from the exceeding existing utility and system capacities, resulting in insufficient water supplies, exceeding wastewater treatment capacities, interfering with solid waste reduction goals, or existing solid waste statutes or regulations. Therefore, the Project would not cause a cumulatively considerable impact on utilities and service systems, and no mitigation is required.

4.20 WILDFIRE

This section of the Programmatic Environmental Impact Report (PEIR) assesses the potential wildfire hazards associated with the implementation of the City of Menifee 6th Cycle Housing Element Update Project (HEU or Project). This includes Project components such as the inclusion of the candidate housing sites and revisions to the Land Use Element, Safety Element and Environmental Justice policies. Analysis within this section is based on existing regulatory framework and research of existing wildfire hazards within the City of Menifee (City) and surrounding areas.

The candidate housing sites were evaluated in this PEIR at a programmatic level based on information available to the City where reasonably foreseeable, direct, and indirect physical changes in the environment could be considered. Further analysis was not conducted because the City had no further information and would be too speculative to base an analysis of potential impacts resulting from future housing development per the Project. As such, potential changes beyond that are considered speculative or unlikely to occur and therefore, not reasonably foreseeable.

4.20.1 Environmental Setting

Wildfires can potentially occur where developments are adjacent to open space or proximate to wildland fuels such as grass, leaf litter, trees, or shrubs that can ignite when exposed to a natural occurrence (e.g., lighting) or by an unplanned, unauthorized, or accidental human-caused activity. Wildfire hazards are also based on factors such as topography and climatic conditions, including winds, humidity, droughts, and extreme temperatures. These areas are designated as fire hazard severity zones (FHSZs).

Wildfires may originate in undeveloped areas and spread to developed or urban areas where landscape and structures are not designed and maintained to be fire-resistant. Areas where residential developments are built or located among lands prone to wildfires are characterized as Wildland-Urban Interface (WUI) areas. In general, a WUI is an area where structures and other human developments meet or intermingle with wildland vegetative fuels, including shrubs, trees and grasses. The geographic extent of the WUI fire hazard in the City includes portions of eastern and southern parts of the City located adjacent to the hillsides of Crest Canyon Open Space Park Preserve and Torrey Pines State Natural Reserve Extension.

The California Department of Forestry and Fire Prevention (CAL FIRE) is mandated by Public Resources Code (PRC) §§4201-4204 and California Government Code (CGC) §§51175-89 to identify FHSZs statewide. These are areas of significant fire hazard based on fuels, terrain, weather, and other relevant factors where the state has financial responsibility for wildland fire protection. These areas are also known as State Responsibility Areas (SRAs). Areas where local fire protection agencies are responsible for wildfire protection are classified as Local Responsibility Areas (LRAs). These classifications influence where development occurs and how a city will respond to future wildfire emergencies (CAL FIRE, 2007).

As required by the State Code, CAL FIRE, through its Fire and Resources Assessment Program (FRAP), has mapped FHSZs. The FRAP ranks WUI areas into one of the three different severity zones — Moderate FHSZ,

High FHSZ, and Very High FHSZ (VHFHSZ). All other areas are labeled as "non-VHFHSZ." In LRAs, state law only requires identification of VHFHSZs.

In February 2020 the Western Riverside Council of Governments (WRCOG) published the City's Community Vulnerability Profile. The report includes City-specific hazard information including key hazards which may affect the City. Wildfires were noted as a Key Hazard in the report due to the City's sensitivity to drought conditions and extreme wind effects. The northern, southwestern and southeastern portions were noted as being especially susceptible to wildfires due to their containing very high fire hazards and high fire hazards. It also noted that the majority of land within the City is susceptible to moderate fire hazards.[1]

The City's evacuation network is comprised of 65 miles of roadway and contains 16 bridge crossings and 29 water crossings. Menifee's evacuation routes include the following roadways:

- Interstate 215 (I-215),
- State Route 74 (SR-74),
- Menifee Road,
- Briggs Road,
- Simpson Road,
- Lindenberger Road,
- McCall Boulevard,
- Murrieta Road,
- Ethanac Road,
- Goetz Road,
- Newport Road,
- Domenigoni Parkway,
- Case Road,
- Holland Road,
- Canyon Hills Road,
- Bundy Canyon Road,
- Scott Road, and
- Whitewood Road.

[1] Western Riverside Council of Governments (WRCOG) (2020). *Community Vulnerability Profile; City of Menifee.* Page 37 – 40. Riverside, CA: WRCOG.

4.20.2 Regulatory Setting

Federal

Federal Emergency Management Act

The Federal Emergency Management Agency (FEMA) is an agency of the United States Department of Homeland Security, initially created by Presidential Reorganization Plan No. 3 of 1978 and implemented by two Executive Orders on April 1, 1979. The agency's primary purpose is to coordinate the response to a disaster that has occurred in the United States and that overwhelms the resources of local and state authorities. The governor of the state in which the disaster occurs must declare a state of emergency and formally request from the president that FEMA and the federal government respond to the disaster.

Disaster Mitigation Act of 2000

This Act (42 United States Code [USC] §5121) was signed into law to amend the Robert T. Stafford Disaster Relief Act of 1988 (42 USC §§5121-5207). Among other things, this legislation reinforces the importance of pre-disaster infrastructure mitigation planning to reduce disaster losses nationwide and is aimed primarily at the control and streamlining of the administration of federal disaster relief and programs to promote mitigation activities. Some of the major provisions of this Act include:

i) Funding pre-disaster mitigation activities;

ii) Developing experimental multi-hazard maps to better understand risk;

iii) Establishing state and local government infrastructure mitigation planning requirements;

iv) Defining how states can assume more responsibility in managing the hazard mitigation grant program; and

v) Adjusting ways in which management costs for projects are funded.

State

Uniform Fire Code

The Uniform Fire Code (UFC) is the primary means for authorizing and enforcing procedures and mechanisms to ensure the safe handling and storage of any substance that may pose a threat to public health and safety. The UFC regulates the use, handling, and storage requirements for hazardous materials at stationary facilities. The UFC uses a hazard classification system to determine what protective measures are required to protect fire and life safety. These measures may include construction standards, separations from property lines, and specialized equipment. To ensure that these safety measures are met, the UFC employs a permit system based on hazard classification.

2019 California Building Code, Chapter 7A

California Building Code (CBC) Chapter 7A focuses primarily on preventing ember penetration into homes, a leading cause of structure loss from wildfires. Thus, it is an important component given that portions of the City are statutorily designated a VHFHSZ.

Fire hazard designations are based on topography, vegetation, and weather, amongst other factors with more hazardous sites including steep terrain, unmaintained fuels/vegetation, and urbanized areas adjacent to wilderness. Developments situated in VHFHSZs require fire hazard analysis and application of fire protection measures that have been developed to specifically result in defensible communities.

These codes have been developed through decades of after fire structure "save" and "loss" evaluations to determine what causes buildings to ignite or avoid ignition during wildfires. The resulting fire codes now focus on mitigating former structural vulnerabilities through construction techniques and materials so that the buildings are resistant to ignitions from direct flames, heat, and embers, as indicated in the 2019 CBC (Chapter 7A, §701A Scope, Purpose and Application).

2019 California Fire Code Title 24, Part 9

California Code of Regulations (CCR) Title 24, Part 9 (2019 California Fire Code) contains regulations relating to construction and maintenance of buildings, the use of premises, and the management of WUI areas, among other issues. The California Fire Code is updated every three years by the California Building Standards Commission and was last updated in 2019. The California Fire Code sets forth regulations regarding building standards, fire protection and notification systems, fire protection devices such as fire extinguishers and smoke alarms, high-rise building standards, and fire suppression training. It contains regulations relating to construction, maintenance, and use of buildings. Topics addressed in the code also include fire department access, fire hydrants, automatic sprinkler systems, fire alarm systems, fire and explosion hazards safety, hazardous materials storage and use, provisions intended to protect and assist fire responders, industrial processes, and many other general and specialized fire-safety requirements for new and existing buildings and the surrounding premises.

Chapter 48 of the California Fire Code provides minimum standards to increase the ability of a building or structure to resist the intrusion of flame or burning embers being projected by a vegetation fire and contributes to a systematic reduction in fire losses through the use of performance and prescriptive requirements. Buildings and structures located on unincorporated land designated as an SRA Moderate, High, and VHFHSZ and land designated as VHFHSZ by a city or other local agency shall maintain the required hazardous vegetation and fuel management standards.

2019 California Fire Code, Chapter 49

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practices to safeguard the public health, safety and general welfare from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety and assistance to firefighters and emergency responders during emergency operations.

With regard to CCR §4902.1, an area designated by a local agency upon the recommendation of the California Department of Forestry and Fire Protection Director pursuant to Government Code is subject to submit a fire protection plan when locally adopted ordinances that have been filed with the California Building Standards Commission in accordance with §101.14 or the Department of Housing and Community Development in accordance with §101.15.

Title 8 California Code of Regulations Sections 1270 and 6773

In accordance with CCR, Title 8 §1270 "Fire Prevention" and §6773 "Fire Protection and Fire Equipment," the California Occupational Safety and Health Administration (Cal/OSHA) has established minimum standards for fire suppression and emergency medical services. The standards include, but are not limited to, guidelines on the handling of highly combustible materials, fire hose sizing requirements, restrictions on the use of compressed air, access roads, and the testing, maintenance, and use of all firefighting and emergency medical equipment.

California Health and Safety Code

State fire regulations are set forth in California Health and Safety Code (HSC) §13000 et seq., and include provisions concerning building standards, fire protection and notification systems, fire protection devices, and fire suppression training, as also set forth in the 2019 CBC and related updated codes.

Emergency Mutual Aid Agreements

The Emergency Mutual Aid Agreements (EMAA) system is a collaborative effort between city and county emergency managers in the California Governor's Office of Emergency Services (Cal OES) in the coastal, southern, and inland regions of the state. EMAA provides service in the emergency response and recovery efforts at the Southern Regional Emergency Operations Center, local Emergency Operations Centers (EOCs), the Disaster Field Office, and community service centers. The purpose of EMAA is to support disaster operations in affected jurisdictions by providing professional emergency management personnel. In accordance with the EMAA, local and state emergency managers have responded in support of each other under a variety of plans and procedures.

California Governor's Office of Emergency Services (Cal OES)

In 2009, the State of California passed legislation creating the California Emergency Management Agency (Cal EMA) and authorizing it to prepare a Standardized Emergency Management System (SEMS) program (Title 19 CCR §2400 *et seq.*), which sets forth measures by which a jurisdiction should handle emergency disasters. Non-compliance with SEMS could result in the state withholding disaster relief from the non-complying jurisdiction in the event of an emergency disaster. As part of former Governor Brown's Reorganization Plan #2, Cal EMA was eliminated and restored to the Governor's Office in 2013. Cal EMA was renamed Cal OES and merged with the office of Public Safety Communications.

Cal OES serves as the lead state agency for emergency management in California. Cal OES coordinates the state response to major emergencies in support of local government. The primary responsibility for emergency management resides with local government. Local jurisdictions first use their own resources and, as these are exhausted, obtain more from neighboring cities and special districts, the county in which they are located, and other counties throughout the state through the statewide mutual aid system. In California, the SEMS provides the mechanism by which local government requests assistance. Cal OES serves as the lead agency for mobilizing the state's resources and obtaining federal resources; it also maintains oversight of the state's mutual aid system.

Assembly Bill 2911

Approved by former Governor Brown in September 21, 2018, Assembly Bill (AB) 2911 requires a local agency to designate, by ordinance, VHFHSZs in its jurisdiction within 120 days of receiving recommendations from the Director of Forestry and Fire Protection and requires a local agency to transmit a copy of any ordinance adopted pursuant to these provisions to the State Board of Forestry and Fire Protection within 30 days of adoption. No later than January 31, 2020, AB 2911 requires the State Fire Marshal, in consultation with the Director of Forestry and Fire Protection and the Director of Housing and Community Development, to recommend updated building standards that provide for comprehensive site and structure fire risk reduction to protect structures from fires spreading, as specified, based on lessons learned from the wildfires of 2017 and to develop a list of low-cost retrofits that provide for comprehensive site and structure fire risk reduction, as provided.

This bill requires that on or before July 1, 2021, and every five years thereafter, the State Board of Forestry and Fire Protection, in consultation with the State Fire Marshal, survey local governments and fire districts to identify existing subdivisions, as defined, in either a SRA or a VHFHSZ, without secondary egress routes, that are at significant fire risk. The bill requires the State Board of Forestry and Fire Protection, in consultation with the State Fire Marshal and the local governments identified above, to develop recommendations to improve the subdivision's fire safety, as provided. The bill requires the board to provide final recommendations to the identified local governments.

Senate Bill 969

Signed into law on September 1, 2018, Senate Bill (SB) 969 applies to all new garage doors and garage door opener installations. The law states that when a new garage door is installed or when an existing garage door opener is replaced, the homeowner must install a battery backup garage door opener. This law is relevant to this analysis because widespread power outages are often associated wildfires. Without electricity, homeowners/occupants are unable to open their garage doors using the garage door opener. While garage doors do have an emergency cord which disconnects the garage door from the garage door opener, some people have difficulty engaging the emergency release and/or manually opening the garage door.

Local

City of Menifee General Plan

The Menifee General Plan (GP), adopted in 2013, includes eight GP elements which contain specific long-range planning goals and policies designed to guide growth and development in the City. The GP's relevant goals, objectives, and policies are described below.

Safety Element

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

Policy S-4.2 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.

Policy S-4.3 Use technology to identify flood-prone areas and to notify residents and motorists of impending flood hazards and evacuation procedures.

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

4.20.3 Standards of Significance

The City relies on the thresholds of significance specified in *California Environmental Quality Act (CEQA) Guidelines, Appendix G*. Impacts related to wildfires would be significant if the Project would:

- Substantially impair an adopted emergency response plan or emergency evacuation plan.
- 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.
- 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.
- 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.

4.20.4 Methodology

This analysis considers the State CEQA Guidelines, Appendix G thresholds, as described above, in determining whether implementation of the Project would result in wildfire impacts. The evaluation was based on a review of regulations and determining their applicability to future housing development and implementation actions facilitated by the Project. Wildfire information was acquired through consultation with City staff and review of relevant documents.

The baseline conditions and impact analyses are based on analysis of aerial and ground-level photographs and review of various data available in public records, including local planning documents. The determination of whether the Project would result in "substantial" temporary or permanent wildfire impacts considers the relevant policies and regulations established by local and regional agencies and the PROJECT's compliance with such policies and regulations.

4.20.5 Project Impacts and Mitigation

Impact 4.20-1 ***Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?***

Level of Significance: Less Than Significant Impact

Future development facilitated by the Project would not impair or physically interfere with an adopted emergency response or evacuation plan. The Project includes State-mandated updates to the City's Housing Element and updates to the Safety Element in compliance with Cal Fire California Office of Planning and Research (OPR) standards. The Project would update existing policies and regulations to allow for the accommodation of the City's Regional Housing Needs Assessment (RHNA) allocation. Future housing development facilitated by the Project would be subject to discretionary permits and would occur as market conditions allow and at the discretion of the individual property owners.

The City of Menifee Local Hazard Mitigation Plan (LHMP) created in 2015, includes wildfire mitigation policies for wildfire hazards which have been incorporated into the Menifee GP Safety Element, The California Building Code, and the Menifee Emergency Operations Plan. The mitigation presented in the LHMP requires that new developments be built of fire-resistant materials, utilize vegetation control methods, and other fire prevention methods to reduce the hazard of wildland fire. The LHMP also requires the creation of sprinkler systems in new and existing structures and a mandatory review of development proposals to identify possible fire hazard reducing mitigation measures.[2]

The Project includes new goals and policies which would further corroborate the intention of the City's LHMP. These policies include requirements that:

- All new or redeveloped structures within an LRA and VHFHSZ will comply with the California Fire Code and California Building Code;
- All new development within the LRA Very High Fire zone will also comply with Chapter 49 of the California Fire Code and Chapter 7A of the California Building Code;
- Any new development such as multi-family housing, group homes, or other community housing in SRAs, FLRAs, or VHFHSZs, to develop a policy to create emergency evacuation or shelter in place plans, to further reduce risk of impact; and
- Consistent coordination with Cal Fire is conducted in order to ensure that Fire Hazard Severity Zone mapping is up to date, in order to further reduce risk of impairment on an emergency response and evacuation plan.

The Project would incorporate the information and policies included in the LHMP as well as those from other State agencies in order to remain compliant with Statewide safety goals.

Furthermore, the City contains 18 roadways totaling 65 combined miles specified for emergency evacuation.[3] The City's emergency evacuation roadways are noted in ***Section 4.20.1: Environmental Setting*** above. The Project does not include components which would require the modification of roadways in a way that would alter the City's established evacuation routes.

Although the Project does not include the development of physical structures, construction of any future housing units on candidate housing sites would occur within City rights-of-way. During these construction activities, traffic controls would be required to maintain safety for roadway users and construction

[2] City of Menifee (2015). Local Hazard Mitigation Plan. Pages 66 – 67. Menifee, CA: City of Menifee.
[3] Western Riverside Council of Governments (WRCOG) (2020). *Community Vulnerability Profile; City of Menifee.* Page 37 – 40. Riverside, CA: WRCOG.

personnel along the affected roadways. Any traffic control plans would require review and approval by the City's Engineer and/or Traffic Engineer and Public Works Department. Future development on candidate housing sites would be subject to discretionary permits and required to comply with the regulations described above to maintain adequate availability of emergency services during an emergency response or an emergency evacuation which would prevent impairment of adopted emergency response plan or emergency evacuation plan. As a result, Project implementation would not substantially impair an adopted local or county-wide emergency response or evacuation plan.

Additionally, the following updated goals and policies from the Housing Element, Land Use Element, and Environmental Justice would reduce any potential impacts to a level of less than significant:

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. Ensure all new development and/or redevelopment in the LRA and VHFHSZ will comply with the California Fire Code (CFC) and California Building Code (CBC). All new development within the LRA Very High Fire zone will comply with Chapter 49 of the California Fire Code and Chapter 7A of the California Building Code.

S-4.5: Coordinate with Cal Fire to ensure that Fire Hazard Severity Zone mapping is up to date.

S-4.7: Encourage multi-family housing, group homes, or other community housing in SRAs, LRAs, or VHFHSZs to develop a policy to create emergency evacuation or shelter in place plans.

S-4.8: When feasible locate new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, or identifying construction methods or other methods to minimize damage if these facilities are located in a state responsibility area or very high fire hazard severity zone.

S-4.9: Ensure all new development and/or redevelopment within the SRA will comply with the Board of Forestry and Fire Protection Fire Safe Regulations. All new development within the SRA will comply with all provisions of Title 14, CCR, division 1.5, chapter 7, subchapter 3, article 3 (commencing with section 1299.01) (Fire Hazard Reduction Around Buildings and Structures Regulations) for SRAs and VHFHSZs.

S-4.10: Ensure all new residential development as well as all new development and redevelopment within the LRA and VHFHSZ will comply with the most current version of the California Building Codes and California Fire Code.

S-4.11: When feasible, the City will minimize all new residential, commercial, and industrial development in the VHFHSZ.

S-4.12: All new development located in the LRA VHFHSZ shall be required to provide a site-specific Fire Protection Plan (FPP) and a Fuel Modification Plan that address fuel modification or incorporate open space and other defensible space areas, as well as multiple points of ingress and egress before approval.

S-4.13: All new development within the LRA VHFHSZ shall be responsible for long-term maintenance of fire reduction projects; including but not limited to, a roadside fuel reduction plan (including private/public road clearance), defensible space clearances (including fuel breaks) around structures, subdivisions, and other development in the VHFHSZ.

S-4.14: All new parcel maps and tentative maps in the LRA, SRA, and VHFHSZ shall provide two points of access to the project in conformance with the California Building Code and California Fire Code and CA GC 65302 (g)(5). Approval of parcel maps and tentative maps in LRA's, SRAs or VHFHSZs is conditional based on meeting the SRA Fire Safe Regulations and the Fire Hazard Reduction Around Buildings and Structures Regulations, particularly those regarding road standards for ingress, egress, and fire equipment access. (See Gov. Code, § 66474.02.).

S-4.15: When feasible, the City will prepare a survey of existing non-conforming developments to identify all existing developments within the City that do not provide two points of access/ evacuation routes and identify measures or improvement plans to address opportunities to improve access. Where no additional access opportunities exist, the City and Fire Department should identify a plan for emergency operations in fire/emergency events.

S-4.16: The City and Fire District shall develop a policy or program promoting public outreach about defensible space and evacuation routes. The City and Fire District shall include specific plans to reach at-risk populations.

S-4.17: The City should ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations.

Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.20-2 ***Would the project, 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?***

Level of Significance: Less Than Significant Impact

The Project does not propose any physical developments or modifications to the City. Future development facilitated by the Project would result in a 25,410-person population increase at maximum buildout. This increased population would likely occupy areas noted as either Moderate FHSZs, High FHSZs, or Very High FHSZs. ***Figure 4.20-1, Fire Hazard Severity Zones*** identifies the proximity of the candidate housing sites to the City's FHSZs. Three candidate housing sites intended for Moderate and Above Moderate Income housing are located within Local Responsibility Areas and State Responsibility Areas. ***Table 4.20-1: Fire Hazard Severity Zones*** summarizes which candidate housing sites are within FHZSs. The remainder of candidate housing sites are located outside of both VHFHSZs in LRAs and SRAs; however, future housing units may be developed in proximity to FHSZs.

Table 4.20-1: Fire Hazard Severity Zones

Fire Hazard Severity Zone	Candidate Housing Sites Within Fire Hazard Severity Zones
Local Responsibility Area	
Very High	63
State and Federal Responsibility Area	
Moderate	63, 66
High	63, 65
Very High	63, 65, 66

Source: California Department of Forestry and Fire Protection (Cal Fire). (2020). Fire and Resource Assessment Program California Fire Hazard Severity Zone Viewer. Retrieved from: https://gis.data.ca.gov/datasets/789d5286736248f69c4515c04f58f414

The City contains areas of acute wildfire risk. The City's LHMP notes that the City has both a high probability and high potential severity of wildfire effects.[4] This is attributed to the climate of the Riverside County (County) region which exhibits long, dry seasons with low humidity, low precipitation, and high temperatures. Furthermore, the City contains flammable brush vegetation which further increases the City's wildfire risk.[5]

The City has existing policies designed to minimize potential wildfire risks associated with new developments. As stated in Impact 4.20-1 above, the existing Menifee GP Safety Element contains policies that require the use of vegetation control methods and other fire prevention methods.[6] As well, the Menifee GP Safety Background Document notes that real estate transactions are required to disclose whether properties are located within FHSZs.[7]

To further minimize risk from wildfire, future development on the candidate housing sites in high hazard severity zones are required to adhere to the 2019 California Fire Code, Title 24, Part 9, §304.1.2, which states the following:

- "Any person that owns, leases, controls, operates, or maintains any building or structure in, upon, or adjoining any mountainous area or forest-covered lands, brush covered lands, or grass-covered lands, or any land which is covered with flammable material, shall at all times do all of the following:"

[4] City of Menifee (2015). *Local Hazard Mitigation Plan Table 7-2: Hazard Identification Ranking/Location/Severity and Probability*. Page 17. Menifee, CA: City of Menifee.
[5] City of Menifee (2021). *Emergency Operations Plan*. Pages 32 – 33. Menifee, CA: City of Menifee.
[6] Menifee GP Policy S-7
[7] City of Menifee (2013). Safety Element Background Document Definitions. Page 10. Menifee, CA: City of Menifee.

- Maintain around and adjacent to such building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This section does not apply to single specimens of trees, ornamental shrubbery, or similar plants which are used as ground cover, if they do not form a means of rapidly transmitting fire from the native growth to any building or structure.
- Maintain around and adjacent to any such building or structure additional fire protection or firebreak made by removing all bush, flammable vegetation, or combustible growth which is located from 30 feet to 100 feet from such building or structure or to the property line, whichever is nearer, as may be required by the enforcing agency if he finds that, because of extra hazardous conditions, a firebreak of only 30 feet around such building or structure is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than 30 feet from such building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.
- Remove that portion of any tree which extends within 10 feet of the outlet of any chimney or stovepipe.
- Cut and remove all dead or dying portions of trees located adjacent to or overhanging any building.
- Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.
- Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than 0.5 inch in size.
- Hazardous vegetation and fuels around all applicable buildings and structures shall be maintained in accordance with applicable regulations.[8]

The Project would also comply with the guidelines presented in the GP Safety Element Assessment produced by the California Board of Forestry and Fire Protection in conjunction with Cal Fire. These guidelines recommend the creation of safety element policies which prioritize development in areas with lower fire hazard and adequate water infrastructure.[9]

Future development facilitated by the Project would be required to adhere to all applicable fire prevention requirements and regulations, including California Fire Code requirements for WUI Fire Areas, would require applicants to prepare a fire protection plan for any candidate sites located in the Very High FHSZ or WUI areas. Furthermore, buildout of future development candidate housing units would increase the need for essential public facilities. Through implementation of the Safety Element, any new essential public facilities outside of high fire risk areas, including, but not limited to, hospitals and health care facilities, emergency shelters, emergency command centers, and emergency communications facilities, would be located when feasible, to further reduce exposure impact. In addition, construction methods or

[8] California Office of Administrative Law (2019). 2019 California Fire Code, Title 24, Part 9, §304.1.2. Retrieved from https://codes.iccsafe.org/content/CFC2019P4/chapter-3-general-requirements (Accessed March 2020)
[9] California Department of Fire and Forestry (Cal Fire). (2020). General Plan Safety Element Assessment. Sacramento, CA: Cal Fire

other methods to minimize damage if these facilities are located in a SRA or VHFHSZ, will be identified. As a component of Statewide planning efforts, the Project would not conflict with State or local plans intended to reduce potential wildfire impacts. Project implementation would not exacerbate wildfire risks due to slope, prevailing winds, and other factors, and thereby expose residents to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.

Additionally, the updated goals and policies identified above in Impact 4.20-1 from the Housing Element, Land Use Element, and Environmental Justice would reduce any potential impacts to a level of less than significant. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.20-3 ***Would the project 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?***

Level of Significance: Less Than Significant Impact

The need for installation and maintenance of new infrastructure (such as roads, fuel breaks, emergency water resources, power lines, or other utilities) would be evaluated as part of the discretionary development permit review process. It is anticipated that future housing development facilitated by the Project would be served by the extension of existing utility infrastructure located primarily in existing rights-of-way, because of the predominately developed nature of the City. According to the Safety Element, the City would also ensure that all new development has adequate water, sewer, and fire protection consistent with the most current California Building Code and California Fire Code and will comply with the Board of Forestry and Fire Protection Fire Safe Regulations. Furthermore, coordination with the Eastern Municipal Water District will ensure adequate water availability for future fire risks. Applicants would be required to offset wildfire exposure by complying with the wildfire protection building construction requirements contained in the most current California Building Code as well, including the California Building Code, Chapter 7A, California Residential Code, §R327, and California Referenced Standards Code, Chapter 12-7A. Through compliance with applicable development regulations in the case of future development, impacts are anticipated to be less than significant, and no mitigation is required.

Additionally, the updated goals and policies identified above in Impact 4.20-1 from the Housing Element, Land Use Element, and Environmental Justice would reduce any potential impacts to a level of less than significant. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation is required.

Impact 4.20-4 ***Would the project 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?***

Level of Significance: Less Than Significant

The Project does not directly include the development of housing units or the physical modification of land within the City. Future development facilitated by the Project, though, would be within a region noted for increased wildfire risk. However, the City's LHMP concluded that flooding and landslide risks were not associated with wildfire events.[10] As well, most candidate sites are outside of noted flood hazard areas shown in the Menifee Flood Hazards Map. Only sites 63 and 67 are located within flood hazard areas (see ***Section 4.10, Hydrology and Water Quality***). These sites would therefore require future development to attain flood insurance.[11] To further reduce impacts of flooding, policies within the updated Safety Element would require consistent coordination with FEMA to ensure that flood mapping and flood risk information is current and available. The City also requires 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. Through compliance with applicable development regulations in the case of future development, and the appropriate mitigation incorporated, impacts for flooding are anticipated to be less than significant.

Historically, no landslides have been mapped within the Menifee area. As well, due to the low frequency of steep slopes, landslide potential within the City is low.[12] Applicants for future housing development will be required to complete a fire hazard review of their proposed plans. The City will then review these future development proposals for impacts to fire facilities and compatibility with fire areas or mitigate. Furthermore, adherence to State and local codes, and emergency and evacuation plans set by the City and the County would prevent impacts to people or structures from significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.

Additionally, the updated goals and policies identified above in Impact 4.20-1 from the Housing Element, Land Use Element, and Environmental Justice would reduce any potential impacts to a level of less than significant. Therefore, impacts would be less than significant, and no mitigation is required.

Mitigation Measures

No mitigation measures are required.

4.20.6 Significant Unavoidable Impacts

No significant unavoidable impacts were identified.

[10] City of Menifee (2015). *Local Hazard Mitigation Plan Table 7-3: Summary of Relationships of Hazards*. Page 18. Menifee, CA: City of Menifee.
[11] Ibid. Page 31.
[12] Ibid. Page 32.

4.20.7 Cumulative Impacts

Anticipated impacts of future development facilitated by the Project, in conjunction with cumulative development in the City, may include development in areas that are prone to wildfires. Each cumulative project would require discretionary permit approval and review under CEQA, which would address potential adverse site-specific impacts and mitigations in compliance with federal, state, and local requirements.

As previously discussed, Project implementation would not result in wildfire impacts, either directly or indirectly that would result in a significant impact on the environment. As a result, cumulative impacts related to consistency with policies, and regulations aimed at preventing and minimizing wildfire impacts would be less than significant because future development in wildfire risk areas would be required to also comply with applicable plans and policies. Therefore, the Project would not cumulatively contribute to significant wildfire impacts and no mitigation is required.

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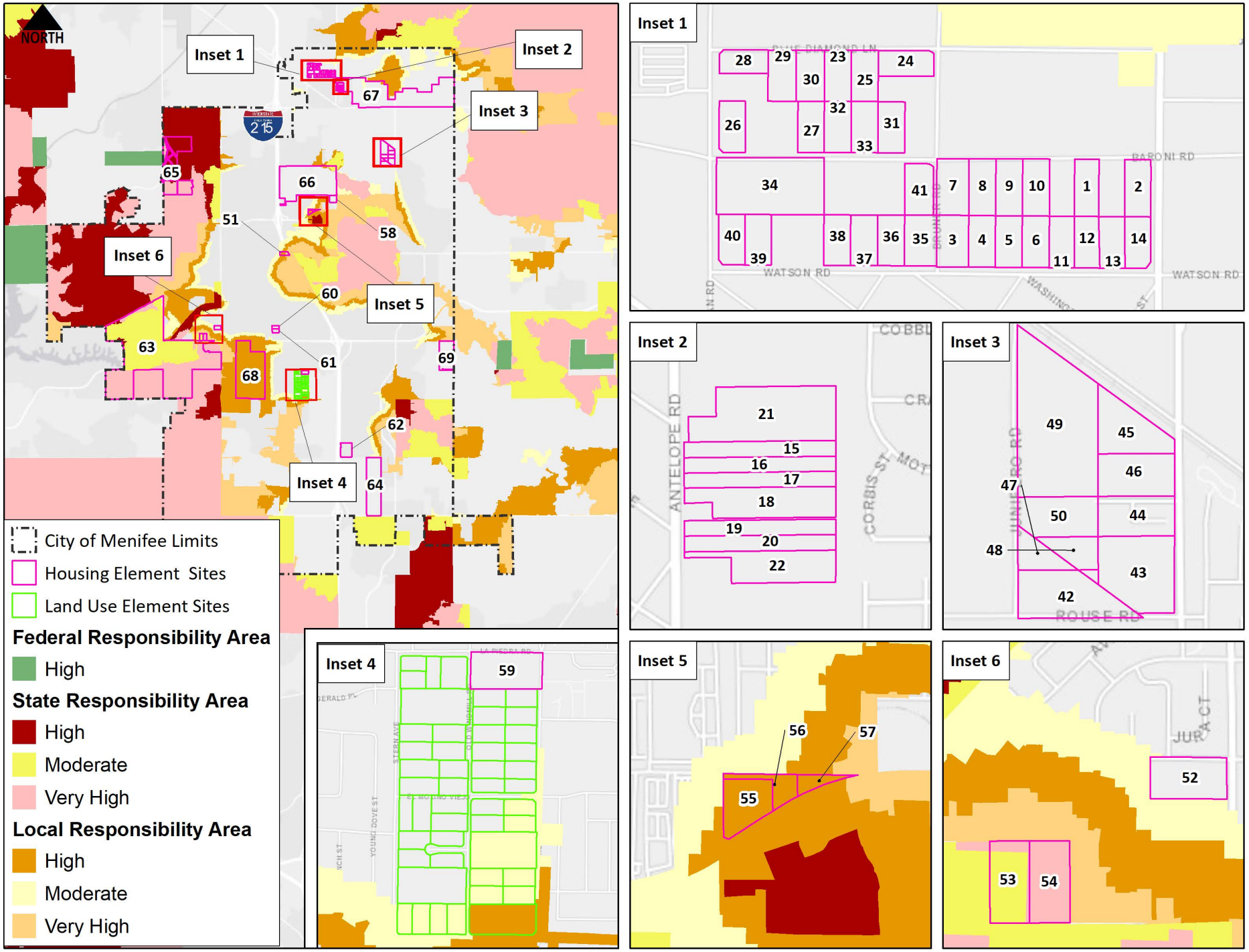


FIGURE 4.20-1: Fire Hazard Severity Zones

City of Menifee 6th Cycle Housing Element Update Project

Not to scale

Kimley»Horn

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5.0 OTHER CEQA CONSIDERATIONS

This section of the Program Environmental Impact Report (PEIR) for the City of Menifee's (City) 6th Cycle Housing Element Update (Project) provides a discussion of additional California Environmental Quality Act (CEQA) impact considerations. The additional considerations discussed in this section include:

- Effects Found Not to be Significant
- Significant and Irreversible Environmental Changes
- Growth Inducing Impacts
- Mandatory Findings of Significance.

5.1 CEQA Requirements

State CEQA Guidelines §§15126.2(c) and (d), and §15128 discusses requirements for additional analysis of potentially significant environmental impacts due to the implementation of a project. The requirements of CEQA Guidelines §§15126.2(a) and (b) are met in this PEIR. The requirements pursuant to §§15126.2(a) and (b) include a discussion of any identified significant effects resulting from a project including which resources would be affected, and the level of significance they would be affected. Growth inducing impacts are also analyzed to assess the ways that a project could potentially induce growth both in the economy and the population. CEQA Guidelines Appendix G provides impact thresholds for the analysis of mandatory findings of significance for a project. These State CEQA Guidelines would be applied to the Project to consider the potential impacts of future housing development facilitated by the Project on the candidate housing sites in order to create an extensive analysis of potential effects within the City and surrounding environment.

5.2 Effects Found Not to be Significant

State CEQA Guidelines §15128 states that "an EIR shall contain a statement briefly indicating the reasons that various possible significant effects of a project were determined not to be significant and were therefore not discussed in detail in the EIR." It was determined after the distribution of the Notice of Preparation for the PEIR that all environmental issues would be evaluated in the PEIR. The environmental impacts of the Project implementation are discussed in ***Sections 4.1, Aesthetics*** through ***Section 4.20, Wildfire*** of this PEIR. As identified through the analysis, and summarized in ***Section 1.0, Executive Summary***, the proposed Project would result in less than significant impacts, or less than significant impacts with incorporation of project-specific mitigation measures, for all topical issues.

State CEQA Guidelines §15126.2(b) requires that an EIR describe any significant impacts that cannot be avoided, even with the implementation of feasible mitigation measures. With the incorporation of project-specific mitigation measures, future housing development and action programs facilitated by the Project would not result in any significant and unavoidable impacts. Therefore, adoption of a Statement of Overriding Considerations is not required.

5.3 Significant and Irreversible Environmental Changes

State CEQA Guidelines §15126.2(d) requires a discussion of any significant irreversible environmental changes that would be caused by a proposed project. Generally, the section notes that a project would result in significant irreversible environmental changes if the following occurs:

- The project would involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely;
- The primary and secondary impacts would generally commit future generations to similar uses;
- The project would involve uses in which irreversible damage could result from any potential environmental accidents associated with the project; and
- The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

Following is a more in-depth discussion of how the Project relates to each factor in the required analysis of irreversible environmental damages.

Would the project involve a large commitment of nonrenewable resources in a way that would make their nonuse or removal unlikely?

The PEIR evaluates future housing development facilitated by the Project on the candidate housing sites and includes updates to the City's General Plan Land Use and Safety Elements. The Project also includes the incorporation of environmental justice goals and policies into the City's General Plan.

Any future housing development facilitated by the Project would be subject to all applicable regulatory framework including the City's discretionary environmental review and approval process as required by State CEQA Guidelines to identify any potential environmental impacts and determine mitigation measures that would best reduce or remove those potential environmental impacts. Future housing development facilitated by the Project would not be concurrent (based on market conditions) and would consume limited, slowly renewable and non-renewable resources. This consumption is anticipated to occur during each individual development's construction phase and would continue throughout its operational lifetime. Generally, any future development would include (1) building materials; (2) fuel and operational materials/resources; and (3) the transportation of goods and persons to/from individual development sites. Construction would require the temporary commitment of construction supplies that include lumber and other forest products; aggregate materials used in concrete and asphalt; metals; and water. Fossil fuels and petroleum-based fuels such as gasoline, diesel, and oil would also be consumed to power construction vehicles and equipment. These construction supplies are considered to be non-renewable, or which may renew so slowly as to be considered non-renewable.

The resources that would be committed during future housing development operations are anticipated to be consumed within the City. These energy resources such as electricity, natural gas, petroleum-based fuels, and water. Fossil fuels and petroleum-based fuels would represent the primary energy source associated with both the short-term construction and long-term operations of each individual future housing development. Thus, existing supplies of these natural resources would be incrementally reduced.

In addition, usage of these resources during future housing development operations would occur in accordance with the latest 2019 California Code of Regulations (CCR) Title 24, Part 6, which sets forth conservation practices that would limit energy consumption. Nonetheless, energy requirements would represent a long-term commitment of essentially non-renewable resources.

Future housing development facilitated by the Project could include the temporary and/or long-term use or storage of limited amounts of potentially hazardous materials consistent with construction activity and residential uses. These materials during construction would be temporary and would be used, handled, stored, and disposed of in accordance with the manufacturer's instructions and appliable federal, state, and local regulatory framework. Similarly, these materials used during operations of future housing development would be used in small quantities and would be used, handled, stored, and disposed of in accordance with the manufacturer's instructions and all applicable regulatory framework. Compliance with all applicable regulations and standards would ensure the protection of significant and irreversible environmental changes from the release of hazardous materials.

The Project has identified 69 candidate housing sites within the City. These parcels have the potential to produce 8,696 DUs. This total is 2,087 DUs (32 percent) greater than the required RHNA allocation total of 6,609 DUs. Additionally, the RR-1 designation would promote construction of 1-acre minimum residential development that could potentially result in up to 66 single-family residential units, for a total of 8,762 total units.

Overall, future housing project construction and operation facilitated by the Project would result in the irretrievable commitment of non-renewable resources, which would limit the availability of these resources in the foreseeable future for future generations and other uses during the lifespan of individual developments within the City. However, development of future housing facilitated by the Project would not occur concurrently (based on market conditions) and non-renewable resources would be used on a relatively small scale in a regional context. Although future housing development facilitated by the Project would result in irreversible environmental changes to the commitment of non-renewable resources, the anticipated changes would not be considered significant.

Would the primary and secondary impacts would generally commit future generations to similar uses?

The Project involves the creation of an extensive long-range planning document (towards year 2029) including amendments to the City's Land Use, Safety policies, and new Environmental Justice policies. The Project would guide approval decisions related to future housing development consistent with the State Housing law. The Project does not directly commit future generations to similar uses since the purpose of the Project is to provide an update to the City's Housing Element with associated policies for the planning period of 2021-2029 including updates to the City's Land Use and Safety Elements and the addition of Environmental Justice goals and policies. Since housing needs can change over the course of the planning period, future generations would be able to reassess housing needs in the City and make changes accordingly during the next anticipated housing cycle planning period. Thus, the primary and secondary impacts of this Project would not commit future generations to similar uses.

Would the project involve uses in which irreversible damage could result from any potential environmental accidents associated with the project?

The Project would help facilitate future housing development on the selected candidate housing sites and would include updates to the City's Land Use and Safety Elements and the addition of Environmental Justice goals and policies.

Accidental exposure of hazardous materials to the public or environment can occur through transportation accidents; unregulated or unsound disposal methods; improper handling of hazardous material or wastes; emergencies such as explosions; and natural caused occurrences such as flooding or wildfires. The severity of these impacts varies by concentration, types of hazards and hazardous materials, proximity to other sensitive receptors, and activity type. Therefore, all future housing development facilitated by the Project is required to comply with state and local health and safety requirements designed to minimize potentially significant impacts from the accidental release of hazardous materials or waste. These regulations would apply for both future housing development construction phases. Furthermore, the potential hazardous materials associated with residential uses (e.g., cleaners, paints, solvents, and fertilizers, and herbicides) would not be stored or used in a way that would create a reasonably foreseeable upset or accident.

The proposed consumption of resources is not justified (e.g., the project involves the wasteful use of energy).

In accordance with Public Resources Code (PRC) §21100(b)(3) and State CEQA Guidelines §15126.4, EIRs are required to analyze, where relevant, the consumption of resources and whether the Project would result in the wasteful, inefficient, and unnecessary consumption of energy. Thus, ***Section 4.6, Energy***, of this Draft PEIR evaluated the future potential energy use associated with the development of future housing on the candidate housing sites. The analysis concludes that future housing development facilitated by the project would not result in a wasteful or inefficient use of energy resources during construction due to construction practice requirements, which would increase fuel-energy conservation above typical standards.

5.4 Growth Inducing Impacts

State CEQA Guidelines §15126.2(d) requires that EIRs include a discussion of ways in which a project could induce growth. The State CEQA Guidelines identify a project as "growth-inducing" if it fosters economic or population growth or if it encourages the construction of additional housing either directly or indirectly in the surrounding environment. New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area. The project would therefore have a growth-inducing impact if it would:

- Directly or indirectly foster economic or population growth, or the construction of additional housing;
- Remove obstacles to population growth;

- Require the construction of new or expanded facilities that could cause significant environmental effects; or
- Encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively.

According to State CEQA Guidelines, an EIR is required to "discuss the ways" that a project could be growth-inducing and to "discuss the characteristics of some projects that may encourage . . . activities that could significantly affect the environment." Should the Project meet any one of the above-listed criteria, it may be considered growth-inducing. The potential growth-inducing impacts of the Project are evaluated against these four criteria in this section. Section 15126.2(e) states that: "It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

The following analyzes the Project's potential growth-inducing impacts for the criteria outlined above, in accordance with State CEQA Guidelines §15126.2(d). Potential growth-inducing effects are examined through analysis of the following questions:

Would the project directly or indirectly foster economic or population growth, or the construction of additional housing?

Population and Employment

The primary purpose of the Project is to accommodate the City's Regional Housing Needs Assessment (RHNA) in compliance with State Housing law. The State Department of Housing and Community Development (HCD) determines the existing and projected housing needs for all State jurisdictions with the intent to provide opportunities for a mix of housing unit types, tenure, and affordability. Discussion regarding population and employment effects associated with the Project implementation is provided in ***Section 4.14, Population and Housing***, of this PEIR. According to the California Department of Finance, the City's population was approximately 97,093 persons in 2020.[1] Of that population, approximately 36,405 people were employed.[2] The average household size was 2.90 persons per household.

The Project is comprised of 69 candidate housing sites containing 645 parcels with the potential of generating 8,762 future housing units to meet the City's allocation of 6,609 RHNA housing units. Using this household size, the development of the additional 8,762 dwelling units (DUs) per the established City RHNA allocation would generate a population increase of approximately 25,410 persons within the City. No non-residential employment-generating land uses are proposed.

Construction of future housing development facilitated by the Project would create jobs related to design, engineering and labor, and would span throughout the entirety of the construction phase. This would be

[1] California Department of Finance (DOF). (2020). *E-5 City/County Population and Housing Estimates, 1/1/20*. Sacramento, CA: Department of Finance.

[2] United States Census Bureau. (2019). 2019 ACS 5-Year Estimates Data Profiles. Selected Economic Characteristics: Riverside County, California, Menifee City, California. Retrieved from: https://data.census.gov/cedsci/table?q=selected%20characteristics&t=Employment%3AIndustry&g=0500000US06065_1600000US0646842&tid=ACSDP5Y2019.DP03&hidePreview=true. (Accessed May 20, 2021).

direct, but temporary growth-inducing impact of the Project. The increase of future residents would also increase the creation of new businesses and services.

Housing

The Project would not directly result in the development of required housing in the City but would provide the opportunity for expansion of the City's housing stock by 8,696 DUs, surpassing the City's allocation of 6,609 RHNA housing units. There are 19 sites identified for the 6th Cycle that were also identified for the 5th Cycle. These sites are required to allow development by right for any project which proposes 20% affordable units. In total, the 19 sites can yield 578 units.

Would the project remove obstacles to population growth?

As part of the Project, sites/parcels that will be used to accommodate RHNA that were identified in two or more prior Housing Elements but not developed must permit by-right development if at least 20 percent of the housing on those sites/parcels be affordable to lower-income households. Parcels identified to meet the lower-income RHNA should be between 0.5 acre and 10 acres in size. Parcels outside of that range must demonstrate a past range, the City must demonstrate a past performance of developing those sites for affordable housing. The project would create goals and policies to accommodate a variety of housing at all affordability levels, therefore removing obstacles to population growth. The Project's impacts to the City's housing and population is further explained in ***Section 4.14, Population and Housing.***

Would the project require the construction of new or expanded facilities that could cause significant environmental effects?

None of the future housing development facilitated by the Project would require additional or expanded public services or utilities/service systems that would have significant environmental effects (refer to ***Section 4.15, Public Services,*** and ***Section 4.19, Utilities and Service Systems***). The City is currently served by essential public services, i.e., fire and police protection, parks and recreational facilities, schools, and solid waste disposal), an extensive network of utility/service systems (i.e., water, wastewater, electricity, and natural gas), and other infrastructure necessary to accommodate/allow the existing conditions and planned growth. According to ***Section 4.15, Public Services***, implementation of the Project would increase the demand for public service facilities, but the increase would be planned and not considered significant. According to ***Section 4.19, Utilities***, future housing development would utilize the existing utility service systems/infrastructure present throughout the City and would not require expansion or additional construction of water or wastewater treatment facilities, stormwater infrastructure, or dry utilities. Although the future housing development facilitated by the Project would increase demand for public services and utility service systems, the increased demand is planned and would not significantly impair any existing or future levels of services. Therefore, Project implementation would not require the construction of new or expanded facilities that could cause significant environmental effects.

Would the project encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively?

Implementation of the Project would not directly result in the development of future housing but will provide goals and policies that would serve to increase the City's housing capacity pursuant to State Housing law. The required housing units were determined based on a region-wide analysis and RHNA determination by the Southern California Association of Governments (SCAG), which the City is a member. The potential impacts associated with the Project have been analyzed in this PEIR in ***Sections 4.1*** through ***4.20***. The potential cumulative effects of future development of the additional housing units were evaluated. The PEIR concludes that the Project would not cumulatively contribute to significant environmental impacts.

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6.0 ALTERNATIVES

6.1 CEQA Requirements for Alternatives Identification and Analysis

Under the California Environmental Quality Act (CEQA), the identification and analysis of alternatives to a project is a fundamental part of the environmental review process. Public Resources Code (PRC) §21002.1(a) establishes the need to address alternatives in an environmental impact report (EIR) by stating that in addition to determining a project's significant environmental impacts and indicating potential means of mitigating or avoiding those impacts, "the purpose of an environmental impact report is to identify alternatives to the project."

Direction regarding the definition of project alternatives is provided in State CEQA Guidelines §15126.6(a), as follows:

> *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.*

The State CEQA Guidelines emphasize that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the Project, "even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly."[1] The State CEQA Guidelines further direct that the range of alternatives be guided by a "rule of reason" such that only those alternatives necessary to permit a reasoned choice are addressed.[2]

Among the factors that may be taken into account when addressing the feasibility of alternatives are site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control or otherwise have access to the alternative site.

Beyond these factors, the *State CEQA Guidelines* require the analysis of a "no project" alternative and an evaluation of alternative location(s) for the project, if feasible. Based on the alternatives analysis, the City of Menifee (City) must identify an environmentally superior alternative. If the environmentally superior alternative is the no project alternative, then the EIR must identify an environmentally superior alternative among the other alternatives.[3] In addition, State CEQA Guidelines §15126.6(c) requires that an EIR identify any alternatives that were considered for analysis but rejected as infeasible and discuss the reasons for their rejection.

The PEIR evaluates potential environmental impacts that could result from the 6th Cycle Housing Element Update (HEU or Project), including housing development on the candidate housing sites facilitated by the

[1] State CEQA Guidelines §15126.6(b).
[2] State CEQA Guidelines §15126.6(f).
[3] State CEQA Guidelines §15126.6(e)(2).

HEU. The range of feasible alternatives must be selected and discussed in a manner to foster meaningful public participation and informed decision making. The range of potential alternatives to the Project also includes those that could feasibly accomplish most of the Project's basic objectives and avoid or substantially lessen one or more of the significant effects. An alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative need not be considered.

The CEQA Guidelines do not require an EIR to consider every plausible alternative to a project, but rather must examine in detail only the ones which the lead agency determines could feasibly attain most of the basic project objectives. An EIR also does not need to consider alternatives whose effects cannot be reasonably ascertained and whose implementation is remote and speculative. Feasibility factors include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether project proponents can reasonably acquire, control, or otherwise have access to an alternative site. If the lead agency determines no alternative projects or locations are feasible, it must disclose the reasons for this conclusion in the EIR (CEQA Guidelines §15126.6).

Project alternatives were developed based on CEQA Guidelines §15126.6 requirements. Therefore, alternatives are developed based on the HEU's objectives, which are described in ***Section 3, Project Description***. The project objectives are described below.

6.2 Project Objectives

As discussed in ***Section 3.5, Project Objectives***, and in accordance with State CEQA Guidelines §15124, the following primary objectives support the Project's purpose, assist the Lead Agency in developing a reasonable range of alternatives to be evaluated in this PEIR, and ultimately aid decision-makers in preparing findings and overriding considerations, if necessary. The project's key purpose is to address the City's housing needs and objectives and to meet the State Housing law requirements. The HEU has the following goals:

- **Objective 1:** Facilitate a variety of housing strategies to meet Housing Element production targets in a way that complements the existing character of the community.
- **Objective 2:** Provide goals, policies and programs which ensure the safety of the community in the face of increased risks associated with climate change.
- **Objective 3:** Update the City's regulations to further protect residents from new natural and manmade hazards.
- **Objective 4:** Create a more equitable community and environment for all members of the Menifee community.
- **Objective 5:** Incorporate previously approved specific plans in the efforts to accommodate increased housing availability.
- **Objective 6:** Provide an economically and socially diverse balance of housing options that are affordable for a variety of income levels and housing needs.

- **Objective 7:** Accomplish the housing goals of the previous 5th Cycle housing update.

6.3 Significant and Unavoidable Project Impacts

Impacts found significant and unavoidable are relevant in making the final determination of whether an alternative is environmentally superior or inferior to the Project; see State CEQA Guidelines §15126.6. As concluded in ***Section 4.1*** through ***Section 4.20*** of this PEIR, the project would not result in significant and unavoidable impacts to any resource areas.

6.4 Project Alternatives Considered

State CEQA Guidelines §15126.6 (d) of the CEQA Guidelines requires an EIR to provide sufficient information about each alternative to allow for meaningful evaluation, analysis, and comparison with the project. Pursuant to State CEQA Guidelines §15126.6, an analysis of alternatives is presented in this PEIR to provide decision-makers with alternatives to be considered. The State CEQA Guidelines specify that an EIR shall describe a reasonable range of alternatives that would avoid or substantially lessen the project's significant effects but need not consider every conceivable alternative.

The discussion in this PEIR focuses on three alternatives:

1. No Project Alternative (Alternative No. 1)
2. EDC – McCall Alternative (Alternative No. 2)
3. Other Parcels Considered Alternative (Alternative No. 3)

Based on criteria described in ***Section 4.0***, these three alternatives, inclusive of the No Project Alternative (Alternative No.1), were carried forward. These alternatives are described in ***Section 6.5, Alternatives Selected for Analysis***.

6.5 Alternatives Selected For Analysis

The following alternatives were selected for analysis: No Project Alternative (Alternative No. 1) and EDC – McCall Alternative Site Alternative (Alternative No. 2), Other Parcels Considered (Alternative No. 3).

The three analyzed alternatives present a reasonable range of alternatives to the Project. The analysis in this section focuses on significant and unavoidable impacts attributable to each alternative and the ability of each alternative to meet basic project objectives.

6.5.1 No Project Alternative (Alternative No. 1)

Description of the Alternative

According to State CEQA Guidelines §15126.6(e), the specific alternative of "no project" shall also be evaluated along with its impact. The purpose of describing and analyzing a No Project Alternative is to allow decision-makers to compare the impacts of approving the Project with impacts of not approving the Project. The no project analysis is required to discuss the existing conditions at the time the Notice of Preparation is published (February 4, 2021), as well as what would be reasonably expected to occur in the

foreseeable future, if the project were not approved, based on current plans and consistent with available infrastructure and community services.

The HEU involves identification of 69 candidate housing sites, 7 of which are Specific Plan areas, as described in ***Appendix A, Candidate Housing Sites***. The candidate sites are comprised of parcels which would facilitate the future development of 8,696 DUs through the HEU.

The 8,696 DUs include the candidate housing sites needed to meet the City's 6th Cycle Regional Housing Needs (RHNA) allocation and the carryover from the City's 5th Cycle are incorporated into to the candidate sites analysis of the Project. In addition to the HEU, the General Plan Land Use Element Update would amend the designation of 48 parcels in the EDC to RR-1 (1 unit per acre). Redevelopment of the 48 parcels (approximately 66 acres) with a RR-1 designation would allow approximately 66 units. Therefore, the Project would facilitate a total housing increase of 8,762 DUs.

The No Project Alternative assumes that the 6,609 DUs required to meet the 6th Cycle RHNA allocation would not be developed as well as the additional DUs included in the Project. Selection of this Alternative is a scenario where the City would not update its Housing Element and would not meet the City's RHNA obligations required by State law. The No Project Alternative fails to meet the City's housing goals and the Project's stated objective to meet the applicable State law requirements and gain certification of an updated Housing Element.

This Alternative assumes the City's buildout pursuant to the General Plan, including the underlying land use designations and zoning.

The HEU's candidate housing sites inventory is intended to accommodate future housing development on identified properties. See ***Appendix A, Candidate Housing Sites Inventory*** for a list of potential housing sites. However, the "No Project" Alternative is the circumstance under which future housing development facilitated by the HEU would not proceed, but the existing environmental conditions would not be preserved. Thirty-nine (39) of the candidate housing sites identified for very-low and low-income housing units are located on vacant land. As well, 11 candidate sites have been identified for potential rezoning to accommodate higher residential development densities. Under the No Project Alternative, the property owners of these candidate housing sites could choose to keep their land as is or develop their respective properties per the existing General Plan and Menifee Municipal Code (Menifee MC). Thus, the No Project Alternative discussed below assumes future development of the vacant candidate housing sites consistent with current General Plan land use plan policies and Menifee MC Title 9 Planning and Zoning standards. **Error! Reference source not found.*Appendix A, Candidate Housing Sites*** presents the development capacity of the HEU vacant candidate housing sites and estimates development of the HEU total 8,696 DUs on 69 sites. The No Project Alternative would represent a significant reduction in the City's allowable housing capacity that is nearly seven times fewer DUs than the Project. For comparative analysis, the Project analyzed herein would allow for future development of 8,696 DUs on the 69 HEU sites and 66 DUs on 48 parcels for the Land Use Element Update (total 8,762 DUs) compared to zero DUs under the No Project Alternative. However, the No Project Alternative would still allow for development of the sites consistent with their current zoning.

Impact Comparison to the Proposed Project

Aesthetics. The No Project Alternative could result in fewer aesthetic impacts than the project, given less development overall could occur as compared to the project. However, similarly, any future housing development anticipated by the project and any future development under this alternative would be subject to compliance with Menifee MC standards and subject to discretionary design review and development permit approval, thereby minimizing the potential for impacts concerning scenic resources and lighting/glare. However, this alternative would result in at least 1,034 fewer DUs, which would reduce the buffer units to less than 30% as preferred by the HCD. Thus, the No Project Alternative would be considered environmentally superior to the Project concerning aesthetics resources.

Agriculture and Forestry. As stated in ***Section 4.2.1, Environmental Setting***, the City has designated 429 acres, 242 acres, and 150 acres of agriculturally zoned lands within the City as prime farmland, unique farmland, and farmland of statewide importance, respectively.[4] As shown in ***Figure 4.2-1, Agricultural Uses within the City of Menifee,*** prime farmland within the City is located in the northeastern portion of the City. No candidate sites contain unique farmland. Only one candidate housing site contains prime farmland or farmland of statewide importance. Candidate site 69, the Rockport Ranch Specific Plan contains both prime farmland and farmland of statewide importance. However, development of this specific plan has been previously approved by the City and would not be initiated by this Project. Additionally, the Project does not directly propose development at any of the identified candidate housing sites. Instead, the Project would involve the creation of policies and guidelines which would facilitate future development of the City's 6,609 RHNA allocation as well as the redesignation of land which does not contain significant agricultural resources. The Project does not directly involve the modification of physical land areas within the City. Similarly, to the Project, this alternative would not result in the loss of forestland or conversion of farmland or forestland to other uses. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning agriculture and forestry.

Air Quality. The Project would result in less-than-significant impacts concerning pollutants, air toxics, consistency with applicable plans, and odors following compliance with the regulatory framework and recommended mitigation. The No Project Alternative could generate less pollutant emissions than the Project, given this alternative would involve less future development overall. The No Project Alternative could reduce, but not avoid, the Project's short-term, long-term, localized pollutant concentrations, and cumulative impacts to air quality, given this alternative could generate emissions that would exceed impact thresholds. Because the No Project would remove the updated Safety Element Policies and creation of the CVA, the City would remain less prepared for the effects of continued pollution. Thus, the No Project Alternative would be considered environmentally inferior to the Project concerning air quality.

Biological Resources. The No Project Alternative would involve comparable impacts to biological resources, including special status plant and wildlife species and riparian habitat and other sensitive natural communities, given similar ground disturbances would occur. Like the Project, the No Project

[4] City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 14, 2021)

Alternative's potential impacts to biological resources would be reduced to less than significant following compliance with the established regulatory framework and implementation of **Mitigation Measure (MM) BIO-1** and site-specific mitigation measures. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning biological resources.

Cultural Resources. As with the Project, no impact to historic resources is anticipated to occur under this alternative. Any site disturbance (i.e., construction related earth-disturbing actions) associated with the Project or with future development allowed under the No Project Alternative could impact archaeological resources, as well as human remains, if present. As noted in ***Table 4.5-1, Potentially Significant Cultural Resources***, the City contains a portion of a culturally significant resources within the County. Specifically, a site labeled CA-RIV-333 (Walker Ranch Site). This site is located east of Lake Elsinore on Walker Ranch. The site is known to contain bedrock milling features, pictographs, and cupules.[5] Additionally, ***Table 4.5-1,*** also shows that candidate sites 51, 65, 66, and 67 are within the Sun City community. As an early settlement, Sun City played an important role in the growth of the City during the American Historical Period. Future development facilitated by the Project would be required to preserve the cultural significance of the surrounding area as stated in Menifee GP Open Space and Conservation Element Policy OSC-5.1. Future housing developments would also be required under CEQA Guidelines to be evaluated at the time a specific development project is proposed. Candidate sites are not located within or adjacent to identified culturally significant resources within the City. To ensure the Project would not result in the alteration or destruction of a historic structure, object, or site, **MM CUL-1** is required, which specifies the mitigation framework for buildings in excess of 50 years of age. Similarly, **(MM) CUL-2** is required for the Project to avoid impacts to archaeological resources. The No Project Alternative would involve comparable potential impacts to historical and archaeological resources, as the Project sites could also be built out under the current zoning. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures **MM CUL-1** for historical resources and **MM CUL-2** for archaeological resources, these impacts would be less than significant. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning cultural resources.

Energy. The No Project Alternative could demand less total energy than the Project given this alternative would involve less future development but would still utilize some energy compared to existing conditions. The No Project Alternative could reduce, but not avoid, the Project's energy impacts given that this alternative would allow future development under the existing General Plan land use and Menifee MC Title 9 that would involve some energy demand. Although project impacts would not be avoided, the impacts under this alternative could be less than the Project; thus, the No Project Alternative would be considered environmentally superior to the Project concerning energy-related impacts.

Geology, Soils and Paleontological Resources. The analysis of potential impacts from vacant site development throughout the City addressed geologic events, erosion and topsoil loss, unique paleontological/geological features, coastal bluffs, expansive soils, and unstable geological units or soils. As discussed in ***Section 4.7, Geology, Soils, and Paleontological Resources***, all project-related impacts

[5] Cameron, Constance. (1999). Determining Tribal Boundaries Through Potsherds – An Archeological Perspective. Page 112. Retrieved from: http://www.pcas.org/vol35n23/3523cameron.pdf (Accessed May 17, 2021).

concerning these conditions would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements. The No Project Alternative could result in comparable impacts involving geology, soils, and paleontological resources as the Project, given that the existing parcels have the potential to be developed according to their existing zoning and ultimately have the same earth-disturbing activities that are anticipated to occur under the Project. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning geology, soils, and paleontological resources.

Greenhouse Gas Emissions. The No Project Alternative could generate less total GHG emissions than the Project due to less overall residential development which could result in less construction and operational GHG emissions. The No Project Alternative could reduce, but not avoid, the Project's impacts concerning GHG emissions, given that this alternative would generate emissions that could exceed impact thresholds. Because the No Project would remove the updated Safety Element Policies and creation of the CVA, the City would remain less prepared for the effects of continued pollution; thus, the No Project Alternative would be considered environmentally inferior to the Project concerning GHG emissions.

Hazards and Hazardous Materials. As discussed in ***Section 4.9, Hazards and Hazardous Materials***, all project-related impacts concerning hazards and hazardous materials would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements in place for hazardous materials. The No Project Alternative would involve comparable impacts involving hazards and hazardous materials, particularly during operations. As with the Project, the No Project Alternative would avoid the potentially significant impacts concerning any associated or required demolition. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the project concerning hazards and hazardous materials.

Hydrology and Water Quality. As discussed in ***Section 4.10, Hydrology and Water Quality***, all project-related impacts concerning hydrology and water quality would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements. The No Project Alternative would result in less construction-related impacts to drainage patterns and water quality given that the less intense development under the existing zoning which is anticipated to conserve more permeable surfaces and have less ground disturbances. The No Project Alternative would involve less, although comparable, impacts involving water quality during operations given less overall development. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning hydrology and water quality.

Land Use and Planning. As described in ***Section 4.11, Land Use and Planning***, the Project is the HEU, including housing development on the candidate housing sites facilitated by the HEU. This means that the General Plan Housing Element is being updated. In addition, HEU action programs could require processing of future amendments to the Development Code, Menifee MC Title 9 By comparison, the No Project Alternative would allow for development consistent with the City's existing General Plan, and Development Code Menifee MC Title 9. Under the Project and the No Project Alternative, the degree of potential land use conflicts associated with future development would be site-specific and dependent

upon the respective settings. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning land use and planning.

Mineral Resources. The candidate sites identified in ***Appendix A, Candidate Housing Sites***, that fall within MRZ-3 category are zoned for residential and commercial uses which would not allow for mining activities regardless if the Project or the No Project alternatives are to be executed. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning mineral resources.

Noise and Vibration. The No Project Alternative could result in fewer noise impacts than the Project, particularly from construction activities and residential operations, given this alternative would result in overall less development than the Project. Site-specific development accommodated under the No Project Alternative could involve less, although comparable, noise impacts following compliance with the established regulatory framework and site-specific mitigation measures. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning noise and vibration.

Population and Housing. As described in **Section 4.14 Population and Housing**, the HEU would facilitate housing development to accommodate future growth allocated to the City through the RHNA process in compliance with State law. The No Project Alternative would allow for development consistent with the existing General Plan and Menifee MC Title 9. However, the City's 6th Cycle RHNA allocation as forecasted by SCAG would not be met under this alternative. Thus, the No Project Alternative would be considered environmentally inferior to the Project concerning population and housing.

Public Services. The No Project Alternative could generate less demand for public services than the Project, given that this alternative would involve less overall development. However new or increased services would be required in both alternatives. Nonetheless, the required Development Impacts Fees (DIF) would be paid in any scenario. DIFs would help pay for any additional public services resources required. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning public services.

Tribal Cultural Resources. As discussed in **Section 4.18, Tribal Cultural Resources**, as shown in Exhibit OSC-4 of the Menifee GP Open Space and Conservation Element, the majority of the City contains land designated with high paleontological sensitivity. Furthermore, the individual history of each candidate site selected for the Project is currently unknown. Therefore, the candidate sites could have potential to contain tribal cultural resources. However, future residential development on these sites facilitated by the Project would be subject to discretionary approvals and site-specific CEQA evaluation on a project by project basis. Although the No Project Alternative would involve less overall development than the Project, any site disturbance (i.e., construction related earth-disturbing actions) could impact tribal cultural resources, as well as human remains, if present. For this reason, and given similar footprints and earth-disturbing activities, the No Project Alternative would involve comparable potential impacts to tribal cultural resources and human remains, as the Project. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures, these impacts would be less

than significant. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning tribal cultural resources.

Recreation. The No Project Alternative would generate less demand for recreational facilities than the Project, given that this alternative would involve less housing development and less population growth. Through the implementation of the Project, the City's population would increase by approximately 25,410 residents at full buildout. This would likely increase the demand on the City's existing parks, trails, and recreational resources. However, future residential developments within the City would be required to provide land or in lieu fees for parks or recreation purposes to bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants pursuant to Menifee MC §8.03.050 (Park and Recreation Mitigation Fees). Fees garnered through Menifee MC §8.03.050 would then be used exclusively for future acquisition and construction of parkland and improvements. The Project is not anticipated to create significant impacts greater than the No Project Alternative. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning recreation.

Transportation. The No Project Alternative would generate less vehicle miles traveled (VMT) than the Project, given that overall, less development would occur. However, since the Project does not directly propose housing development, it cannot be determined that future housing development facilitated by the Project would cause a less than significant impact per the City's adopted three-step screening criteria or whether future housing development would result generate a significant level of VMT. If a Project is not screened out in the three steps as identified in ***Section 4.17, Transportation***, mitigation in the form of transportation demand management (TDMs) or payment of lieu-in fee would be required to reduce the project-level VMT below the County General Plan Buildout baseline or cumulative VMT per service population.

Future housing development facilitated by the Project would also be required to adhere to all state, regional, and local requirements to reduce or avoid significant impacts related to VMT. Any TDM measures required for the Project would be consistent with the City established TDMs or comply with the policies of the Menifee GP and MC, City CEQA Guidelines for TIA and VMT Analysis, and AB 1358. As a result, future housing development facilitated by the Project would be expected to be consistent with CEQA Guidelines in reducing VMT levels below the County's established VMT Levels whether it is under the No Project Alternative or the Project. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning transportation.

Utilities and Service Systems. The No Project Alternative could generate less demand on utility and service systems than the Project, given that this alternative would generate less overall development than the Project. However, site-specific development accommodated under the No Project Alternative would be comparable in impacts to utilities and service systems as future development facilitated by the Project in compliance with the established regulatory framework. As with the Project, construction/relocation of utilities to serve increased demands would not be required, thus, no environmental impacts would occur in this regard. Therefore, the No Project Alternative would be considered neither environmentally superior nor inferior to the project concerning utilities and service systems.

Wildfire. As noted in ***Section 4.20, Wildfire***, and ***Table 4.20-1, Fire Hazard Severity Zones*****,** some of the candidate housing sites are located in or near state responsibility areas or lands classified as very high fire hazard severity zones. However, future development under the No Project Alternative would similarly occur within these areas. In both circumstances, any new development would be subject to applicable fire protection standards and design requirements that apply to the wildland urban interface. Therefore, the Project and No Project Alternative are similarly expected to result in no impact in this regard. However, the No Project Alternative would not introduce additional Safety Element Updates which target and address fire and wildfire risks within the City. Thus, the No Project Alternative would be considered environmentally inferior to the Project concerning wildfire.

Ability to Meet Project Objectives

A Project objective is to facilitate development of 6,609 DUs (6th Cycle RHNA), including housing opportunities for households with very low- and low-income, as is required by state housing law. The HEU portion of the Project will accommodate the RHNA with candidate rezone sites, specific plan sites, and sites currently zoned as HDR, some of which include ac carryover sites from the 5th Cycle HEU. This objective would fulfill the City's RHNA obligations. The No Project Alternative would not facilitate development of the additionally required 6,609 DUs and would not meet the specified affordable housing requirement, which would conflict with state housing law. The No Project Alternative would not attain any of the Project objectives, including those that are required to comply with state law, except the No Project Alternative would nominally improve and preserve the community's existing housing stock, since it is assumed that existing parcels currently zoned for residential uses would be developed in the future with DUs; as such, the housing stock would minimally increase (no existing housing would be impacted).

Conclusion

The No Project Alternative would not satisfy any of the City's housing goals or the Project objective to update the Housing Element and gain certification from the State in accordance with State law. Under the No Project Alternative, the City would not meet its 6th Cycle RHNA allocation and would result in risk of penalties and loss of eligibility for funding opportunities due to the City's noncompliance with various State housing-related laws. Thus, this alternative directly conflicts with California Government Code §65583, which stipulates that a jurisdiction must assess its housing element every eight years and identify adequate sites for housing and provide for the existing and projected needs of all economic segments of the community.

6.5.2 EDC – McCall Alternative Site (Alternative No. 2)

Description of the Alternative

The EDC – McCall Alternative (Alternative No. 2) considers 4 alternate parcels that could be utilized in the event that one or more of the very low/low-income sites/parcels identified in the Candidate Housing Sites Inventory, as provided in Appendix A, are not feasible. Alternative No. 2 provides additional sites that can help meet the 6th Cycle RHNA required housing allocation. Selection of this alternative is a scenario where the City would update its Housing Element and would meet the City's RHNA obligations required by state

law. The 4 parcels considered under this alternative are as follows: APNs: 336020002, 336020003, 333040011, and 333040012.

Impact Comparison to the Proposed Project

Aesthetics. It is anticipated that development in the EDC – McCall Alternative Site would result in similar aesthetic impacts as the Project, given that the development of the EDC – McCall Alternative Site would occur on vacant and previously disturbed parcels that do not show signs of native habitat and which are surrounded to the north and east by vacant land, to the south by residential development, and to the west by residential and commercial developments. Similar to the Project, any future housing development anticipated by the Project and any future development under this alternative would be subject to compliance with Menifee MC standards and subject to discretionary design review and development permit approval, thereby minimizing the potential for impacts concerning scenic resources and lighting/glare. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning aesthetics resources.

Agriculture and Forestry. As stated in ***Section 4.2.1, Environmental Setting***, the City has designated 429 acres, 242 acres, and 150 acres of agriculturally zoned lands within the City as prime farmland, unique farmland, and farmland of statewide importance, respectively.[6] As shown in ***Figure 4.2-1, Agricultural Uses within the City of Menifee,*** prime farmland within the City is located in the northeastern portion of the City. Only candidate site 69, in the Rockport Ranch Specific Plan contains both prime farmland and farmland of statewide importance. However, development of this specific plan has been previously approved by the City and would not be initiated by this Project.

The EDC – McCall Alternative site is identified in the City's General Plan, Exhibit OSC-5, Agricultural Resources, as Area Not Mapped and is surrounded on to the south, east and west by Urban and Built-Up Land. Additionally, the Project does not directly propose development at any of the identified candidate housing sites. Instead, the Project would involve the creation of policies and guidelines which would facilitate future development of the City's 6,609 RHNA allocation. The Project does not directly involve the modification of physical land areas within the City. Similarly, to the Project, this alternative would not result in the loss of forestland or conversion of farmland or forestland to other uses. Thus, the No Project Alternative would be considered neither environmentally superior nor inferior to the Project concerning agriculture and forestry.

Air Quality. The Project would result in less-than-significant impacts concerning pollutants, air toxics, consistency with applicable plans, and odors following compliance with the regulatory framework and recommended mitigation. The EDC – McCall Alternative would generate comparable pollutant emissions as those from the Project, given this alternative would be used as a replacement site in the event that one or more of the approved sites cannot be utilized in the future to satisfy the RHNA allocation. Similar to the Project, the EDC – McCall Alternative is not anticipated to increase or lessen the Project's short-term, long-term, localized pollutant concentrations, and cumulative impacts to air quality, given this alternative

[6] City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 14, 2021)

could generate emissions that would exceed impact thresholds. Although project impacts would not be avoided, the impacts under this alternative could be assessed on a project by project basis and appropriate mitigation measures would be applied under the development of any scenario; thus, the EDC – McCall Alternative would not be considered environmentally superior nor inferior to the Project concerning air quality.

Biological Resources. The EDC – McCall Alternative would involve comparable impacts to biological resources, including special status plant and wildlife species and riparian habitat and other sensitive natural communities, given similar ground disturbances would occur. Like many of the parcels considered for the Project, the EDC – McCall Alternative site's potential impacts to biological resources would be reduced to less than significant following compliance with the established regulatory framework and implementation of **MM BIO-1** and site-specific mitigation measures. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning biological resources.

Cultural Resources. As with the Project, no impact to historic resources is anticipated to occur under this alternative. Any site disturbance (i.e., construction related earth-disturbing actions) associated with the Project or with future development allowed under the EDC – McCall Alternative could impact archaeological resources, as well as human remains, if present. As noted in ***Table 4.5-1, Potentially Significant Cultural Resources***, the City contains a portion of a culturally significant resources within the County. Specifically, a site labeled CA-RIV-333 (Walker Ranch Site). This site is located east of Lake Elsinore on Walker Ranch. The site is known to contain bedrock milling features, pictographs, and cupules.[7]

Additionally, ***Table 4.5-1,*** also shows that candidate sites 51, 65, 66, and 67 are within the Sun City community. As an early settlement, Sun City played an important role in the growth of the City during the American Historical Period. Future development facilitated by the Project would be required to preserve the cultural significance of the surrounding area as stated in Menifee GP Open Space and Conservation Element Policy OSC-5.1. Future housing developments would also be required under CEQA Guidelines to be evaluated at the time a specific development project is proposed. Candidate sites are not located within or adjacent to identified culturally significant resources within the City. To ensure the Project would not result in the alteration or destruction of a historic structure, object, or site, **MM CUL-1** is required, which specifies the mitigation framework for buildings in excess of 50 years of age. Similarly, **MM CUL-2** is required for the Project to avoid impacts to archaeological resources. The EDC – McCall Alternative would involve comparable potential impacts to archaeological resources, as the Project could discover artifacts during future ground disturbing activities. However, because the site is vacant and surrounding development is fairly new, no impacts to historical resources would occur. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures **MM CUL-1** for historical resources and **MM CUL-2** for archaeological resources, these impacts would be less than significant. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning cultural resources.

[7] Cameron, Constance. (1999). Determining Tribal Boundaries Through Potsherds – An Archeological Perspective. Page 112. Retrieved from: http://www.pcas.org/vol35n23/3523cameron.pdf (Accessed May 17, 2021).

Energy. The EDC – McCall Alternative would demand similar energy as that of the Project given that this alternative would involve the development of the same amount of housing planned for other previously approved sites under the Project. The EDC – McCall Alternative would serve as a backup site in the event that one or more of the previously approved sites cannot be developed. As such, the use of energy would simply be relocated to the EDC – McCall Alternative site, opposed to one of the previously approved propose project sites. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning energy resources.

Geology, Soils and Paleontological Resources. The analysis of potential impacts from vacant site development throughout the City addressed geologic events, erosion and topsoil loss, unique paleontological/geological features, expansive soils, and unstable geological units or soils. As discussed in Section 4.7, Geology, Soils, and Paleontological Resources, all project-related impacts concerning these conditions would be reduced to be less than significant through conformance with all applicable local, State, and federal regulatory requirements. The EDC – McCall Alternative would result in comparable impacts involving geology, soils, and paleontological resources as the Project, given that similar earth-disturbing activities are anticipated to occur if the sites are developed under the existing land use and zoning. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning geology, soils, and paleontological resources.

Greenhouse Gas Emissions. The EDC – McCall Alternative could generate comparable GHG emissions to the Project due to the fact that the EDC – McCall Alternative site would serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. However, the EDC – McCall Alternative site has the benefit of being located near I-215 Freeway and is served by public transportation. This would help reduce vehicle trips traveling on residential streets for trips traveling to and from the I-215. Other approved sites under the Project are located further from I-215 and would introduce additional traffic on residential streets. GHG emissions would be required to be assessed based on a project-by-project basis and all or any appropriate mitigation measures would need to be implemented. Although project impacts would not be avoided, the impacts under this alternative could be less than the Project; thus, the EDC – McCall Alternative would be considered environmentally superior to the Project concerning GHG emissions.

Hazards and Hazardous Materials. As discussed in ***Section 4.9, Hazards and Hazardous Materials***, all project-related impacts concerning hazards and hazardous materials would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements in place for hazardous materials. The EDC – McCall Alternative would involve comparable impacts involving hazards and hazardous materials, particularly during operations. As with the Project, the EDC – McCall Alternative would avoid the potentially significant impacts concerning any associated or required demolition. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning hazards and hazardous materials.

Hydrology and Water Quality. As discussed in ***Section 4.10, Hydrology and Water Quality***, all project-related impacts concerning hydrology and water quality would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements. The EDC – McCall Alternative would result in similar construction-related impacts to drainage patterns and water quality given that the site would intensify development under the existing zoning. The EDC – McCall Alternative

would involve comparable impacts involving water quality during operations given similar overall development that would otherwise be constructed in one of the approved Project sites. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning hydrology and water quality.

Land Use and Planning. As described in ***Section 4.11, Land Use and Planning***, the Project is the HEU, including housing development on the candidate housing sites facilitated by the HEU. This means that the General Plan Housing Element is being updated. In addition, HEU action programs could require processing of future amendments to the Menifee MC Title 9. Similar to the Project, the EDC – McCall Alternative would require processing of future amendments to the General Plan, Menifee MC Title 9. Under the Project and the EDC – McCall Alternative, the degree of potential land use conflicts associated with future development would be site-specific and dependent upon the respective settings. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning land use and planning as in both alternatives, the various sites would require amendment to the existing land use as a means to update the General Plan Housing Element as part of the HEU.

Mineral Resources. The candidate sites identified in ***Appendix A, Candidate Housing Sites***, that fall within MRZ-3 category are zoned for residential and commercial uses which would not allow for mining activities regardless if the Project or the EDC – McCall Alternative are to be executed. The EDC – McCall Alternative sites fall within the MRZ-3 category, similar to most of the City. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning mineral resources.

Noise and Vibration. The EDC – McCall Alternative could result in fewer noise impacts than the Project, particularly from construction activities and residential operations, given that this alternative is located adjacent to McCall Boulevard, without sensitive receptors to the north and commercial development to the west. However, it is speculative if overall long-term noise and vibration impacts would be less under this alternative than the Project considering that the EDC – McCall Alternative would serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the project concerning noise and vibration.

Population and Housing. As described in ***Section 4.14, Population and Housing***, the HEU would facilitate housing development to accommodate future growth allocated to the City through the RHNA process in compliance with state law. The City's 6th Cycle RHNA allocation as forecasted by SCAG is not meant to be met by the EDC – McCall Alternative alone. The EDC – McCall Alternative would allow for additional sites available for development and serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project population and housing.

Public Services. The EDC – McCall Alternative could generate similar demand for public services than other previously approved Project sites, given that this alternative would serve as a replacement site for the overall Project. In many cases, depending on the sites, new or increased services would be required in both alternatives. Nonetheless, the required DIF would be paid in any scenario. DIFs would help pay for

any additional public services resources required. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning public services.

Tribal Cultural Resources. As discussed in ***Section 4.18, Tribal Cultural Resources***, as shown in Exhibit OSC-4 of the Menifee GP Open Space and Conservation Element, the majority of the City contains land designated with high paleontological sensitivity. Furthermore, the individual history of each candidate site selected for the Project is currently unknown. Therefore, the candidate sites could have potential to contain tribal cultural resources. However, future residential development on these sites facilitated by the Project would be subject to discretionary approvals and site-specific CEQA evaluation on a project-by-project basis. Because the EDC – McCall Alternative would involve similar overall development to the Project, any site disturbance (i.e., construction-related earth-disturbing actions) could impact tribal cultural resources, as well as human remains, if present. For this reason, and given similar footprints and earth-disturbing activities, the EDC – McCall Alternative would involve comparable potential impacts to tribal cultural resources and human remains, as the Project. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures, these impacts would be less than significant. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning tribal cultural resources.

Recreation. The EDC – McCall Alternative would generate comparable demand for recreational facilities to the Project, given that this alternative would involve similar housing development and equivalent population growth since the EDC – McCall Alternative would serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, this alternative would only include development that otherwise would be developed in other areas of the City. Overall, continuous population growth within the City is anticipated to likely increase the demand on the City's existing parks, trails, and recreational resources. Regardless of the alternative, future residential developments within the City would be required to provide land or in lieu fees for parks or recreation purposes to bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants pursuant to Menifee MC §8.03.050 (Park and Recreation Mitigation Fees). Fees garnered through Menifee MC §8.03.050 would then be used exclusively for future acquisition and construction of parkland and improvements. The Project is not anticipated to create significant impacts greater than the EDC – McCall Alternative. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning recreation.

Transportation. The EDC – McCall Alternative is anticipated to generate comparable vehicle miles traveled (VMT) as the Project, given that, EDC – McCall Alternative site would be located in an area served by transit, near the I-215 Freeway, but would also require that residents travel by vehicle or transit to nearby shopping and other amenities. However, since the Project does not directly propose housing development, it cannot be determined that future housing development facilitated by the Project would cause a less than significant impact per the City's adopted three-step screening criteria or whether future housing development would result generate a significant level of VMT. If a project is not screened out in the three steps as identified in ***Section 4.17, Transportation***, mitigation in the form of TDMs or payment of lieu-in fee would be required to reduce the project-level VMT below the County General Plan Buildout baseline or cumulative VMT per service population.

Future housing development facilitated by the Project would also be required to adhere to all state, regional, and local requirements to reduce or avoid significant impacts related to VMT. Any TDM measures required for the Project would be consistent with the City established TDMs or comply with the policies of the Menifee GP and MC, City CEQA Guidelines for TIA and VMT Analysis, and AB 1358. As a result, future housing development facilitated by the Project would be expected to be consistent with CEQA Guidelines in reducing VMT levels below the County's established VMT Levels whether it is under the EDC – McCall Alternative or the Project. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning transportation.

Utilities and Service Systems. The EDC – McCall Alternative is anticipated to generate similar demands upon utility and service systems as the Project, given that this alternative would serve as a replacement site available for development that would serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, the EDC – McCall Alternative would host any housing that would otherwise be built in one of the currently approved parcels considered part of the Project and provided as ***Appendix A, Candidate Housing Sites***. Site-specific development accommodated under the EDC – McCall Alternative would be comparable in impacts to utilities and service systems as future development facilitated by the Project in compliance with the established regulatory framework. As with the Project, construction/relocation of utilities to serve increased demands could be required on a site-by-site basis. Therefore, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning utilities and service systems.

Wildfire. As noted in ***Section 4.20, Wildfire***, and ***Table 4.20-1, Fire Hazard Severity Zones*****,** some of the candidate housing sites are located in or near state responsibility areas or lands classified as very high fire hazard severity zones. However, future development under the EDC – McCall Alternative would similarly occur within these areas. In both circumstances, any new development would be subject to applicable fire protection standards and design requirements that apply to the wildland urban interface. Therefore, the Project and the EDC – McCall Alternative are similarly expected to result in no impact in this regard with implementation of the appropriate fire mitigation and with compliance with City of Menifee Fire Department regulations. Thus, the EDC – McCall Alternative would be considered neither environmentally superior nor inferior to the Project concerning wildfire.

Ability to Meet Project Objectives

A project objective is to facilitate development of 6,609 DUs (6th Cycle RHNA), including housing opportunities for households with very low- and low-income, as is required by state housing law. The HEU portion of the Project will accommodate the RHNA with candidate rezone sites, specific plan sites, and sites currently zoned as HDR, some of which include ac carryover sites from the 5th Cycle HEU. This objective would fulfill the City's RHNA obligations. The EDC – McCall Alternative would provide additional sites available for development and serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, the EDC – McCall Alternative would facilitate development of the additionally required 6,609 DUs and would help meet the specified affordable housing requirement. The EDC – McCall Alternative would not attain any of the

project objectives on its own but would assist the overall Project which is to meet the 6th Cycle RHNA allocation.

Conclusion

The EDC – McCall Alternative would help satisfy the City's housing goals and the project objective to update the Housing Element and gain certification from the State in accordance with State law. Under the EDC – McCall Alternative, the City would meet its 6th Cycle RHNA allocation and would eliminate risk of penalties and loss of eligibility for funding opportunities due to the City's noncompliance with various state housing-related laws. Thus, this alternative directly supports California Government Code §65583, which stipulates that a jurisdiction must assess its housing element every eight years and identify adequate sites for housing and provide for the existing and projected needs of all economic segments of the community.

6.5.3 Other Parcels Considered Alternative (Alternative No. 3)

Description of the Alternative

The Other Parcels Considered Alternative (Alternative No. 3) considers 4 alternate parcels that could be utilized in the event that one or more of the parcels identified in the Candidate Housing Sites Inventory, as provided in Appendix A, are not feasible for development. Alternative No. 3 provides additional sites that can help meet the 6th Cycle RHNA required housing allocation. Selection of this Alternative is a scenario where the City would update its Housing Element and would meet the City's RHNA obligations required by State law. The 4 parcels considered under this alternative are as follows: APNs: 335080008, 335080009, 372140009, and 372200026. These parcels are dispersed throughout the City, but mainly located in residential areas. All four parcels are vacant, previously disturbed and do not show signs of hosting native habitat or other environmentally sensitive features.

Impact Comparison to the Proposed Project

Aesthetics. It is anticipated that development under this alternative would result in similar aesthetic impacts as the Project, given that the development of the Other Parcels Considered Alternative would occur on a variety of vacant and previously disturbed parcels which are surrounded by residential development as are most of the sites identified under the Project. Similar to the Project, any future housing development anticipated by the Project and any future development under this alternative would be subject to compliance with Menifee MC standards and subject to discretionary design review and development permit approval, thereby minimizing the potential for impacts concerning scenic resources and lighting/glare. Additionally, no scenic resources, outcropping or other features occur within or near the Other Parcels Considered Alternative sites. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning aesthetics resources.

Agriculture and Forestry. As stated in ***Section 4.2.1, Environmental Setting***, the City has designated 429 acres, 242 acres, and 150 acres of agriculturally zoned lands within the City as prime farmland, unique

farmland, and farmland of statewide importance, respectively.[8] As shown in ***Figure 4.2-1, Agricultural Uses within the City of Menifee,*** prime farmland within the City is located in the northeastern portion of the City. Only candidate site 69, in the Rockport Ranch Specific Plan contains both prime farmland and farmland of statewide importance. However, development of this specific plan has been previously approved by the City and would not be initiated by this Project.

Under the Other Parcels Considered Alternative, the project does not directly propose development at any of the identified candidate housing sites. Instead, the project would involve the creation of policies and guidelines which would facilitate future development of the City's 6,609 Regional Housing Needs Assessment (RHNA) allocation. The Project does not directly involve the modification of physical land areas within the City. Similarly, to the Project, this alternative would not result in the loss of forestland or conversion of farmland or forestland to other uses. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning agriculture and forestry.

Air Quality. The Project would result in less-than-significant impacts concerning pollutants, air toxics, consistency with applicable plans, and odors following compliance with the regulatory framework and recommended mitigation. The Other Parcels Considered Alternative would generate comparable pollutant emissions as those from the Project, given this alternative would be used as a replacement site in the event that one or more of the approved sites cannot be utilized in the future to satisfy the RHNA allocation. Similar to the Project, the Other Parcels Considered Alternative is not anticipated to increase or lessen the Project's short-term, long-term, localized pollutant concentrations, and cumulative impacts to air quality, given this alternative could generate emissions that would exceed impact thresholds. Although Project impacts would not be avoided, the impacts under this alternative could be assessed on a project-by-project basis and appropriate mitigation measures would be applied under the development of any scenario; thus, the Other Parcels Considered Alternative would not be considered environmentally superior nor inferior to the Project concerning air quality.

Biological Resources. The Other Parcels Considered Alternative would involve comparable impacts to biological resources, including special status plant and wildlife species and riparian habitat and other sensitive natural communities, given similar ground disturbances would occur. Like many of the parcels considered for the Project, the Other Parcels Considered Alternative site's potential impacts to biological resources would be reduced to less than significant following compliance with the established regulatory framework and implementation of **MM BIO-1** and site-specific mitigation measures. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning biological resources.

Cultural Resources. As with the Project, no impact to historic resources is anticipated to occur under this alternative. Any site disturbance (i.e., construction related earth-disturbing actions) associated with the Project or with future development allowed under the Other Parcels Considered Alternative could impact archaeological resources, as well as human remains, if present. As noted in ***Table 4.5-1, Potentially***

[8] City of Menifee. (2013). City of Menifee General Plan. Retrieved from: https://www.cityofmenifee.us/221/General-Plan (Accessed April 14, 2021)

Significant Cultural Resources, the City contains a portion of a culturally significant resources within the County, specifically, a site labeled CA-RIV-333 (Walker Ranch Site). This site is located east of Lake Elsinore on Walker Ranch. The site is known to contain bedrock milling features, pictographs, and cupules.[9]

Additionally, ***Table 4.5-1,*** also shows that candidate sites 51, 65, 66, and 67 are within the Sun City community. As an early settlement, Sun City played an important role in the growth of the City during the American Historical Period. Future development facilitated by the Project would be required to preserve the cultural significance of the surrounding area as stated in Menifee GP Open Space and Conservation Element Policy OSC-5.1. Future housing developments would also be required under CEQA Guidelines to be evaluated at the time a specific development project is proposed. Candidate sites are not located within or adjacent to identified culturally significant resources within the City. To ensure the Project would not result in the alteration or destruction of a historic structure, object, or site, **MM CUL-1** is required, which specifies the mitigation framework for buildings in excess of 50 years of age. Similarly, **MM CUL-2** is required for the Project to avoid impacts to archaeological resources. The Other Parcels Considered Alternative would involve comparable potential impacts to archaeological resources, as the Project since the community could discover artifacts during future ground disturbing activities. However, because the sites are vacant, no impacts to historical resources are anticipated to occur. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures **MM CUL-1** for historical resources and **MM CUL-2** for archaeological resources, these impacts would be less than significant. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning cultural resources.

Energy. The Other Parcels Considered Alternative would demand similar energy as that of the Project given that this alternative would involve the development of the same amount of housing planned for other previously approved sites under the Project. The Other Parcels Considered Alternative would serve as a backup site in the event that one or more of the previously approved sites cannot be developed. As such, the use of energy would simply be consumed at one of the Other Parcels Considered Alternative sites, opposed to one of the previously approved propose project sites. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning energy resources.

Geology, Soils and Paleontological Resources. The analysis of potential impacts from vacant site development throughout the City addressed geologic events, erosion and topsoil loss, unique paleontological/geological features, expansive soils, and unstable geological units or soils. As discussed in ***Section 4.7, Geology, Soils, and Paleontological Resources***, all project-related impacts concerning these conditions would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements. The Other Parcels Considered Alternative would result in comparable impacts involving geology, soils, and paleontological resources as the Project, given that similar earth-disturbing activities are anticipated to occur under the site's existing land use and zoning.

[9] Cameron, Constance. (1999). Determining Tribal Boundaries Through Potsherds – An Archeological Perspective. Page 112. Retrieved from: http://www.pcas.org/vol35n23/3523cameron.pdf (Accessed May 17, 2021).

Thus, the Other Parcels Considered Alternative sites would be considered neither environmentally superior nor inferior to the project concerning geology, soils, and paleontological resources.

Greenhouse Gas Emissions. The Other Parcels Considered Alternative could generate comparable GHG emissions to the Project due to the fact that the Other Parcels Considered Alternative site would serve as backup sites in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. GHG emissions would be required to be assessed based on a project-by-project basis and all or any appropriate mitigation measures would need to be implemented. Thus, the Other Parcels Considered Alternative sites would be considered neither environmentally superior nor inferior to the Project concerning GHG emissions.

Hazards and Hazardous Materials. As discussed in ***Section 4.9, Hazards and Hazardous Materials***, all project-related impacts concerning hazards and hazardous materials would be reduced to less than significant through conformance with all applicable local, state, and federal regulatory requirements in place for hazardous materials. The Other Parcels Considered Alternative would involve comparable impacts involving hazards and hazardous materials, particularly during operations. As with the Project, the Other Parcels Considered Alternative would avoid the potentially significant impacts concerning any associated or required demolition. Thus, the Other Parcels Considered Alternative would be considered environmentally superior to the Project concerning hazards and hazardous materials because that factor would not be an added issue in the event one of these parcels is developed.

Hydrology and Water Quality. As discussed in ***Section 4.10, Hydrology and Water Quality***, all project-related impacts concerning hydrology and water quality would be reduced to less than significant through conformance with all applicable local, State, and federal regulatory requirements. The Other Parcels Considered Alternative would result in similar construction-related impacts to drainage patterns and water quality given that the site would intensify development under the existing zoning. The Other Parcels Considered Alternative would involve comparable impacts involving water quality during operations given similar overall development that would otherwise be constructed in one of the approved Project sites.

Therefore, the potential for the Other Parcels Considered Alternative to change the existing site's hydrological conditions would be considered neither environmentally superior nor inferior to the Project concerning hydrology and water quality.

Land Use and Planning. As described in ***Section 4.11, Land Use and Planning***, the Project is the HEU, including housing development on the candidate housing sites facilitated by the HEU. This means that the General Plan Housing Element is being updated. In addition, HEU action programs could require processing of future amendments to the General Plan, Menifee MC Title 9 Similar to the Project, the Other Parcels Considered Alternative would require processing of future amendments to the Menifee MC Title 9. Under the Project and the Other Parcels Considered Alternative, the degree of potential land use conflicts associated with future development would be site-specific and dependent upon the respective settings. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning land use and planning as in both alternatives, the various

sites would require amendment to the existing land use as a means to update the General Plan Housing Element as part of the HEU.

Mineral Resources. The candidate sites identified in ***Appendix A, Candidate Housing Sites***, that fall within MRZ-3 category are zoned for residential and commercial uses, which would not allow for mining activities regardless if the Project or the Other Parcels Considered Alternative are to be executed. The Other Parcels Considered Alternative sites fall within the MRZ-3 category, similar to most of the City. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning mineral resources.

Noise and Vibration. The Other Parcels Considered Alternative could result in similar noise impacts than the Project, particularly from construction activities and residential operations, given that this alternative is located adjacent to other residential areas. However, it is speculative if overall long-term noise and vibration impacts would be less under this alternative than the Project considering that the Other Parcels Considered Alternative would serve as a backup site in the event that one or more of the previously approved sites be developed to help meet the 6th Cycle RHNA allocation. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning noise and vibration.

Population and Housing. As described in ***Section 4.14 Population and Housing***, the HEU would facilitate housing development to accommodate future growth allocated to the City through the RHNA process in compliance with State law. The City's 6th Cycle RHNA allocation as forecasted by SCAG is not meant to be met by the Other Parcels Considered Alternative alone. The Other Parcels Considered Alternative would provide additional sites available for development and serve as backup sites in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project population and housing.

Public Services. The Other Parcels Considered Alternative could generate similar demand for public services than other previously approved Project sites, given that this alternative would serve as a replacement site for the overall Project. In many cases, depending on the sites, new or increased services would be required in both alternatives. Nonetheless, the required DIF would be paid in any scenario. DIFs would help pay for any additional public services resources required. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning public services.

Tribal Cultural Resources. As discussed in ***Section 4.18, Tribal Cultural Resources***, as shown in Exhibit OSC-4 of the Menifee GP Open Space and Conservation Element, the majority of the City contains land designated with high paleontological sensitivity. Furthermore, the individual history of each candidate site selected for the Project is currently unknown. Therefore, the candidate sites could have potential to contain tribal cultural resources. However, future residential development on these sites facilitated by the Project would be subject to discretionary approvals and site-specific CEQA evaluation on a project-by-project basis. Because the Other Parcels Considered Alternative would involve similar overall

development than the Project, any site disturbance (i.e., construction related earth-disturbing actions) could impact tribal cultural resources, as well as human remains, if present. For this reason, and given similar footprints and earth-disturbing activities, the Other Parcels Considered Alternative would involve comparable potential impacts to tribal cultural resources and human remains, as the Project. Like the Project, following compliance with the established regulatory framework and site-specific mitigation measures, these impacts would be less than significant. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning tribal cultural resources.

Recreation. The Other Parcels Considered Alternative would generate comparable demand for recreational facilities than the Project, given that this alternative would involve similar housing development and equivalent population growth since the Other Parcels Considered Alternative would serve as a backup sites in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, this alternative would only include development that otherwise would be developed in other areas of the City. Overall, continuous population growth within the City is anticipated to likely increase the demand on the City's existing parks, trails, and recreational resources. Regardless of the alternative, future residential developments within the City would be required to provide land or in lieu fees for parks or recreation purposes to bear a reasonable relationship to the use of the park and recreational facilities by future inhabitants pursuant to Menifee MC §8.03.050 (Park and Recreation Mitigation Fees). Fees garnered through Menifee MC §8.03.050 would then be used exclusively for future acquisition and construction of parkland and improvements. The Project is not anticipated to create significant impacts greater than the Other Parcels Considered Alternative. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning recreation.

Transportation. The Other Parcels Considered Alternative is anticipated to generate comparable vehicle miles traveled (VMT) as the Project, given that, Other Parcels Considered Alternative site would be located in residential areas, as are much of the parcels in the Project. However, since the Project does not directly propose housing development, it cannot be determined that future housing development facilitated by the Project would cause a less than significant impact per the City's adopted three-step screening criteria or whether future housing development would result generate a significant level of VMT. If a project is not screened out in the three steps as identified in ***Section 4.17, Transportation***, mitigation in the form of TDMs or payment of lieu-in fee would be required to reduce the project-level VMT below the County General Plan Buildout baseline or cumulative VMT per service population.

Future housing development facilitated by the Project would also be required to adhere to all state, regional, and local requirements to reduce or avoid significant impacts related to VMT. Any TDM measures required for the Project would be consistent with the City established TDMs or comply with the policies of the Menifee GP and MC, City CEQA Guidelines for TIA and VMT Analysis, and AB 1358. As a result, future housing development facilitated would be expected to be consistent with CEQA Guidelines in reducing VMT levels below the County's established VMT Levels whether it is under the Other Parcels Considered Alternative or the Project. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning transportation.

Utilities and Service Systems. The Other Parcels Considered Alternative is anticipated to generate similar demands upon utility and service systems as the Project, given that this alternative would serve as a replacement site available for development that would serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, the Other Parcels Considered Alternative would accommodate any housing that would otherwise be built in one of the currently approved parcels considered part of the Project. Site-specific development accommodated under the Other Parcels Considered Alternative would be comparable in impacts to utilities and service systems as future development facilitated by the Project in compliance with the established regulatory framework. As with the Project, construction/relocation of utilities to serve increased demands could be required on a site-by-site basis. Therefore, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning utilities and service systems.

Wildfire. As noted in ***Section 4.20, Wildfire***, and ***Table 4.20-1, Fire Hazard Severity Zones*****,** some of the candidate housing sites are located in or near state responsibility areas or lands classified as very high fire hazard severity zones. However, future development under the Other Parcels Considered Alternative would similarly occur within these areas. In both circumstances, any new development would be subject to applicable fire protection standards and design requirements that apply to the wildland urban interface. Therefore, the Project and the Other Parcels Considered Alternative are similarly expected to result in no impact in this regard with implementation of the appropriate fire mitigation and with compliance with City of Menifee Fire Department regulations. Thus, the Other Parcels Considered Alternative would be considered neither environmentally superior nor inferior to the Project concerning wildfire.

Ability to Meet Project Objectives

A project objective is to facilitate development of 6,609 DUs (6th Cycle RHNA), including housing opportunities for households with very low- and low-income, as is required by State housing law. The HEU portion of the Project will accommodate the RHNA with candidate rezone sites, specific plan sites, and sites currently zoned as HDR, some of which include ac carryover sites from the 5th Cycle HEU. This objective would fulfill the City's RHNA obligations. The Other Parcels Considered Alternative would provide additional sites available for development and serve as a backup site in the event that one or more of the previously approved sites cannot be developed to help meet the 6th Cycle RHNA allocation. As such, the Other Parcels Considered Alternative would facilitate development of the additionally required 6,609 DUs and would help meet the specified affordable housing requirement. The Other Parcels Considered Alternative would not attain any of the project objectives on its own but would assist the overall Project which is to meet the 6th Cycle RHNA allocation.

Conclusion

The Other Parcels Considered Alternative would help satisfy the City's housing goals and the project objective to update the Housing Element and gain certification from the State in accordance with State law. Under the Other Parcels Considered Alternative, the City would meet its 6th Cycle RHNA allocation and would eliminate the risk of penalties and loss of eligibility for funding opportunities due to the City's

noncompliance with various State housing-related laws. Thus, this alternative directly supports California Government Code §65583, which stipulates that a jurisdiction must assess its housing element every eight years and identify adequate sites for housing and provide for the existing and projected needs of all economic segments of the community.

6.5.4 Environmentally Superior Alternative

An EIR is required to identify the environmentally superior Alternative from among the range of reasonable alternatives that are evaluated. The context of an environmentally superior alternative is based on the consideration of several factors including the reduction of environmental impacts to a less than significant level, the Project objectives, and an alternative's ability to fulfill the objectives with minimal impacts to the existing site and surrounding environment. Based on the summary of information presented in ***Table 6-1: Project Alternatives Comparison***, the environmentally superior Alternative is Alternative 2- EDC – McCall Alternative Site. Based on the comparative analysis, this Alternative was shown to generate lower environmental impacts while meeting the Project's objectives. This Alternative was able to further minimize potential cultural and GHG that were identified for the Project. Furthermore, this alternative was able to meet the desired objectives of the Project.

Table 6-1: Comparison of Project Alternatives

EIR Chapter	Alternatives			
	Project - Level of Impact After Mitigation	Alternative 1- No Project	Alternative 2- EDC – McCall Alternative Site	Alternative 3 – Other Parcels Considered Alternative
4.1 – Aesthetics	Less Than Significant	=	=	=
4.2 – Agriculture and Forestry	Less Than Significant	=	=	=
4.3 – Air Quality	Less Than Significant	–	=	=
4.4 – Biological Resources	Less Than Significant	=	=	=
4.5-- Cultural Resources	Less Than Significant	=	=	=
4.6 – Energy	Less Than Significant	+	=	=
4.7 – Geology and Soils	Less Than Significant	=	+	=
4.8 – Greenhouse Gas Emissions	Less Than Significant	–	=	=
4.9 – Hazards and Hazardous Materials	Less Than Significant	=	=	+
4.10 – Hydrology and Water Quality	Less Than Significant	=	=	=
4.11 – Land Use and Planning	Less Than Significant	=	=	=
4.12 – Mineral Resources	Less Than Significant	=	=	=
4.13 – Noise	Less Than Significant	=	=	=

EIR Chapter	Alternatives			
	Project - Level of Impact After Mitigation	Alternative 1- No Project	Alternative 2- EDC – McCall Alternative Site	Alternative 3 – Other Parcels Considered Alternative
4.14 – Population and Housing	Less Than Significant	–	=	=
4.15 – Public Services	Less Than Significant	=	=	=
4.16 – Recreation	Less Than Significant	=	=	=
4.17 – Transportation	Less Than Significant	=	=	=
4.18 – Tribal Cultural Resources	Less Than Significant	=	=	=
4.19 – Utilities and Service Systems	Less Than Significant	=	=	=
4.20—Wildfire Hazards	Less than Significant	–	=	=
Attainment of Project Objectives	Meets all of the Project Objectives	Meets all of the Project Objectives	Meets all of the Project Objectives	Meets all of the Project Objectives

A plus (+) sign means the Project Alternative is environmentally superior compared to the Project.
A minus (-) sign means the Project Alternative environmentally inferior compared to the Project.
An equal sign (=) means the Project Alternative has similar impact compared to the Project.

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Public Agencies/Organizations

County of Riverside

Southern California Association of Governments

Western Riverside Council of Governments

California Department of Housing and Community Development

California Office of Planning and Research

California Air Resources Board

California Department of Transportation, District 8

California Department of Conservation

California Department of Fish and Game, Region 6

Native American Heritage Commission

State Lands Commission

California Department of Parks and Recreation

California Public Utilities Commission

California Department of Forestry and Fire Protection

California Energy Commission

California Department of Toxic Substances Control

California Department of Resources, Recycling, and Recovery

California Department of Water Resource

California Office of Historic Preservation

California Department of Education

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