MURRIETA ROAD WAREHOUSE PROJECT

SCH NO. 2023110162

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

prepared with the assistance of
EPD, Solutions Inc.
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September 2024

Final Environmental Impact Report

EPD SOLUTIONS, INC

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1. Introduction

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

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

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

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

1.1 FORMAT OF THE FINAL EIR

The following chapters are contained within this document:

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

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

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

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

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

1.2 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

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

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

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

2. Response to Comments

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

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

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

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

Table 2-1: Comments Received on the DEIR

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

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

AGUA CALIENTE BAND OF CAHUILLA INDIANS

TRIBAL HISTORIC PRESERVATION

03-057-2022-022

July 03, 2024

[VIA EMAIL TO:bhamilton@cityofmenifee.us]
City of Menifee
Mr. Brett Hamilton
29844 Haun Road
Menifee, CA 92586

Re: Ares Warehouse DEIR

Dear Mr. Brett Hamilton,

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

*Please provide a copy of the final Monitoring Report once it is available. A1

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

Cordially,

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

5401 DINAH SHORE DRIVE, PALM SPRINGS, CA 92264
T 760/699/6800 F 760/699/6924 WWW.AGUACALIENTE-NSN.GOV

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

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

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

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

From: Vega, Jaqueline <JaVega@RIVCO.ORG>
Sent: Tuesday, May 28, 2024 8:59 AM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Subject: RE: Murrieta Road Warehouse Notice of Availability of Draft EIR

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

Hello Brett,

Thank you for transmitting the above referenced project to ALUC for review. Please note that the proposed project is located within zone E of Perris Valley AIA, and review by ALUC is only required if the project proposes a legislative action. (CZ,SPA, and GPA) A2.1

Should you have any questions, please contact me.

Jackie Vega
Urban Regional Planner II

Riverside County Airport Land Use Commission
4080 Lemon Street, 14th Floor
Riverside, Ca 92501
(951) 955-0982
Javega@RIVCO.ORG
www.rcaluc.org

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

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

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

2.5 LETTER A3: CITY OF PERRIS (5 PAGES)

CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION
135 N. "D" Street, Perris, CA 92570-2200
TEL: (951) 943-5003 FAX: (951) 943-8379

July 8, 2024

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

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

Dear Mr. Hamilton:

The City of Perris appreciates the opportunity to comment on the proposed 517,720 square foot industrial warehouse building on 28.27 acres, located south of Ethanac Road, between Geary Street and Murrieta Road, and north of McLaughlin Road in the City of Menifee. The proposed Project is located approximately1,600 feet south of Green Valley Specific Plan (GVSP) across Ethanac Road within the City of Perris limits. The GVSP is a master-planned community with residences currently under construction. The GVSP area consists of 1,269 acres of land planned for 3,460 single-family detached homes, 750 multi-family units, 42.3 acres of business and professional office space, 72.7 acres of commercial retail, 108.7 acres of industrial, 24 acres for three school sites, and 51.1 acres of public parks. Industrial zones are located adjacent to the Perris Valley Airport north of the San Jacinto River. This Project would also be in proximity to existing single family residences within the City of Menifee, located immediately north of the project site across Floyd Avenue and approximately 330 feet south across McLaughlin Road. Given the existing and planned residential development in the immediate area, industrial development in the City of Perris is not allowed to utilize Ethanac Road as a truck route. A3.1

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

01006.0005/996626.1

Land Use Inconsistency with Surrounding Areas

1. The proposed industrial development is incompatible with the residential development in the City of Menifee due to its proximity to residential development in the City of Perris across Ethanac Road to the north of the Project site. The GVSP area south of the San Jacinto River to Ethanac Road, within the City of Perris, consists of residences with some commercial development towards the I-215 Freeway. Therefore, no industrial development in the City of Perris is allowed to utilize Ethanac Road as a truck route to avoid impacts to the sensitive receptors. Allowing the proposed industrial development could generate truck traffic along Ethanac Road that would result in significant traffic safety impacts to existing and future residential development. A3.2

Noise

2. The Draft EIR uses an incorrect methodology to evaluate cumulative roadway noise impacts. Page 5.10-42 states that cumulative traffic-generated noise impacts have been assessed based on the contribution of the proposed Project in the opening year to cumulative traffic volumes on the roadways in the Project vicinity. The noise levels associated with these future traffic volumes with the proposed Project identified Tables 5.10-20 and 5.10-21. However, these tables do not show the increase in noise associated with cumulative development. They show the increase in noise associated with the project when added to future (cumulative) traffic volumes. To provide an analysis of cumulative roadway noise impacts, the future plus project noise levels from Tables 5.10-20 and 5.10-21 need to be compared to the existing (no project) roadway noise levels shown in Tables 5.10-15 and 5.10-16. Evaluating cumulative roadway noise impacts in this correct manner will identify significant cumulative noise impacts along Ethanac Road, which would substantially affect residents north of Ethanac Road within the City of Perris. A3.3

3. Additionally, the Draft EIR and Appendix H consistently refer to "Project Scenario 1" and "Project Scenario 2" without adequately defining either term. The Draft EIR provides definitions for "Scenario 1" and "Scenario 2" in its Traffic Analysis, but it is unclear whether these definitions are intended to be consistent throughout the document. Lack of clarity regarding these definitions misleads the public and decision makers regarding the potential impacts associated with noise impacts. A3.4

Transportation and Traffic

General/Major Comments

4. The preparation of the site-specific traffic study for the Murietta Road Warehouse Project is premature in that the overall traffic study for the Menifee Economic Development Corridor (MEDC) needs to be completed first to master plan the entire MEDC area which encompasses the Compass Northern Gateway Warehouse Project. A more comprehensive review of the entire area along Ethanac Road needs to be completed before site-specific studies can be prepared for individual projects. A3.5

5. Five out of the ten study area intersections analyzed in this traffic study are located within the City of Perris. For these intersections, along with any study roadway segments, the City of Perris A3.6

traffic impact criteria must be utilized (see Appendix A). This includes a comparison of Existing to Existing Plus Project conditions to determine whether the proposed project would have a direct or cumulative impact. If the project has a direct impact, then the project will be responsible for completing the required improvements unless a funding mechanism that complies with CEQA can be identified (e.g., TUMF fees, DIF fees, completed by other development, etc.). A3.6 Cont.

6. It is apparent from the distribution and assignment of truck traffic from the project that the project truck traffic would be using non-truck routes within the City of Perris (see Appendix B for City of Perris truck routes). No trucks are allowed along Ethanac Road west of Barnett Road/Case Road. The project truck traffic has been distributed to Ethanac Road west of Barnett Road/Case Road which is not acceptable. Furthermore, this misleads the public and decision makers regarding the potential impacts, including traffic safety impacts, associated with the increased truck traffic. A3.7

7. It is our understanding that the Master Plan for the MEDC will be providing roadway connections for trucks that will not impact City of Perris non-truck route roadways. This must be considered as part of the traffic study and the analysis should be revised accordingly. A3.8

8. The traffic study will need to clearly identify what improvements are necessary, whether they have a direct or indirect impact from the project, and how they will be implemented. Again, direct impacts will be determined for City of Perris intersections and roadway segments based upon the City of Perris traffic criteria. A3.9

Specific Traffic Study Comments

9. Page 8 – 10, Figures 2.3, 2.4, and 2.5. Study Intersection #8 consists of two separate (offset) intersections (Barnett Road & Case Road). Both intersections should be analyzed separately (from a LOS and queuing standpoint), and the recommended improvements should involve realigning Barnett Road with Case Road (and other associated intersection improvements if necessary). The project shall pay a fair share contribution towards this realignment, or 100% of the cost if the project directly impacts these intersection(s). It should be noted that such a fair share payment will not constitute mitigation under CEQA as it currently is not tied to a program that ensures the realignment of Barnett Road and Case Road will be completed prior to the project becoming operational. A3.10

10. Page 12, Level of Service Standards and Measures of Significance. The traffic study will have to follow the latest City of Perris requirements for those intersections and roadway segments within the City of Perris. For roadway segments and intersections in the City of Perris, the City of Perris criteria (Appendix A) should be utilized. A3.11

11. Page 15, Table 3.1: Existing Conditions AM and PM Peak Hour LOS. Intersection #8 should be shown and analyzed as two separate intersections, since they do not align with each other. The City of Perris minimum acceptable LOS for these intersections is LOS D. A3.12

12. Page 19 – 22, Figure 3.3 and Table 3.3. The City of Perris Planning Department will need to review and confirm the list of cumulative projects is accurate/comprehensive. A3.13

13. Page 29 – 30, figure 4.3 – 4.4, Project Trip Distribution. Per the City of Perris truck routes, no trucks are allowed on Ethanac Road west of Barnett Road/Case Road. A3.14

14. Page 43, Tables 5.1 and 5.2 – Summary of Intersection Operations – Existing Plus Project. Intersection #8 operates deficiently per City of Perris standards (i.e. LOS is the City of Perris minimum acceptable LOS). These tables need to be updated accordingly and determine whether the project directly or indirectly impacts this intersection. A3.15

15. Pages 49-50, Tables 5.5 and 5.6. Why are the LOS results different at Intersection 8 between both scenarios? A3.16

16. Page 56 – 57 – Recommended Improvements. The realignment of Barnett Avenue/Case Road at Ethanac Road needs to be considered as a recommendation for improving the Level of Service and queuing along Ethanac Road. Also, what about improvements to roadway segments #2 & #5? These improvements have not been identified. A3.17

17. Queuing Analysis and Left Turn Storage Pocket Requirements. The traffic study does not include an analysis of queuing at the I-215 freeway ramps. Additionally, a review of the storage lane requirements at the study area intersections is necessary, because of potential excess queuing. Furthermore, the City of Perris is concerned about the project's impact to queuing/progression along Ethanac Road at the I-215 freeway interchange. A simulation analysis should be conducted to identify any queuing deficiencies and if applicable, improvements should be identified. A3.18

18. General: It does not appear any of the proposed driveways are analyzed with respect to truck turning templates, queuing analysis and driveway spacing requirements. A3.19

CEQA.

19. The City of Perris reserves the right to provide further comments on the environmental topics analyzed in the Draft EIR as the project moves forward in the process. Please provide future notices prepared for the Project pursuant to the California Environmental Quality Act ("CEQA") under any provision of Title 7 of the California Government Code governing California Planning and Zoning Law which includes: notices of any public hearing held pursuant to CEQA. A3.20

Property Owners Notification

20. Due to nearby sensitive uses, it is requested that property owner notification within 1,800 feet of the Project site is provided to ensure that all individuals who would be impacted by this Project are provided an opportunity to comment. A3.21

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

Sincerely,

Patricia Brenes
Planning Manager

A3.22

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

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

01006.0005/996626.1

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

5.10.7 Cumulative Impacts

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

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

Figure 5.10-24: Cumulative Offsite Traffic Noise Increases

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

Source: Urban Crossroads, 2024 (Appendix H).

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

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

Off-Site Traffic Noise

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

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

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

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

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

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

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

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

City of Perris

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

RIVERSIDE COUNTY
DEPARTMENT OF
WASTE RESOURCES
Andy Cortez, General Manager-Chief Engineer

SENT VIA EMAIL ONLY
bhamilton@cityofmenifee.us

July 3, 2024

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

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

Dear Brett Hamilton,

The Riverside County Department of Waste Resources (RCDWR) has reviewed the NOA addressing a DEIR for the proposed "Murrieta Road Warehouse Project" (Project). The Project includes various applications to allow for the construction of a concrete tilt-up building that would total approximately 517,720-square foot (SF) and proposes a structural height of approximately 55 feet. The environmental analysis includes a development buffer in order to account for final design changes, equivalent to three percent of the building SF, or 15,532 SF, which would result in a building area of 533,252 SF (including 20,320 SF of office space, 505,932 SF of warehouse space, and 7,000 SF of mezzanine). Additional improvements include a parking lot and loading docks, ornamental landscaping, associated onsite infrastructure, and construction of offsite street improvements. A4.1

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

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

   a) The waste hauler may utilize the El Sobrante, Lamb Canyon, and/or the Badlands Landfill for disposal. Updated descriptions of the local landfills, inclusive of 2023-2024 information, are provided below: A4.2

      El Sobrante Landfill:

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

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for County waste, leaving the maximum commitment of Non-County waste at 11,054 tpd. Per the 2023 Annual Report, the landfill had a remaining in-County disposal capacity of approximately 47.2 million tons. In 2023, the El Sobrante Landfill accepted a daily average of 10,341 tons with a period total of approximately 3,184,920 tons. The landfill is expected to reach capacity in approximately 2059.

Lamb Canyon Landfill:

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

A4.2 Cont.

Badlands Landfill:

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

2. As indicated in previous correspondence (see attached), you may wish to consider incorporating the following measures to help reduce the Project's anticipated solid waste impacts and enhance efforts to comply with the State's mandate (AB 75) of 50% solid waste diversion from landfilling [1]:

A4.3

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

- AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services.[2] Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
  - Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
  - Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet the requirements of AB 1826.
- Demonstrate compliance with SB 1383 which establishes regulations to reduce organics waste disposal and went into effect on January 1, 2022.[3] This law establishes methane emissions reduction targets in a statewide effort to reduce emissions of short-lived climate pollutants caused by organics waste disposal.

A4.3 Cont.

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

A4.4

Sincerely,

Katherine Avila
Assistant Planner

Cc: Kinika Hesterly, RCDWR

DM# 333771

[2] A.B. 1826, Chapter 727, 2013-2014 Chesbro, (Cal. 2014).
[3] A.B 1383, Chapter 395, 2015-2016 Lara, (Cal. 2016).

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

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

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

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

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

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

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

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

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

2.9 LETTER A5: SOUTHERN CALIFORNIA GAS (2 PAGES)

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

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

Hello,

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

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

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

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

I cover the **Southeast Region – Redlands**

A5.1

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

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

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

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

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

Thank you,
Josh Rubal
Lead Planning Associate
Distribution Planning & Project Management
Redlands HQ - Southeast Region
(213) 231-7978 Office
SCGSERegionRedlandsUtilityRequest@semprautilities.com

SoCalGas

A5.1
Cont.

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

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

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

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

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:
bhamilton@cityofmenifee.us
Brett Hamilton, Senior Planner
City of Menifee, Community Development Department
29844 Haun Road
Menifee, CA 92586

June 28, 2024

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

South Coast Air Quality Management District (South Coast AQMD) staff appreciate the opportunity to review the above-mentioned document. The City of Menifee is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. To provide context, South Coast AQMD staff has provided a brief summary of the project information and prepared the following comments which are organized by topic of concern. A6.1

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

Based on the Draft EIR, the project consists of constructing a 517,720 square foot warehouse, 409 automobile parking spaces, and 192 truck trailer parking spaces on a 28.27 acre site.[1] Based on a review of aerial photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., residential development) is located approximately 47 feet north of the Project site.[2] Construction is expected to begin the first quarter of 2025 and last for 11 months.[3] The Proposed Project is located on the northwest corner of McLaughlin Road and Murrieta Road.[4] A6.2

South Coast AQMD Staff's Comments

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

Upon reviewing the Draft EIR, it was found that the air quality impact analysis was based on the assumption that the average truck trip length is 34.51 miles.[5] However, the project site is 86.3 to 84.9 miles from the Ports of Los Angeles and Long Beach, respectively. Therefore, the air quality analysis underestimated the emissions from trucks traveling from the Ports to the Proposed Project site. For this reason, the Lead Agency is recommended to revise the calculations in the Final EIR by taking a project-specific approach to the vehicle trip length and trip rates. This can be achieved by applying more conservative trip lengths, such as designating 40 miles for local trips and 90 miles for Port-related trips. Tailoring these parameters and A6.3

[1] Draft EIR. Page 7.
[2] *Ibid.* Page 149.
[3] *Ibid.* Page 84.
[4] *Ibid.* Page 7.
[5] *Ibid.* Page 144.

assumptions based on project-specific data will ensure a more accurate assessment of emissions, accounting for the unique circumstances and logistical realities of the Proposed Project. A6.3 Cont.

Cumulative Impacts during Operation

Based on the Draft EIR, the Proposed Project consists of construction of a 517,720 square foot warehouse on a 28.27 acre site. According to the City of Menifee webpage under Planning – Environmental Documents for Public Review,[6] other development projects are located near the Proposed Project site. Such as the Draft EIR for the Northern Gateway Logistics Center (prepared in May 2024),[7] CADO Menifee Industrial Warehouse Project (prepared in March 2024),[8] McLaughlin and San Jacinto Warehouses Project (prepared March 2023).[9] Per CEQA Guidelines Section 15065(a)(3), South Coast AQMD staff is primarily concerned with the cumulative air quality impacts from increased concentrations of air toxics in the PVCCSP region. Pursuant to CEQA, which requires an analysis of direct, indirect, and cumulative impacts, South Coast AQMD has initiated a public process to develop additional guidance for evaluating cumulative air quality impacts from increased concentrations of air toxics for projects. To date, there have been five working group meetings (WGMs) dedicated to proposed cumulative impact policy development. For more general information on the WGMs, please visit South Coast AQMD's webpage.[10] A6.4

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

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

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can A6.5

[6] City of Menifee. Planning – Environmental Documents. Access at: Environmental Guidelines and notices | City of Menifee.
[7] Northern-Gateway-Logistics-Center-DEIR (cityofmenifee.us)
[8] CADO-Draft-EIR_Public-Review-March-2024 (cityofmenifee.us)
[9] Notice-of-Preparation-NOP-McLaughlin-and-San-Jacinto-Warehouses (cityofmenifee.us)
[10] South Coast AQMD's Cumulative Impacts from Air Toxics for CEQA Projects: https://www.aqmd.gov/home/rules-compliance/ceqa/ceqa-policy-development-(new).

be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 643,419 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation[11]. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.[12]

A6.5 Cont.

South Coast AQMD Air Permits and Role as a Responsible Agency

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final EIR should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

A6.6

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

Conclusion

A6.7

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

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

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

Thank you for the opportunity to provide comments. South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions. A6.7 Cont.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SW:SG
RVC240604-05
Control Number

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

You don't often get email from sghadimi@aqmd.gov. Learn why this is important

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

Dear Brett,

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

A6.8

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

CalEEMod, Input Files (.csv files).

Live EMFAC output files.

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

(i.e., truck operations).

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

A6.8 Cont.

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

Sincerely,

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Table 2-2: Cumulative Cancer Risk

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

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

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

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

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

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

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

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

Plans, Programs, and Policies

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

ADAMS BROADWELL JOSEPH & CARDOZO
A PROFESSIONAL CORPORATION
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SOUTH SAN FRANCISCO, CA 94080-7037
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ANDREW J. GRAF
TANYA A. GULESSERIAN
DARION N. JOHNSTON
RACHAEL E. KOSS
AIDAN P. MARSHALL
TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

July 2, 2024

Via U.S. Mail and Email

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

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

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

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

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

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

We are writing on behalf of Coalition for Californians Allied for a Responsible Economy ("CARE CA") to request ***immediate access*** to any and all public records referring or related to the Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN22-0179; SCH No. 2023110162) ("Project") proposed by IPT Menifee CC LLC ("Applicant"). This request includes, but is not limited to, any and all file materials, applications, correspondence, resolutions, memos, notes, analysis, email messages, files, maps, charts, and any other documents related to the Project. ***This request does not include the Draft Environmental Impact Report ("DEIR"), or documents referenced or relied upon in the DEIR, which we have requested in a separate letter pursuant to the California Environmental Quality Act.*** O1.1

The Project proposes the development of an approximately 517,720-square foot speculative warehouse building in the City of Menifee, Riverside County, California. The Project site encompasses approximately 28.27 acres and is generally located south of Floyd Avenue, east of Geary Street, west of Murrieta Road, and north of McLaughlin Road. The Project site is identified by Assessor's Parcel Numbers: 330-210-010, -011, -013, -062 and 330- 560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005. O1.2

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

We request ***immediate access*** to review the above documents pursuant to section 7922.525 of the Public Records Act, which requires public records to be "open to inspection at all times during the office hours of a state or local agency" and provides that "every person has a right to inspect any public record."[1] Therefore, the 10-day response period applicable to a "request for a copy of records" under Section 7922.535(a) does not apply to this request. O1.3

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

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

[1] Gov. Code §7922.525(a).
[2] Gov. Code § 7922.570; *Sierra Club v. Super. Ct.* (2013) 57 Cal. 4th 157, 161-62.

7211-007j -

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Please use the following contact information for all correspondence:

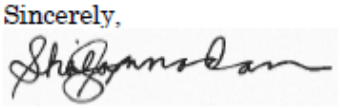
U.S. Mail
Sheila M. Sannadan
Adams Broadwell Joseph & Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, CA 94080-7037

Email
ssannadan@adamsbroadwell.com

O1.3 Cont.

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

Sincerely,



Sheila M. Sannadan
Legal Assistant

SMS:ljl

7211-007j -

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TARA C. RENGIFO

Of Counsel
MARC D. JOSEPH
DANIEL L. CARDOZO

July 30, 2024

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

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

Re: **Draft Environmental Impact Report – Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN220179; SCH No. 2023110162)**

Dear Ms. Kitzerow and Mr. Hamilton:

We are writing on behalf of Californians Allied for a Responsible Economy ("CARE CA") regarding the Draft Environmental Impact Report ("DEIR"), prepared for the Murrieta Road Warehouse Project (Planning Case No. DEV2022-017; Major Plot Plan No. PLN22-0179; SCH No. 2023110162) ("Project") proposed by IPT Menifee CC LLC ("Applicant"). O1.4

On July 2, 2024, CARE CA submitted two letters to the City of Menifee ("City"). The first letter requested access to documents referenced in the DEIR pursuant to the California Environmental Quality Act and the second requested immediate access to any and all public records related to the Project pursuant to the California Public Records Act. O1.5

On July 16, 2024, our office contacted the City to request that the July 2 letters be withdrawn on the basis that CARE CA had the necessary information to review the Project's DEIR. Please be advised that CARE CA is satisfied with the information found in its review of the DEIR and does not have any objections to the Project. O1.6

7211-008j

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

Sincerely,

Kevin Carmichael

KTC:ljl

O1.6
Cont.

7211-008j

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

July 8, 2024

City of Menifee
Attn: Brett Hamilton, Senior Planner
29844 Haun Road
Menifee, CA 92586
Submitted via email to bhamilton@cityofmenifee.us.

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

Dear Brett Hamilton,

I am writing this letter on behalf of the Center for Community Action and Environmental Justice to respond to the draft environmental impact report (DEIR; SCH #2023110162) which has been prepared for the proposed Murrieta Road Warehouse Project. After reviewing the EIR documents made available, there are a number of concerns which still require further attention. O2.1

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

As noted in the response to Item 2 under the Air Quality heading, the Project will provide 20 dedicated EV charging stalls and make room for 80 additional EV-capable stations which could be upgraded at a future date. However, with EV sales in the state approaching 20%, it seems prudent to provide additional stations at opening such that it not just meets the amount of sales, but can exceed and help improve adoption which is critical for helping to reduce the mobile source emissions which are identified as exceeding standards, comprising more than 85% of all Project emissions. O2.2

More concerning is the plan to only have conduit installed for three heavy-duty charging stations. While it is helpful to have those provided, three is not enough. Instead, it would be preferable to see the installation of conduit for at least one charging station for every five dock doors to ensure O2.3

Mailing Address
PO Box 33124
Jurupa Valley, CA 92519
www.ccaej.org

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

O2.3 Cont.

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

O2.4

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

Sincerely,



Marven E. Norman
Policy Coordinator

O2.5

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

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

Attachment A

Caltrans Contextual Guidance for Preferred Bicycle Facilities**

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

1 Highway Design Manual (HDM) Index 81.3

2 HDM, Tables 902.1 and 907.2

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

Figure 1: Caltrans Contextual Guidance for Preferred Bicycle Facilities.

CCAEJ

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

BLUM, COLLINS & HO LLP
ATTORNEYS AT LAW
AON CENTER
707 WILSHIRE BOULEVARD
SUITE 4880
LOS ANGELES, CALIFORNIA 90017 (213) 572-0400

July 3, 2024

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

VIA EMAIL TO:
bhamilton@cityofmenifee.us

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

Dear Mr. Hamilton,

Thank you for the opportunity to comment on the Environmental Impact Report (EIR) for the proposed Murrieta Road Warehouse Project. Please accept and consider these comments on behalf of Golden State Environmental Justice Alliance. Also, Golden State Environmental Justice Alliance formally requests to be added to the public interest list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project. Send all communications to Golden State Environmental Justice Alliance P.O. Box 79222 Corona, CA 92877. O3.1

1.0 Summary

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

1.1 Project Piecemealing

The EIR does not accurately or adequately describe the project, meaning "the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment" (CEQA § 15378). The O3.2

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

A project EIR must be prepared that accurately represents the whole of the action without piecemealing the project into separate, smaller development projects to present unduly low environmental impacts. CEQA Section 15161 describes project EIRs as examining "the environmental impacts of a specific development project. This type of EIR should focus primarily on the changes in the environment that would result from the development project. The EIR shall examine all phases of the project including planning, construction, and operation." The specific development project is the planning, construction, and operation of the proposed project. Notably, the Notice of Exemption[1] filed for the Tentative Parcel Map states that, "The parcel is intended to accommodate a future industrial facility," explicitly stating the project piecemealing. Additionally, the NOE states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations. O3.2 Cont.

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

3.0 Project Description

The Project Description is inadequate in that it does not provide information regarding the entitlement history or ownership of the site. The proposed project site consists of 77 lots subdivided for residential development and a 1.96 acre parcel (lot 78) conferred to the City of Menifee for development of a public park associated with Final Tract Map 31856. The Planning Commission approved an Extension of Time for Final Tract Map 31856 via Resolution No. PC 16-249 on January 27, 2016[2]. Tract 31856 was Annexation No. 5 into the City of Menifee O3.3

[1] https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjfKH4Gi7i-iR4_EcXfnTWSN-lKPTR5c95wNUR0SbiMUJIdjttMH_XdIfCx_aqcf1UtmzmZtC9EZ0

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

Community Facilities District No. 2015-2[3]. Specific City records and Resolution for Annexation No. 5 were not available on the City's online records portal, but would remain subject to a Public Records Request. A recent CFD Annexation is provided as the attachments list pertinent information regarding Annexation No. 5.

The County of Riverside records indicate that Lot 78 (APN 330-571-005) is currently owned by the City of Menifee[4] as the property owner address is listed at Menifee City Hall. Further, Lot 78 is identified as Sunwood Park and included within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan[5] adopted as a background document to the City of Menifee General Plan. The EIR must be revised to include this information for analysis. Notably, if the City wants to sell Lot 78, it must go through the Surplus Land Act[6] process to formally notify HCD of the site's availability for development of residential dwelling units. All sections of the EIR must be revised to note the project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland.

O3.3 Cont.

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

O3.4

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

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

[4] https://gis1.countyofriverside.us/Geocortex/Reporting/service/job/result?ticket=eyJhbGciOiJub25lIiwiemlwIjoiREVGIn0.q1ZKzs9TsqpWUimpLEhVslLyKi8JyUzOTi1xzs8rSc0rUdJRyspP8kwBSeUnFVvoG5pYGFgYGiclW1ommRiZmluYmVgmpSWZJRtYpKWZGRoo1dYCAA.&tag=a261efd9c4b74035b081228939c59283

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

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

soils would encompass an area of 4.5 acres and would include 2,050 CY of cut and 2,850 CY of fill for a net import of 800 CY of soil," yet there is no method for the public to verify this claim. Providing the grading plan and earthwork quantity notes is vital as this directly informs the quantity of necessary truck hauling trips due to soil import/export during the grading phase of construction. A revised EIR must be prepared to include wholly accurate and unedited detailed floor plan, grading plan, site plan, elevations, and project narrative for public review. O3.4 Cont.

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

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

Exhibit LU-4 within the City's General Plan[7] depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City's General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. The proposed project would increase the maximum allowable building area for non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to include a finding of significance as the growth proposed by the project was not accounted for in the AQMP. O3.5

The EIR does not include for analysis relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed project. According to CalEnviroScreen 4.0[8], CalEPA's screening tool that ranks each census tract in the state for pollution and socioeconomic vulnerability, the proposed project's census tract (6065042731) is highly burdened by pollution. The surrounding community, including existing residences adjacent to the north (share property line with the proposed project) on Floyd Avenue, bears the impact of multiple sources of pollution and is more polluted than average on several pollution indicator measured by CalEnviroScreen. For example, the project census tract ranks in the 91st percentile for ozone burden, the 51st percentile for particulate matter (PM) 2.5 burden, and 74th percentile for traffic burden. These environmental factors are attributed to heavy truck activity in the area. Ozone can cause lung irritation, inflammation, and worsening of existing chronic health conditions, even at O3.6

[7] Menifee General Plan Land Use Element
https://www.cityofmenifee.us/DocumentCenter/View/14701/FINAL_Land-Use-Element_11322
[8] https://experience.arcgis.com/experience/11d2f52282a54ceebcac7428e6184203/page/CalEnviroScreen-4_0/

low levels of exposure[9]. Exhaust fumes contain toxic chemicals that can damage DNA, cause cancer, make breathing difficult, and cause low weight and premature births[10].

Further, the census tract is a diverse community including 60% Hispanic, 6% African-American, and 2% Asian-American residents, whom are especially vulnerable to the impacts of pollution. The community has a high rate of low educational attainment, meaning 79% of the census tract residents over age 25 has not attained a high school diploma. The community also has a high rate of poverty, meaning 47% of the households in the census tract have a total income before taxes that is less than the poverty level. Income can affect health when people cannot afford healthy living and working conditions, nutritious food and necessary medical care[11]. Poor communities are often located in areas with high levels of pollution[12]. Poverty can cause stress that weakens the immune system and causes people to become ill from pollution[13]. Living in poverty is also an indication that residents may lack health insurance or access to medical care. Medical care is vital for this census tract as it ranks in the 78th percentile for incidence of cardiovascular disease and 49th percentile for incidence of asthma.

O3.6 Cont.

Additionally, the census tract adjacent to the project site (6065042901 (north)) is identified as an SB 535 Disadvantaged Community[14]. This indicates that cumulative impacts of development and environmental impacts in the immediate vicinity are disproportionately impacting this community. The negative environmental, health, and quality of life impacts resulting form a saturation of the warehousing and logistics industry in the community have become distinctly inequitable. A revised EIR must be prepared to include the specific analysis of each environmental impact on the Disadvantaged Community, including cumulative analysis and irreversible environmental effects.

The State of California lists three approved compliance modeling softwares[15] for non-residential buildings: CBECC-Com, EnergyPro, and IES VE. CalEEMod is not listed as an approved software. The CalEEMod modeling does not comply with the 2022 Building Energy Efficiency Standards and under-reports the project's significant Energy impacts and fuel consumption to the public and decision makers. Since the EIR did not accurately or adequately model the energy impacts in compliance with Title 24, a finding of significance must be made. A revised EIR with modeling using one of the approved software types must be prepared and circulated for public

O3.7

[9] OEHHA Ozone https://oehha.ca.gov/calenviroscreen/indicator/air-quality-ozone
[10] OEHHA Traffic https://oehha.ca.gov/calenviroscreen/indicator/traffic-density
[11] OEHHA Poverty https://oehha.ca.gov/calenviroscreen/indicator/poverty
[12] Ibid.
[13] Ibid.
[14] OEHHA SB 535 Census Tracts https://oehha.ca.gov/calenviroscreen/sb535
[15] California Energy Commission 2022 Energy Code Compliance Software https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency-1

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

O3.7 Cont.

5.9 Land Use and Planning

The EIR does not meaningfully discuss or analyze the project's compliance with the General Plan's Land Use Buildout Scenario. Exhibit LU-4: Land Use Buildout Summary within the General Plan Land Use Element[16] analyzes a 0.40 FAR for Industrial development within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The project site as a FAR of 0.48 (517,720 sf warehouse scenario) and 0.50 (533,252 sf scenario), which are both greater than the assumption of the environmental analysis which it attempts to tier from. Additionally, Exhibit LU-4 within the City's General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City's General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City or SCAG. The proposed project would increase the maximum allowable non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to provide an accurate build-out scenario of the City's General Plan, including analysis of the proposed project's reduction in residential development capacity and increase in building area of non-retail development.

O3.8

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

O3.9

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

greenhouse gas emissions and improve air quality, Goal 6 to support healthy and equitable communities, and Goal 7 to adapt to a changing climate. The EIR must be revised to include finding of significance due to inconsistency with the RTP/SCS. O3.9 Cont.

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

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

2. Policy EJ-3.6: Continue to collaborate with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), utility providers, Southern California Association of Governments (SCAG), Western Riverside Council of Governments (WRCOG) and nonprofit organizations, neighborhoods groups, and other community organizations to improve air quality, food availability, renewable energy systems, sustainable land use and reduce greenhouse gas emissions (GHGs). O3.10

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

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

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

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

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

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

The EIR also concludes the project is consistent with, "Policy C-5.3 Support efforts to reduce/eliminate the negative environmental impacts of goods movement," because, "all negative environmental effects from the proposed Project would be mitigated to the greatest extent feasible." However, this analysis excludes that after mitigation, significant and unavoidable cumulatively considerable impacts remain for greenhouse gas emissions and noise. The EIR must be revised to include a finding of significance due to inconsistency with this policy. O3.10 Cont.

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

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

Tables 6.1 and 6.2 in Appendix K provide a list of recommended street/traffic improvements and Tables 6.3, 6.4, 6.5, and 6.6 provide a list of fair-share calculations for improvements that will allegedly mitigate significant and unavoidable impacts to the intersections/roadway segments to less than significant levels. It must be noted that the impacts to the intersections and roadway segments are located in the City of Perris, and the I-215 is a Caltrans facility. For example, the north side of Ethanac Road is under jurisdiction of Perris (Intersections #4, #8, #9, and #10), and once Ethanac Road reaches Barnett, the entirety of Ethanac Road is under jurisdiction of Perris (above listed road segments). Any improvements planned/constructed or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099,1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements associated with the fair-share fees and the improvements recommended without fees are not planned to occur at all or by any certain date, whether by the City of Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and O3.11

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

O3.11 Cont.

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

5.12 Transportation

Table 4.1: Project Trip Generation within Appendix K utilizes WSP's TUMF Fulfillment Center Rates as the source for vehicle trip rate calculations. However, Fehr and Peers has updated WSP's study and it was received by the WRCOG at their December 14, 2023 meeting[17]. Notably, the excerpt below from Fehr and Peers' study depicts that the use of 2-4 axle trucks has increased by 120% during the AM peak hours, 15% during the PM peak hours, and 111% daily. The use of 5-axle trucks has increased by 13% during the AM peak hours, 58% during the PM peak hours, and 4,073% daily. Fehr and Peers concludes that for Fulfillment Centers, "The daily fleet mix seems to have changed such that there are more heavy vehicles and fewer passenger cars." An increased mix of heavy trucks will result in increased fuel/diesel and energy consumption and an associated increase in GHG emissions and reduction in air quality. The EIR has not utilized the best available data to calculate the project's trip generation and must be revised to implement Fehr and Peers' updated study of the data in WSP's study.

O3.12

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

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

[17] https://wrcog.us/AgendaCenter/ViewFile/Agenda/_12142023-730

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

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

Tables 6.1 and 6.2 in Appendix K provide a list of recommended street/traffic improvements and Tables 6.3, 6.4, 6.5, and 6.6 provide a list of fair-share calculations for improvements that will allegedly mitigate significant and unavoidable impacts to the intersections/roadway segments to less than significant levels. It must be noted that the impacts to the intersections and roadway segments are located in the City of Perris, and the I-215 is a Caltrans facility. For example, the north side of Ethanac Road is under jurisdiction of Perris (Intersections #4, #8, #9, and #10), and once Ethanac Road reaches Barnett, the entirety of Ethanac Road is under jurisdiction of Perris (above listed road segments). Any improvements planned/constructed or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. An assessment of fees is appropriate when linked to a specific mitigation program. (*Anderson First Coalition v. City of Anderson* (2005) 130 Cal.App.4th 1173, *Save our Peninsula Comm. v. Monterey County Bd. Of Supers.* (2001) 87 Cal.App.4th 99, 141.) Payment of fees is not sufficient where there is no evidence mitigation will actually result. (*Gray v. County of Madera* (2008) 167 Cal.App.4th 1099,1122.) The assessment of fees here is not adequate as there is no evidence mitigation will actually result. The improvements associated with the fair-share fees and the improvements recommended without fees are not planned to occur at all or by any certain date, whether by the City of Perris or Caltrans. Any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided. A revised EIR must be prepared to include the LOS analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold TRA-1 and Land Use and Planning Impact Threshold LU-2 because it is not consistent with the following General Plan Policy: O3.13

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

Appendix L: VMT Analysis excludes the City of Menifee VMT Scoping Form and modeling input parameters and output screens generated by the RIVCOM model to support the EIR's claims that O3.14

the project will have less than significant impacts. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). The VMT input/output modeling information contributes directly to analysis of the problem at hand. A revised EIR must be prepared to include these items for review by the public and decision makers in order to provide an adequate informational document. O3.14 Cont.

Further, the EIR has underreported the quantity VMT generated by the proposed project operations. The operational nature of industrial/warehouse uses involves high rates of truck/trailer/delivery van VMT due to traveling from large import hubs to regional distribution centers to smaller industrial parks and then to their final delivery destinations. Once employees arrive at work at the proposed project, they will conduct their jobs by driving delivery vans across the region as part of the daily operations as a warehouse, which will drastically increase project-generated VMT. The project's truck/trailer and delivery van activity is unable to utilize public transit or active transportation and it is misleading to the public and decision makers to exclude this activity from VMT analysis. The project's total operational VMT generated is further inconsistent with the significance threshold and legislative intent of SB 743 to reduce greenhouse gas emissions by reducing VMT. A revised EIR must be prepared to reflect a quantified VMT analysis that includes all truck/trailer and delivery van activity. O3.15

The EIR has not adequately analyzed the project's potential to substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses; or the project's potential to result in inadequate emergency access. The EIR has excluded any specific truck/trailer turning exhibits from public review. Figure 3-7: Conceptual Site Plan has some modeling overlaid on the project site plan, but it is difficult to read due to the quantity of overlapping lines associated with the site plan and modeling. Nonetheless, the modeling depicts there is not adequate maneuvering and queueing space for trucks/trailers at the intersection of the project driveways and the adjacent streets. For example, trucks exiting the site via both driveways on Murrieta Road and the northernmost driveway on Geary Street require additional maneuvering space across the centerline of each street, meaning that the truck will need to drive on the "wrong side" of the street into oncoming traffic in order to leave the site. O3.16

Brett Hamilton
July 3, 2024
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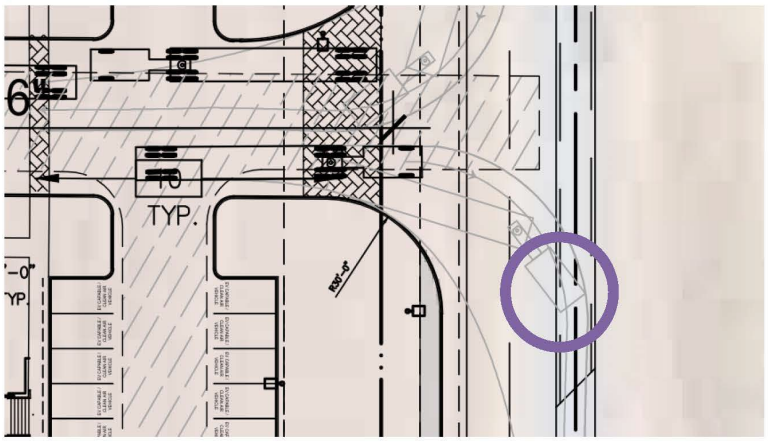
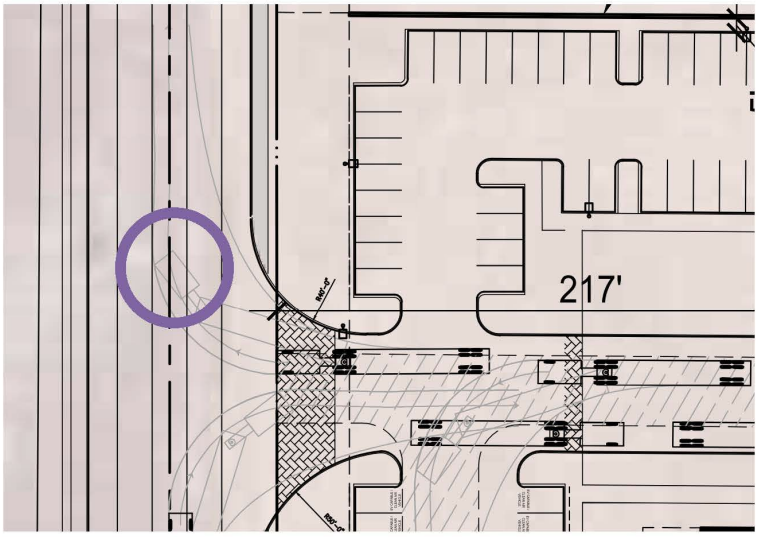
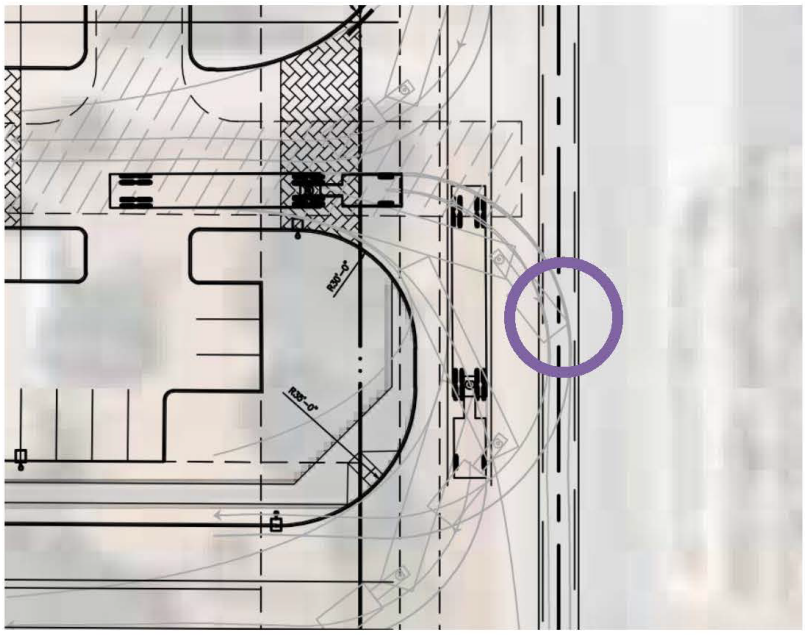




O3.16
Cont.



O3.16 Cont.

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

O3.17

Additionally, the Notice of Exemption[18] filed for the piecemealed Tentative Parcel Map states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations. The EIR must be revised to include specific

O3.18

[18] https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjfKH4Gi7i-iR4_EcXfnTWSN-lKPTR5c95wNUR0SbiMUJIdjttMH_XdIfCx_aqcf1UtmzmZtC9EZ0

information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project. O3.18 Cont.

6.2 Growth Inducement and 6.3 Significant Irreversible Effects

The EIR relies upon erroneous Energy modeling to determine that the project will meet sustainability requirements. As noted above, the EIR did not model the project's energy consumption in compliance with Title 24 modeling software. The EIR must be revised to include a finding of significance due to the an inaccurate and erroneous analysis regarding the project's Air Quality, Greenhouse Gas, and Energy impacts, including those significant and unavoidable cumulatively considerable GHG impacts. O3.19

The EIR does not meaningfully discuss or analyze the project's significant and unavoidable cumulatively considerable GHG impacts. The EIR does not provide any meaningful evidence that the project will not result in significant and irreversible environmental changes, especially considering the project's direct impact and contribution to negative climate change impacts. The EIR does not adequately discuss or and analyze the commitment of resources is not consistent with regional and local growth forecasts. As noted throughout this comment letter, the project represents a significant amount of building area growth in the City and a significant amount of the City's employment growth over 29 years. The EIR does not meaningfully discuss or analyze the project's compliance with the General Plan's Land Use Buildout Scenario. Exhibit LU-4: Land Use Buildout Summary within the General Plan Land Use Element[19] analyzes a 0.40 FAR for Industrial development within EDC-NG and 25,020,987 square feet of non-retail development within all EDC areas. The project site as a FAR of 0.48 (517,720 sf warehouse scenario) and 0.50 (533,252 sf scenario), which are both greater than the assumption of the environmental analysis which it attempts to tier from. Additionally, Exhibit LU-4 within the City's General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to its entitlement history. Therefore, the City's General Plan analyzed the project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. The proposed project would increase the maximum allowable non-retail development within the EDC and the EIR has not provided any information or analysis on this topic. The EIR has not provided evidence that the growth generated by the proposed project was anticipated by the General Plan, RTP/SCS, or AQMP. The EIR must be revised to provide an accurate build-out scenario of the City's General O3.20

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

Plan, including analysis of the proposed project's reduction in residential development capacity and increase in building area of non-retail development. O3.20 Cont.

The EIR must also include a cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting, including the associated cumulative impacts of the project's significant and unavoidable cumulatively considerable GHG impacts. O3.21

The EIR does not discuss the aspects of the project site that remove obstacles to growth. For example, the Notice of Exemption[20] filed for the piecemealed Tentative Parcel Map states that, "Multiple right-of-way areas are proposed to be vacated including Elm Street," and the EIR does not provide any analysis of right-of-way vacations. Removal of streets increases the developable area of the City, and the EIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project. This includes Lot 78 owned by the City and reserved for parkland, and the City's sale of the parkland to be utilized in the proposed project removes a significant obstacle to growth and sets precedent for future parkland to be sold for development that results in significant and unavoidable cumulatively considerable GHG impacts. O3.22

The EIR has not provided an adequate or accurate cumulative analysis discussion here to demonstrate the impact of the proposed project in a cumulative setting. SCAG's Connect SoCal Demographics and Growth Forecast[21] notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR's calculation of 652 employees, the project represents 4.2% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. Since the project site was not included for analysis as an employment generating use by the City or SCAG, it is represents a 4.2% increase in growth that was not accounted for by either agency. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will exceed SCAG's employment growth forecast for the City. For example, other recent industrial projects[22] such as Menifee Commerce Center (2,885 employees), Menifee Commerce Center O3.23

[20] https://files.ceqanet.opr.ca.gov/287149-1/attachment/Yb-aHjfKH4Gi7i-iR4_EcXfnTWSN-lKPTR5c95wNUR0SbiMUJIdjttMH_XdIfCx_aqcf1UtmzmZtC9EZ0
[21] SCAG Connect SoCal Demographics and Growth Forecast adopted September 3, 2020 https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocal_demographics-and-growth-forecast.pdf?1606001579
[22] Data for all listed projects via City of Menifee Land Development Projects Map https://cityofmenifee.maps.arcgis.com/apps/instant/minimalist/index.html?appid=55fc56d4eee94e588a28a958cebac908 and Accela Menifee https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Hom

Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105 employees), Motte Business Center (1,964 employees), Ethanac and Barnett Warehouse (440 employees), CADO Menifee (860 employees), and Compass Northern Gateway (599 employees) combined with the proposed project will cumulatively generate 16,659 employees, which is 108% of the City's employment growth forecast over 29 years accounted for by 17 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 (SCAG) and 2013 (General Plan) are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis. O3.23 Cont.

The EIR finds that impacts will not be significant without providing any quantified analysis or meaningful evidence to support this conclusion. The EIR adds new uncertain and misleading statements in its analysis of the project's workforce that contradicts its statements elsewhere, which does not comply with CEQA's requirements for adequate informational documents (CEQA 15121). Here, the EIR states that, "*most* of the new jobs that would be created by the Project would be positions that do not require a specialized workforce, and this type of workforce exists in the City of Hemet and surrounding communities." The EIR maintains throughout the document that, "The Project is analyzed as a *speculative* high-cube industrial warehouse," meaning that the future tenants is unknown. Since the tenant is unknown, there is no possible assurance that "*most* of the new jobs that would be created by the Project would be positions that do not require a *specialized* workforce," as the type of work to be conducted is unknown. The EIR must be revised to include a finding of significance. O3.24

7.7 Effects Found Not Significant: Hazards and Hazardous Materials

The EIR states that the project site, "is within influence area Zone E," of the Perris Valley Airport," and "also located within Zone E of the March Air Reserve Base." The EIR does not provide an exhibit depicting which areas of the site are within the applicable Compatibility Zone for each respective Airport. This does not comply with CEQA's requirements for adequate informational documents and meaningful disclosure (CEQA § 15121 and 21003(b)). A revised EIR must be O3.25

e%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3

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

The EIR concludes that the project will have less than significant impacts because, "The proposed warehouse facility is consistent with the existing Economic Development Corridor (EDC) land use designation for the Project site and is also consistent with the EDC – NG zoning development standards." The EIR does not provide any analysis or information regarding regulations and requirements within influence area Zone E of the Perris Valley Airport or Zone E of the March Air Reserve Base. The EIR has not provided any meaningful evidence to support its claims of consistency and a finding of significance must be made in a revised EIR. O3.25 Cont.

7.11 Effects Found Not Significant: Population and Housing

The project faces significant inconsistencies with statutory requirements of the Housing Crisis Act (HCA) of 2019/Senate Bill (SB) 330[23]/SB 8[24]. The HCA/SB 330/SB 8 require replacement housing sites when land designated for housing development experience changes to ensure no net loss of housing capacity. The project site has a General Plan land use designation of Economic Development Corridor - Northern Gateway (EDC-NG) that has a maximum density of 24 units per acre[25]. The approximately 28.27 net acre project site can accommodate the development of up to 678 dwelling units (it must be noted that although entitlements exist for a 77 unit development, the site's development capacity pursuant to existing land use designations still stands at 678 units regardless of existing approved entitlements). Additionally, Exhibit LU-4 within the City's General Plan depicts that the EDC-NG designation only permits residential development on 29 acres within the planning area, which is clearly in order to accommodate the development of residential dwelling units on the project site due to it's entitlement history. This means that there are no other parcels within the EDC-NG designation to accommodate the lost residential development capacity, and replacement sites must be identified as part of the proposed project. O3.26

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

[23] Housing Crisis Act of 2019/SB 330
https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201920200SB330
[24] SB 8 https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=202120220SB8
[25] Menifee General Plan Exhibit LU-4: Land Use Buildout Summary
https://www.cityofmenifee.us/DocumentCenter/View/14675/3_LU-4_FINAL

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

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

O3.26 Cont.

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

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

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

O3.27

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



O3.27 Cont.

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

O3.28

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

O3.28 Cont.

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

O3.29

SCAG's Connect SoCal Demographics and Growth Forecast[26] notes that the City will add 15,400 jobs between 2016 - 2045. Utilizing the EIR's calculation of 652 employees, the project represents 4.2% of the City's employment growth from 2016 - 2045. A single project accounting for this amount of the projected employment growth over 29 years represents a significant amount of growth. Since the project site was not included for analysis as an employment generating use by the City or SCAG, it is represents a 4.2% increase in growth that was not accounted for by either agency. A revised EIR must be prepared to include this analysis, and also provide a cumulative analysis discussion of projects approved since 2016 and projects "in the pipeline" to determine if the project will exceed SCAG's employment growth forecast for the City. For example, other recent industrial projects[27] such as Menifee Commerce Center (2,885 employees), Menifee Commerce Center Phase II (1,962 employees), Northern Gateway Commerce Center (2,267 employees), Ares Warehouse on Murrieta (952 employees), Capstone Industrial (1,205 employees), Wheat Warehouse (151 employees), Corsica Business Park (477 employees), Trumble and Watson Warehouse (571 employees), McLaughlin San Jacinto Warehouses (846 employees), Mapes and Sherman Warehouse (478 employees), United Carports Warehouse (105

O3.30

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

[27] Data for all listed projects via City of Menifee Land Development Projects Map https://cityofmenifee.maps.arcgis.com/apps/instant/minimalist/index.html?appid=55fc56d4eee94e588a28a958cebac908 and Accela Menifee https://aca-prod.accela.com/MENIFEE/Cap/CapHome.aspx?module=Planning&TabName=Planning&TabList=Home%7C0%7CPermits%7C1%7CEngineering%7C2%7CPlanning%7C3%7CFire%7C4%7CCurrentTabIndex%7C3

employees), Motte Business Center (1,964 employees), Ethanac and Barnett Warehouse (440 employees), CADO Menifee (860 employees), and Compass Northern Gateway (599 employees) combined with the proposed project will cumulatively generate 16,659 employees, which is 108% of the City's employment growth forecast over 29 years accounted for by 17 industrial projects submitted since 2020. This exceeds the projected growth forecast for the City. This number increases exponentially when the City's commercial development activity and other projects since 2016 (SCAG) and 2013 (General Plan) are added to the calculation. A revised EIR must be prepared to include a cumulative analysis on this topic in order to provide an adequate and accurate environmental analysis. O3.30 Cont.

7.13 Recreation

The EIR is inadequate in that it does not provide information regarding the entitlement history or ownership of the site. The proposed project site consists of 77 lots subdivided for residential development and a 1.96 acre parcel (lot 78) conferred to the City of Menifee for development of a public park associated with Final Tract Map 31856. The Planning Commission approved an Extension of Time for Final Tract Map 31856 via Resolution No. PC 16-249 on January 27, 2016[28]. Tract 31856 was Annexation No. 5 into the City of Menifee Community Facilities District No. 2015-2[29]. Specific City records and Resolution for Annexation No. 5 were not available on the City's online records portal, but would remain subject to a Public Records Request. A recent CFD Annexation is provided as the attachments list pertinent information regarding Annexation No. 5. O3.31

The County of Riverside records indicate that Lot 78 (APN 330-571-005) is currently owned by the City of Menifee[30] as the property owner address is listed at Menifee City Hall. Further, Lot 78 is identified as Sunwood Park and included within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan[31] adopted as a background document to the City of Menifee

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

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

30 https://gis1.countyofriverside.us/Geocortex/Reporting/service/job/result?ticket=eyJhbGciOiJub25lIiwiemlwIjoiREVGIn0.q1ZKzs9TsqpWUimpLEhVslLyKi8JyUzOTi1xzs8rSc0rUdJRyspP8kwBSeUnFVvoG5pYGFgYGiclW1ommRiZmluYmVgmpSWZJRtYpKWZGRoo1dYCAA.&tag=a261efd9c4b740350b081228939c59283

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

General Plan. Notably, if the City wants to sell Lot 78, it must go through the Surplus Land Act[32] process to formally notify HCD of the site's availability for development of residential dwelling units. All sections of the EIR must be revised to note the project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland. The EIR must be revised to include this information for analysis and include a finding of significance as project implementation will result in a direct impact to City recreation facilities. O3.31 Cont.

7.14 Effects Found Not Significant: Transportation

There are no exhibits depicting emergency vehicle access and maneuvering. The EIR states that, "The Project would also be required to design and construct internal access and provide fire suppression facilities (e.g., hydrants and sprinklers) in conformance with Chapter 8.20 of Title 8 of the Municipal Code. The Office of the Fire Marshal would review the development plans prior to approval to ensure adequate emergency access pursuant to the requirements in the Uniform Fire Code and Section 503 of the California Fire Code (Title 24, California Code of Regulations, Part 9)." However, the EIR does not provide any meaningful evidence to support these claims. Notably, this section of analysis does not provide any information regarding the proposed onsite fire pump house that is depicted on the Site Plan. Excluding information regarding the proposed onsite fire pump house does not comply with CEQA's requirements for meaningful disclosure and adequate informational documents. Deferring this environmental analysis required by CEQA to the construction permitting phase is improper mitigation and does not comply with CEQA's requirement for meaningful disclosure and adequate informational documents. A revised EIR must be prepared for the proposed project with emergency access exhibits, information regarding the proposed onsite fire pump house, and associated analysis/requirements in order to provide an adequate and accurate environmental analysis. O3.32

8.0 Alternatives

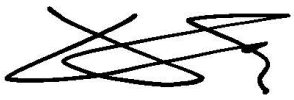
The EIR is required to evaluate a reasonable range of alternatives to the proposed project which will avoid or substantially lessen any of the significant effects of the project (CEQA § 15126.6.) The alternatives chosen for analysis include the CEQA required "No Project/No Development" alternative and only three others - 30% Reduced Project Alternative, 51% Reduced Project Alternative, and No Project/Build Out of the Existing Zoning Alternative. The EIR does not include an alternative that meets the project objectives and also eliminates all of the project's significant and unavoidable impacts. The EIR must be revised to include analysis of a reasonable O3.33

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

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

Sincerely,

O3.33
Cont.



Gary Ho
Blum, Collins & Ho LLP

Attachment: SWAPE Analysis

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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June 28, 2024

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O3.34

Subject: Comments on the Murrieta Road Warehouse Project (SCH No. 2023110162)

Dear Mr. Ho,

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

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

Air Quality

Failure to Provide Complete CalEEMod Output Files

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

O3.35

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

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

O3.35 Cont.

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

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

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

O3.36

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

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

[2] "CalEEMod California Emissions Estimator Model Soft Release." CAPCOA, 2022, *available at:* https://caleemod.com/.
[3] "Video Tutorials for CalEEMod Version 2022.1." CAPCOA, May 2022, *available at:* https://www.caleemod.com/tutorials.

that correctly provides the complete output files for CalEEMod Version 2022.1, or includes an updated air model using an older release of CalEEMod.[4] O3.36 Cont.

Unsubstantiated Input Parameters Used to Estimate Project Emissions

As previously discussed, the DEIR relies on CalEEMod Version 2022.1 to estimate the Project's air quality emissions and fails to provide the complete output files required to adequately evaluate model's analysis (Appendix B, p. 38). Regardless, when reviewing the Project's CalEEMod output files, provided in the AQIA, we were able to identify several model inputs that are inconsistent with information disclosed in the DEIR. The Project's construction and operational emissions may consequently be underestimated. A revised EIR should be prepared to include an updated air quality analysis that adequately evaluates the impacts that construction and operation of the Project will have on local and regional air quality. O3.37

Unsubstantiated Changes to Individual Construction Phase Lengths

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

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

As a result of these changes, the model includes the following construction schedule (see excerpt below) (Appendix B, pp. 142): O3.38

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

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

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

[4] "CalEEMod Version 2020.4.0." CAPCOA, May 2021, *available at:* http://www.aqmd.gov/caleemod/download-model.
[5] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

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

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

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

TABLE 3-3: CONSTRUCTION DURATION

O3.38 Cont.

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

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

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

O3.39

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

O3.40

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

[6] See Attachment A for proportionately altered construction schedule.
[7] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 32.

Demolition involves removing buildings or structures.

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

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

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

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

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

O3.40 Cont.

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

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

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

O3.41

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

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

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Site Preparation	Rubber Tired Dozers	Diesel	Tier 4 Interim	3.00	8.00	367	0.40
Site Preparation	Crawler Tractors	Diesel	Tier 4 Interim	4.00	8.00	87.0	0.43
Grading	Graders	Diesel	Tier 4 Interim	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Grading	Scrapers	Diesel	Tier 4 Interim	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Tier 4 Interim	1.00	8.00	367	0.40
Grading	Crawler Tractors	Diesel	Tier 4 Interim	2.00	8.00	87.0	0.43
Building Construction	Forklifts	Diesel	Tier 4 Interim	3.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Tier 4 Interim	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Tier 4 Interim	1.00	8.00	367	0.29
Building Construction	Welders	Diesel	Tier 4 Interim	1.00	8.00	46.0	0.45
Building Construction	Tractors/Loaders/Backhoes	Diesel	Tier 4 Interim	3.00	8.00	84.0	0.37
Paving	Pavers	Diesel	Tier 4 Interim	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Tier 4 Interim	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Tier 4 Interim	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Tier 4 Interim	1.00	8.00	37.0	0.48

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

O3.41 Cont.

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

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

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

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

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

[8] "CalEEMod User's Guide Version 2020.4.0." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

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

Measures that are not formally included in the mitigation monitoring and reporting program ("MMRP") may be eliminated from the Project's design altogether. As the use of construction equipment with Tier 4 Interim emissions standards are not formally included as mitigation measures, we cannot guarantee that these standards would be implemented, monitored, and enforced on the Project site. Consequently, the model's assumption that the off-road construction equipment fleet would adhere to Tier 4 Interim emissions standards is unsupported. O3.41 Cont.

Unsubstantiated Changes to Architectural Coating Emission Factors

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

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

As previously mentioned, the CalEEMod User's Guide requires any changes to model defaults be justified.[10] As stated in the "User Changes to Default Data" table, the justification provided for these changes is: O3.42 Cont.

> "SCAQMD Rule 1113" (Appendix B, pp. 153).

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

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

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

First, we cannot verify the accuracy of the revised architectural coating emission factors based on the South Coast Air Quality Management District ("SCAQMD") Rule 1113 alone. The SCAQMD Rule 1113 Table of Standards provides the required volatile organic compound ("VOC") limits (grams of VOC per O3.43

[9] "CEQA Portal Topic Paper Mitigation Measures." AEP, February 2020, *available at:* https://ceqaportal.org/tp/CEQA%20Mitigation%202020.pdf, p. 6.
[10] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

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

O3.43 Cont.

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

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	456,516	152,172	18,757

O3.44

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

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

Underestimated Saturday and Sunday Operational Vehicle Trip Rates

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

O3.45

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

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

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

Table 5.12-2: Proposed Project Trip Generation

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

TSF = Thousand Square Feet

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

O3.45 Cont.

The Project's models should accurately reflect the above-mentioned operational daily vehicle trip rates. Review of the CalEEMod output files demonstrates that the "15382 Murrietta Road Warehouse Ops" model only includes a total of approximately 91 Saturday[14] and 30 Sunday[15] vehicle trips (see excerpt below) (Appendix B, pp. 196, 197, 235; Appendix F, pp. 183, 145).

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

The Saturday and Sunday trips are underestimated by a total of approximately 1,044 trips[16] and 1,105 trips,[17] respectively. As such, the trip rates input into the model are underestimated and inconsistent with the information provided by the DEIR.

[14] Calculated: 75.2 + 16.0 = 91.2 total Saturday vehicle trips.
[15] Calculated: 29.9 + 0.53 = 30.43 total Sunday vehicle trips.
[16] Calculated: 1,135 proposed vehicle trips – 91.2 modeled vehicle trips = 1,043.8 vehicle trips underestimated.
[17] Calculated: 1,135 proposed vehicle trips – 30.43 modeled vehicle trips = 438.1 vehicle trips underestimated.

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

O3.45 Cont.

Unsubstantiated Changes to Operational Fleet Mix Values

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

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

O3.46

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

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

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

[18] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 36.
[19] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 1, 14.

Table 5.12-2: Proposed Project Trip Generation

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

TSF = Thousand Square Feet

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

O3.46 Cont.

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

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

Updated Analysis Indicates a Potentially Significant Air Quality Impact

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

O3.47

[20] "CalEEMod User's Guide." CAPCOA, May 2021, *available at:* https://www.aqmd.gov/caleemod/user's-guide, p. 38.
[21] *Ibid.*, p. 36.

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

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

O3.47 Cont.

SWAPE Criteria Air Pollutant Emissions		
Construction	**VOC** (lbs/day)	**NO_X** (lbs/day)
DEIR	47	30
SWAPE	258	141
% Increase	449%	370%
SCAQMD Threshold	**75**	**100**
Exceeds?	***Yes***	***Yes***

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

Diesel Particulate Matter Emissions Inadequately Evaluated

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

O3.48

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

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

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

O3.48 Cont.

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

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

O3.49

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

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

O3.50

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

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

Greenhouse Gas

Failure to Adequately Evaluate Greenhouse Gas Impacts

The DEIR estimates that the Project would result in net annual greenhouse gas ("GHG") mitigated emissions of 4,796.13-metric tons of carbon dioxide equivalents per year ("MT CO_2e/year"), which exceeds the SCAQMD bright-line threshold of 3,000 MT CO_2e/year (see excerpt below) (p. 5.6-13, Table 5.6-3).

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

Emissions Source	Operational Emissions				
	CO_2	CH_4	N_2O	Refrigerants	Total CO_2e
Amortized Construction Emissions Over 30 Years	35.00	0.00	0.00	0.03	35.73
Mobile Sources	4,014.00	0.09	0.43	4.89	4,150.00
Area Source	10.80	<0.005	<0.005	0.00	10.90
Energy Source	128.00	0.01	<0.005	0.00	129.00
Water Usage Source	173.00	4.02	0.10	0.00	303.00
Waste Source	44.70	4.47	0.00	0.00	156.00
Stationary Source	11.40	<0.005	<0.005	0.00	11.50
				Total Project Operational Emissions	**4,796.13**
				SCAQMD Threshold	3,000
				Exceed?	**Yes**

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

O3.51

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

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

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

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

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

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

the DEIR fails to implement all feasible mitigation measures. We will propose additional, feasible mitigation measures that the Project can identify and incorporate into a revised EIR. O3.51 Cont.

Mitigation

Feasible Mitigation Measures Available to Reduce Emissions

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

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

- Require the use of super compliant, low-VOC paints less than 10 g/L during the architectural coating construction phase. O3.52

Los Angeles County recommends:[27]

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

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

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

[25] *Ibid.* (g)(2).
[26] "Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act." State of California Department of Justice, September 2022, *available at*: https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf, p. 8 – 10.
[27] "Mitigation Monitoring and Reporting Program." Los Angeles County Housing Element Update Program EIR. August 2021, *available at*: https://planning.lacounty.gov/wp-content/uploads/2023/07/Housing_final-peir-mitigation-monitoring.pdf.
[28] "Recommended Air Pollution Emission Reduction Measures for Warehouses and Distribution Centers." CARB, August 2023, *available at*: https://ww2.arb.ca.gov/sites/default/files/2023-08/CARB%20Comments%20-%20NOP%20for%20the%20%20Oak%20Valley%20North%20Project%20DEIR.pdf; Attachment A, p. 5 – 8.

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

The DOJ recommends:[29]

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

O3.52 Cont.

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

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

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

[30] "4.0 Mitigation Measures." Connect SoCal Program Environmental Impact Report Addendum #1, September 2020, available at: https://scag.ca.gov/sites/main/files/file-attachments/fpeir_connectsocal_addendum_4_mitigationmeasures.pdf?1606004420, p. 4.0-21 – 4.0-23; See also: "Certified Final Connect SoCal Program Environmental Impact Report." SCAG, May 2020, *available at:* https://scag.ca.gov/peir.

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

The DOJ recommends: [31]

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

O3.52 Cont.

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

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

[31] *Ibid*. p. 9 – 10.
[32] "Cal. Code Regs. tit. 14 § 15126.4." CEQA Guidelines, May 2024, *available at*: https://casetext.com/regulation/california-code-of-regulations/title-14-natural-resources/division-6-resources-agency/chapter-3-guidelines-for-implementation-of-the-california-environmental-quality-act/article-9-contents-of-environmental-impact-reports/section-151264-consideration-and-discussion-of-mitigation-measures-proposed-to-minimize-significant-effects.

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

We recommend the consideration of CARB-approved carbon offset purchases, and other credit purchases, in order to reduce the Project's GHG impacts. O3.52 Cont.

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

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

Disclaimer

SWAPE has received limited discovery regarding this project. Additional information may become available in the future; thus, we retain the right to revise or amend this report when additional information becomes available. Our professional services have been performed using that degree of care and skill ordinarily exercised, under similar circumstances, by reputable environmental consultants practicing in this or similar localities at the time of service. No other warranty, expressed or implied, is made as to the scope of work, work methodologies and protocols, site conditions, analytical testing results, and findings presented. This report reflects efforts which were limited to information that was reasonably accessible at the time of the work, and may contain informational gaps, inconsistencies, or otherwise be incomplete due to the unavailability or uncertainty of information obtained or provided by third parties. O3.53

Sincerely,

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

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



Paul E. Rosenfeld, Ph.D.

O3.53
Cont.

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

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Attachment A

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

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

Attachment B

15382 Murrieta Road Warehouse Construction Detailed Report

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15382 Murrieta Road Warehouse Construction Detailed Report, 6/26/2024

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	15382 Murrieta Road Warehouse Construction
Construction Start Date	10/1/2024
Lead Agency	—
Land Use Scale	Project/site
Analysis Level for Defaults	County
Windspeed (m/s)	2.50
Precipitation (days)	0.20
Location	33.738326192783376, -117.20875294804574
County	Riverside-South Coast
City	Menifee
Air District	South Coast AQMD
Air Basin	South Coast
TAZ	5512
EDFZ	11
Electric Utility	Southern California Edison
Gas Utility	Southern California Gas
App Version	2022.1.1.25

1.2. Land Use Types

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

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

1.3. User-Selected Emission Reduction Measures by Emissions Sector

No measures selected

2. Emissions Summary

2.1. Construction Emissions Compared Against Thresholds

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

Un/Mit.	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	259	258	29.9	55.6	0.07	1.16	4.13	5.29	1.07	1.00	2.07	—	12,002	12,002	0.44	0.58	21.0	12,207
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	16.7	13.8	141	124	0.29	6.20	40.9	47.1	5.73	15.9	21.6	—	39,974	39,974	1.26	3.10	1.46	40,929
Average Daily (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	8.61	8.36	10.5	17.9	0.03	0.44	1.83	2.28	0.41	0.54	0.94	—	4,313	4,313	0.16	0.23	3.64	4,390
Annual (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Unmit.	1.57	1.53	1.92	3.28	< 0.005	0.08	0.33	0.42	0.07	0.10	0.17	—	714	714	0.03	0.04	0.60	727

2.2. Construction Emissions by Year, Unmitigated

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

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e

Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	259	258	29.9	55.6	0.07	1.16	4.13	5.29	1.07	1.00	2.07	—	12,002	12,002	0.44	0.58	21.0	12,207
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	16.7	13.8	141	124	0.29	6.20	40.9	47.1	5.73	15.9	21.6	—	39,974	39,974	1.26	3.10	1.46	40,929
2025	3.64	3.07	22.6	39.9	0.06	0.81	3.94	4.75	0.75	0.95	1.71	—	10,003	10,003	0.38	0.56	0.52	10,180
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	1.38	1.15	10.5	11.9	0.02	0.44	1.83	2.28	0.41	0.54	0.94	—	3,188	3,188	0.11	0.19	1.76	3,249
2025	8.61	8.36	10.1	17.9	0.03	0.37	1.65	2.02	0.34	0.40	0.74	—	4,313	4,313	0.16	0.23	3.64	4,390
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2024	0.25	0.21	1.92	2.17	< 0.005	0.08	0.33	0.42	0.07	0.10	0.17	—	528	528	0.02	0.03	0.29	538
2025	1.57	1.53	1.84	3.28	< 0.005	0.07	0.30	0.37	0.06	0.07	0.13	—	714	714	0.03	0.04	0.60	727

3. Construction Emissions Details

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

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	4.81	4.05	37.0	37.9	0.07	1.71	—	1.71	1.58	—	1.58	—	7,644	7,644	0.31	0.06	—	7,670

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

Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.25	0.00	0.00	0.05	0.05	0.00	0.01	0.01	—	51.4	51.4	< 0.005	< 0.005	0.09	52.1
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	2.98	2.98	< 0.005	< 0.005	< 0.005	3.12
Hauling	< 0.005	< 0.005	0.02	0.01	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	< 0.005	—	19.2	19.2	< 0.005	< 0.005	0.02	20.1
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.05	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	8.51	8.51	< 0.005	< 0.005	0.02	8.63
Vendor	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	0.49	0.49	< 0.005	< 0.005	< 0.005	0.52
Hauling	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	< 0.005	—	3.18	3.18	< 0.005	< 0.005	< 0.005	3.33

3.3. Linear, Paving (2024) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.10	0.93	8.43	11.8	0.02	0.40	—	0.40	0.37	—	0.37	—	1,769	1,769	0.07	0.01	—	1,775
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.19	0.16	1.47	2.05	< 0.005	0.07	—	0.07	0.06	—	0.06	—	308	308	0.01	< 0.005	—	309
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.04	0.03	0.27	0.37	< 0.005	0.01	—	0.01	0.01	—	0.01	—	51.0	51.0	< 0.005	< 0.005	—	51.2
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.11	1.26	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	265	265	0.01	0.01	0.03	268
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.02	0.23	0.00	0.00	0.05	0.05	0.00	0.01	0.01	—	46.7	46.7	< 0.005	< 0.005	0.09	47.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.04	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	7.73	7.73	< 0.005	< 0.005	0.01	7.83
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Linear, Paving (2025) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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

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

3.7. Demolition (2024) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.12	2.62	24.9	21.7	0.03	1.06	—	1.06	0.98	—	0.98	—	3,425	3,425	0.14	0.03	—	3,437
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.09	0.07	0.68	0.60	< 0.005	0.03	—	0.03	0.03	—	0.03	—	93.8	93.8	< 0.005	< 0.005	—	94.2
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.01	0.12	0.11	< 0.005	0.01	—	0.01	< 0.005	—	< 0.005	—	15.5	15.5	< 0.005	< 0.005	—	15.6
Demolition	—	—	—	—	—	—	0.00	0.00	—	0.00	0.00	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	0.95	0.00	0.00	0.20	0.20	0.00	0.05	0.05	—	198	198	0.01	0.01	0.02	201
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.51	5.51	< 0.005	< 0.005	0.01	5.58
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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

3.9. Site Preparation (2024) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	5.08	4.27	40.6	33.6	0.05	2.11	—	2.11	1.94	—	1.94	—	5,293	5,293	0.21	0.04	—	5,311
Dust From Material Movemen:	—	—	—	—	—	—	21.8	21.8	—	10.3	10.3	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.06	0.56	0.46	< 0.005	0.03	—	0.03	0.03	—	0.03	—	72.5	72.5	< 0.005	< 0.005	—	72.8
Dust From Material Movemen:	—	—	—	—	—	—	0.30	0.30	—	0.14	0.14	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

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

3.11. Grading (2024) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	4.56	3.83	36.6	30.5	0.06	1.70	—	1.70	1.56	—	1.56	—	6,597	6,597	0.27	0.05	—	6,619
Dust From Material Movemen:	—	—	—	—	—	—	10.4	10.4	—	3.78	3.78	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.22	0.19	1.81	1.50	< 0.005	0.08	—	0.08	0.08	—	0.08	—	325	325	0.01	< 0.005	—	326
Dust From Material Movemen:	—	—	—	—	—	—	0.51	0.51	—	0.19	0.19	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.04	0.03	0.33	0.27	< 0.005	0.02	—	0.02	0.01	—	0.01	—	53.9	53.9	< 0.005	< 0.005	—	54.0
Dust From Material Movemen:	—	—	—	—	—	—	0.09	0.09	—	0.03	0.03	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.10	0.11	1.26	0.00	0.00	0.26	0.26	0.00	0.06	0.06	—	265	265	0.01	0.01	0.03	268
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.58	0.22	17.2	4.04	0.10	0.28	3.77	4.05	0.28	1.06	1.33	—	14,599	14,599	0.26	2.35	0.80	15,307
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	< 0.005	0.01	0.07	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	13.2	13.2	< 0.005	< 0.005	0.02	13.4
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.03	0.01	0.85	0.20	< 0.005	0.01	0.19	0.20	0.01	0.05	0.07	—	720	720	0.01	0.12	0.65	755
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.19	2.19	< 0.005	< 0.005	< 0.005	2.22
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.01	< 0.005	0.16	0.04	< 0.005	< 0.005	0.03	0.04	< 0.005	0.01	0.01	—	119	119	< 0.005	0.02	0.11	125

3.13. Building Construction (2024) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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

Vendor	< 0.005	< 0.005	0.06	0.02	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	44.0	44.0	< 0.005	0.01	0.05	46.0
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.15. Building Construction (2025) - Unmitigated

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

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

Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.20	1.00	0.98	17.3	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,157	3,157	0.13	0.11	11.6	3,205
Vendor	0.12	0.06	2.93	0.91	0.02	0.04	0.75	0.79	0.04	0.21	0.25	—	2,674	2,674	0.06	0.41	7.59	2,804
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.06	0.94	1.08	13.1	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,902	2,902	0.14	0.11	0.30	2,939
Vendor	0.12	0.05	3.07	0.94	0.02	0.04	0.75	0.79	0.04	0.21	0.25	—	2,676	2,676	0.06	0.41	0.20	2,799
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.43	0.38	0.48	5.65	0.00	0.00	1.20	1.20	0.00	0.28	0.28	—	1,202	1,202	0.06	0.05	2.05	1,219
Vendor	0.05	0.02	1.26	0.38	0.01	0.02	0.31	0.32	0.02	0.08	0.10	—	1,094	1,094	0.02	0.17	1.34	1,145
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.09	1.03	0.00	0.00	0.22	0.22	0.00	0.05	0.05	—	199	199	0.01	0.01	0.34	202
Vendor	0.01	< 0.005	0.23	0.07	< 0.005	< 0.005	0.06	0.06	< 0.005	0.02	0.02	—	181	181	< 0.005	0.03	0.22	190
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.17. Paving (2025) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipment	0.95	0.80	7.45	9.98	0.01	0.35	—	0.35	0.32	—	0.32	—	1,511	1,511	0.06	0.01	—	1,517
Paving	3.47	3.47	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.03	0.02	0.20	0.27	< 0.005	0.01	—	0.01	0.01	—	0.01	—	41.4	41.4	< 0.005	< 0.005	—	41.6
Paving	0.10	0.10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.04	0.05	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	6.86	6.86	< 0.005	< 0.005	—	6.88
Paving	0.02	0.02	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.07	0.07	1.16	0.00	0.00	0.20	0.20	0.00	0.05	0.05	—	211	211	0.01	0.01	0.78	215
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Worker	< 0.005	< 0.005	< 0.005	0.03	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	5.39	5.39	< 0.005	< 0.005	0.01	5.47
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	< 0.005	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	0.89	0.89	< 0.005	< 0.005	< 0.005	0.91
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.19. Architectural Coating (2025) - Unmitigated

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

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.15	0.13	0.88	1.14	< 0.005	0.03	—	0.03	0.03	—	0.03	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	253	253	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	3.66	3.66	< 0.005	< 0.005	—	3.67
Architectural Coatings	6.92	6.92	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	< 0.005	0.01	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	0.61	0.61	< 0.005	< 0.005	—	0.61
Architectural Coatings	1.26	1.26	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.24	0.20	0.20	3.46	0.00	0.00	0.59	0.59	0.00	0.14	0.14	—	631	631	0.03	0.02	2.32	641
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.08	0.00	0.00	0.02	0.02	0.00	< 0.005	< 0.005	—	16.1	16.1	< 0.005	< 0.005	0.03	16.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	2.67	2.67	< 0.005	< 0.005	< 0.005	2.70
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.10. Soil Carbon Accumulation By Vegetation Type

4.10.1. Soil Carbon Accumulation By Vegetation Type - Unmitigated

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

Vegetation	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.2. Above and Belowground Carbon Accumulation by Land Use Type - Unmitigated

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

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.10.3. Avoided and Sequestered Emissions by Species - Unmitigated

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

Species	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Avoided	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sequestered	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Removed	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Subtotal	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Linear, Grading & Excavation	Linear, Grading & Excavation	10/2/2024	11/19/2024	5.00	35.0	—
Linear, Paving	Linear, Paving	10/4/2024	9/1/2025	5.00	237	—
Demolition	Demolition	10/1/2024	10/14/2024	5.00	10.0	—
Site Preparation	Site Preparation	10/14/2024	10/18/2024	5.00	5.00	—
Grading	Grading	10/18/2024	11/12/2024	5.00	18.0	—
Building Construction	Building Construction	11/12/2024	7/28/2025	5.00	185	—
Paving	Paving	7/28/2025	8/8/2025	5.00	10.0	—
Architectural Coating	Architectural Coating	8/8/2025	8/21/2025	5.00	10.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Linear, Grading & Excavation	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Linear, Grading & Excavation	Crawler Tractors	Diesel	Average	1.00	8.00	87.0	0.43
Linear, Grading & Excavation	Graders	Diesel	Average	2.00	8.00	148	0.41
Linear, Grading & Excavation	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Linear, Grading & Excavation	Signal Boards	Electric	Average	1.00	8.00	6.00	0.82
Linear, Grading & Excavation	Tractors/Loaders/Backhoes	Diesel	Average	4.00	8.00	84.0	0.37
Linear, Grading & Excavation	Rubber Tired Loaders	Diesel	Average	1.00	8.00	150	0.36
Linear, Grading & Excavation	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Linear, Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Linear, Paving	Paving Equipment	Diesel	Average	1.00	8.00	89.0	0.36
Linear, Paving	Pavers	Diesel	Average	1.00	8.00	81.0	0.42
Linear, Paving	Tractors/Loaders/Backhoes	Diesel	Average	3.00	8.00	84.0	0.37
Linear, Paving	Signal Boards	Electric	Average	1.00	8.00	6.00	0.82
Demolition	Rubber Tired Dozers	Diesel	Average	2.00	8.00	367	0.40
Demolition	Excavators	Diesel	Average	3.00	8.00	36.0	0.38
Demolition	Concrete/Industrial Saws	Diesel	Average	1.00	8.00	33.0	0.73
Site Preparation	Rubber Tired Dozers	Diesel	Average	3.00	8.00	367	0.40
Site Preparation	Crawler Tractors	Diesel	Average	4.00	8.00	84.0	0.37
Grading	Graders	Diesel	Average	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Average	2.00	8.00	36.0	0.38

Grading	Crawler Tractors	Diesel	Average	2.00	8.00	84.0	0.37
Grading	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Average	3.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Average	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Average	1.00	7.00	367	0.29
Building Construction	Welders	Diesel	Average	1.00	8.00	46.0	0.45
Building Construction	Tractors/Loaders/Backhoes	Diesel	Average	3.00	7.00	84.0	0.37
Paving	Pavers	Diesel	Average	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Average	2.00	8.00	89.0	0.36
Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Demolition	—	—	—	—
Demolition	Worker	15.0	18.5	LDA,LDT1,LDT2
Demolition	Vendor	—	10.2	HHDT,MHDT
Demolition	Hauling	0.00	20.0	HHDT
Demolition	Onsite truck	—	—	HHDT
Site Preparation	—	—	—	—
Site Preparation	Worker	17.5	18.5	LDA,LDT1,LDT2
Site Preparation	Vendor	—	10.2	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT

Grading	—	—	—	—
Grading	Worker	20.0	18.5	LDA,LDT1,LDT2
Grading	Vendor	—	10.2	HHDT,MHDT
Grading	Hauling	208	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	224	18.5	LDA,LDT1,LDT2
Building Construction	Vendor	87.4	10.2	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	18.5	LDA,LDT1,LDT2
Paving	Vendor	—	10.2	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—
Architectural Coating	Worker	44.8	18.5	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	10.2	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT
Linear, Grading & Excavation	—	—	—	—
Linear, Grading & Excavation	Worker	40.0	18.5	LDA,LDT1,LDT2
Linear, Grading & Excavation	Vendor	1.00	10.2	HHDT,MHDT
Linear, Grading & Excavation	Hauling	2.86	20.0	HHDT
Linear, Grading & Excavation	Onsite truck	—	—	HHDT
Linear, Paving	—	—	—	—
Linear, Paving	Worker	20.0	18.5	LDA,LDT1,LDT2

Linear, Paving	Vendor	0.00	10.2	HHDT,MHDT
Linear, Paving	Hauling	0.00	20.0	HHDT
Linear, Paving	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	0.00	0.00	799,878	266,626	22,895

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (cy)	Material Exported (cy)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Linear, Grading & Excavation	800	—	4.50	0.00	—
Demolition	0.00	0.00	0.00	—	—
Site Preparation	—	—	17.5	0.00	—
Grading	30,000	—	72.0	0.00	—
Paving	0.00	0.00	0.00	0.00	13.3

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
Unrefrigerated Warehouse-No Rail	0.00	0%
Parking Lot	8.76	100%
Road Widening	4.50	100%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2024	58.7	532	0.03	< 0.005
2025	29.4	532	0.03	< 0.005

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres

5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)

6. Climate Risk Detailed Report

6.1. Climate Risk Summary

Cal-Adapt midcentury 2040–2059 average projections for four hazards are reported below for your project location. These are under Representation Concentration Pathway (RCP) 8.5 which assumes GHG emissions will continue to rise strongly through 2050 and then plateau around 2100.

Climate Hazard	Result for Project Location	Unit
Temperature and Extreme Heat	27.9	annual days of extreme heat
Extreme Precipitation	2.60	annual days with precipitation above 20 mm
Sea Level Rise	—	meters of inundation depth
Wildfire	7.84	annual hectares burned

Temperature and Extreme Heat data are for grid cell in which your project are located. The projection is based on the 98th historical percentile of daily maximum/minimum temperatures from observed historical data (32 climate model ensemble from Cal-Adapt, 2040–2059 average under RCP 8.5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Extreme Precipitation data are for the grid cell in which your project are located. The threshold of 20 mm is equivalent to about ¾ an inch of rain, which would be light to moderate rainfall if received over a full day or heavy rain if received over a period of 2 to 4 hours. Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.
Sea Level Rise data are for the grid cell in which your project are located. The projections are from Radke et al. (2017), as reported in Cal-Adapt (Radke et al., 2017, CEC-500-2017-008), and consider inundation location and depth for the San Francisco Bay, the Sacramento-San Joaquin River Delta and California coast resulting different increments of sea level rise coupled with extreme storm events. Users may select from four scenarios to view the range in potential inundation depth for the grid cell. The four scenarios are: No rise, 0.5 meter, 1.0 meter, 1.41 meters
Wildfire data are for the grid cell in which your project are located. The projections are from UC Davis, as reported in Cal-Adapt (2040–2059 average under RCP 8.5), and consider historical data of climate, vegetation, population density, and large (> 400 ha) fire history. Users may select from four model simulations to view the range in potential wildfire probabilities for the grid cell. The four simulations make different assumptions about expected rainfall and temperature are: Warmer/drier (HadGEM2-ES), Cooler/wetter (CNRM-CM5), Average conditions (CanESM2), Range of different rainfall and temperature possibilities (MIROC5). Each grid cell is 6 kilometers (km) by 6 km, or 3.7 miles (mi) by 3.7 mi.

6.2. Initial Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	0	0	N/A
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	0	0	N/A
Wildfire	1	0	0	N/A
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A

Air Quality Degradation	0	0	0	N/A

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores do not include implementation of climate risk reduction measures.

6.3. Adjusted Climate Risk Scores

Climate Hazard	Exposure Score	Sensitivity Score	Adaptive Capacity Score	Vulnerability Score
Temperature and Extreme Heat	3	1	1	3
Extreme Precipitation	N/A	N/A	N/A	N/A
Sea Level Rise	1	1	1	2
Wildfire	1	1	1	2
Flooding	N/A	N/A	N/A	N/A
Drought	N/A	N/A	N/A	N/A
Snowpack Reduction	N/A	N/A	N/A	N/A
Air Quality Degradation	1	1	1	2

The sensitivity score reflects the extent to which a project would be adversely affected by exposure to a climate hazard. Exposure is rated on a scale of 1 to 5, with a score of 5 representing the greatest exposure.
The adaptive capacity of a project refers to its ability to manage and reduce vulnerabilities from projected climate hazards. Adaptive capacity is rated on a scale of 1 to 5, with a score of 5 representing the greatest ability to adapt.
The overall vulnerability scores are calculated based on the potential impacts and adaptive capacity assessments for each hazard. Scores include implementation of climate risk reduction measures.

6.4. Climate Risk Reduction Measures

7. Health and Equity Details

7.1. CalEnviroScreen 4.0 Scores

The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.

Indicator	Result for Project Census Tract
Exposure Indicators	—

AQ-Ozone	91.1
AQ-PM	51.4
AQ-DPM	21.5
Drinking Water	67.4
Lead Risk Housing	21.2
Pesticides	70.2
Toxic Releases	24.2
Traffic	74.1
Effect Indicators	—
CleanUp Sites	0.00
Groundwater	0.00
Haz Waste Facilities/Generators	50.1
Impaired Water Bodies	12.5
Solid Waste	22.1
Sensitive Population	—
Asthma	48.8
Cardio-vascular	78.2
Low Birth Weights	53.5
Socioeconomic Factor Indicators	—
Education	79.3
Housing	24.9
Linguistic	16.4
Poverty	46.8
Unemployment	73.4

7.2. Healthy Places Index Scores

The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

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Indicator	Result for Project Census Tract
Economic	—
Above Poverty	60.29770307
Employed	40.65186706
Median HI	53.71487232
Education	—
Bachelor's or higher	37.28987553
High school enrollment	21.68612858
Preschool enrollment	56.08879764
Transportation	—
Auto Access	87.47593995
Active commuting	24.03438984
Social	—
2-parent households	65.68715514
Voting	37.14872321
Neighborhood	—
Alcohol availability	82.31746439
Park access	26.70345182
Retail density	10.84306429
Supermarket access	22.85384319
Tree canopy	2.014628513
Housing	—
Homeownership	88.6179905
Housing habitability	84.80687797
Low-inc homeowner severe housing cost burden	74.63107917
Low-inc renter severe housing cost burden	62.78711664
Uncrowded housing	64.30129603

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Health Outcomes	—
Insured adults	49.23649429
Arthritis	1.9
Asthma ER Admissions	51.4
High Blood Pressure	4.3
Cancer (excluding skin)	3.1
Asthma	46.1
Coronary Heart Disease	2.1
Chronic Obstructive Pulmonary Disease	9.6
Diagnosed Diabetes	20.7
Life Expectancy at Birth	41.6
Cognitively Disabled	70.6
Physically Disabled	50.9
Heart Attack ER Admissions	20.0
Mental Health Not Good	57.3
Chronic Kidney Disease	3.6
Obesity	36.5
Pedestrian Injuries	19.6
Physical Health Not Good	33.7
Stroke	7.6
Health Risk Behaviors	—
Binge Drinking	80.1
Current Smoker	59.6
No Leisure Time for Physical Activity	36.0
Climate Change Exposures	—
Wildfire Risk	7.4
SLR Inundation Area	0.0

Children	31.0
Elderly	48.0
English Speaking	75.4
Foreign-born	34.0
Outdoor Workers	12.6
Climate Change Adaptive Capacity	—
Impervious Surface Cover	83.3
Traffic Density	34.3
Traffic Access	23.0
Other Indices	—
Hardship	58.4
Other Decision Support	—
2016 Voting	52.4

7.3. Overall Health & Equity Scores

Metric	Result for Project Census Tract
CalEnviroScreen 4.0 Score for Project Location (a)	55.0
Healthy Places Index Score for Project Location (b)	50.0
Project Located in a Designated Disadvantaged Community (Senate Bill 535)	No
Project Located in a Low-Income Community (Assembly Bill 1550)	No
Project Located in a Community Air Protection Program Community (Assembly Bill 617)	No

a: The maximum CalEnviroScreen score is 100. A high score (i.e., greater than 50) reflects a higher pollution burden compared to other census tracts in the state.
b: The maximum Health Places Index score is 100. A high score (i.e., greater than 50) reflects healthier community conditions compared to other census tracts in the state.

7.4. Health & Equity Measures

No Health & Equity Measures selected.

7.5. Evaluation Scorecard

Health & Equity Evaluation Scorecard not completed.

7.6. Health & Equity Custom Measures

No Health & Equity Custom Measures created.

8. User Changes to Default Data

Screen	Justification
Construction: Construction Phases	See SWAPE comment "Unsubstantiated Changes to Individual Construction Phase Lengths"
Construction: Off-Road Equipment	See SWAPE comment "Incorrect Application of Tier 4 Interim Off-Road Equipment Emissions Standards." Changes to Crawler Tractors consistent with the DEIR's model.
Construction: Architectural Coatings	Changes consistent with the DEIR's model. Reduced emission factors to 50 g/L as indicated in PPP-3.

Attachment C

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

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Geologic and Hydrogeologic Characterization
Investigation and Remediation Strategies
Litigation Support and Testifying Expert
Industrial Stormwater Compliance
CEQA Review

Education:

M.S. Degree, Geology, California State University Los Angeles, Los Angeles, CA, 1984.
B.A. Degree, Geology, Humboldt State University, Arcata, CA, 1982.

Professional Certifications:

California Professional Geologist
California Certified Hydrogeologist
Qualified SWPPP Developer and Practitioner

Professional Experience:

Matt has 30 years of experience in environmental policy, contaminant assessment and remediation, stormwater compliance, and CEQA review. He spent nine years with the U.S. EPA in the RCRA and Superfund programs and served as EPA's Senior Science Policy Advisor in the Western Regional Office where he identified emerging threats to groundwater from perchlorate and MTBE. While with EPA, Matt also served as a Senior Hydrogeologist in the oversight of the assessment of seven major military facilities undergoing base closure. He led numerous enforcement actions under provisions of the Resource Conservation and Recovery Act (RCRA) and directed efforts to improve hydrogeologic characterization and water quality monitoring. For the past 15 years, as a founding partner with SWAPE, Matt has developed extensive client relationships and has managed complex projects that include consultation as an expert witness and a regulatory specialist, and a manager of projects ranging from industrial stormwater compliance to CEQA review of impacts from hazardous waste, air quality and greenhouse gas emissions.

Positions Matt has held include:

- Founding Partner, Soil/Water/Air Protection Enterprise (SWAPE) (2003 – present);
- Geology Instructor, Golden West College, 2010 – 2104, 2017;
- Senior Environmental Analyst, Komex H2O Science, Inc. (2000 -- 2003);

- Executive Director, Orange Coast Watch (2001 – 2004);
- Senior Science Policy Advisor and Hydrogeologist, U.S. Environmental Protection Agency (1989–1998);
- Hydrogeologist, National Park Service, Water Resources Division (1998 – 2000);
- Adjunct Faculty Member, San Francisco State University, Department of Geosciences (1993 – 1998);
- Instructor, College of Marin, Department of Science (1990 – 1995);
- Geologist, U.S. Forest Service (1986 – 1998); and
- Geologist, Dames & Moore (1984 – 1986).

Senior Regulatory and Litigation Support Analyst:

With SWAPE, Matt's responsibilities have included:

- Lead analyst and testifying expert in the review of over 300 environmental impact reports and negative declarations since 2003 under CEQA that identify significant issues with regard to hazardous waste, water resources, water quality, air quality, greenhouse gas emissions, and geologic hazards. Make recommendations for additional mitigation measures to lead agencies at the local and county level to include additional characterization of health risks and implementation of protective measures to reduce worker exposure to hazards from toxins and Valley Fever.
- Stormwater analysis, sampling and best management practice evaluation at more than 100 industrial facilities.
- Expert witness on numerous cases including, for example, perfluorooctanoic acid (PFOA) contamination of groundwater, MTBE litigation, air toxins at hazards at a school, CERCLA compliance in assessment and remediation, and industrial stormwater contamination.
- Technical assistance and litigation support for vapor intrusion concerns.
- Lead analyst and testifying expert in the review of environmental issues in license applications for large solar power plants before the California Energy Commission.
- Manager of a project to evaluate numerous formerly used military sites in the western U.S.
- Manager of a comprehensive evaluation of potential sources of perchlorate contamination in Southern California drinking water wells.
- Manager and designated expert for litigation support under provisions of Proposition 65 in the review of releases of gasoline to sources drinking water at major refineries and hundreds of gas stations throughout California.

With Komex H2O Science Inc., Matt's duties included the following:

- Senior author of a report on the extent of perchlorate contamination that was used in testimony by the former U.S. EPA Administrator and General Counsel.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of MTBE use, research, and regulation.
- Senior researcher in the development of a comprehensive, electronically interactive chronology of perchlorate use, research, and regulation.
- Senior researcher in a study that estimates nationwide costs for MTBE remediation and drinking water treatment, results of which were published in newspapers nationwide and in testimony against provisions of an energy bill that would limit liability for oil companies.
- Research to support litigation to restore drinking water supplies that have been contaminated by MTBE in California and New York.

- Expert witness testimony in a case of oil production-related contamination in Mississippi.
- Lead author for a multi-volume remedial investigation report for an operating school in Los Angeles that met strict regulatory requirements and rigorous deadlines.
- Development of strategic approaches for cleanup of contaminated sites in consultation with clients and regulators.

Executive Director:

As Executive Director with Orange Coast Watch, Matt led efforts to restore water quality at Orange County beaches from multiple sources of contamination including urban runoff and the discharge of wastewater. In reporting to a Board of Directors that included representatives from leading Orange County universities and businesses, Matt prepared issue papers in the areas of treatment and disinfection of wastewater and control of the discharge of grease to sewer systems. Matt actively participated in the development of countywide water quality permits for the control of urban runoff and permits for the discharge of wastewater. Matt worked with other nonprofits to protect and restore water quality, including Surfrider, Natural Resources Defense Council and Orange County CoastKeeper as well as with business institutions including the Orange County Business Council.

Hydrogeology:

As a Senior Hydrogeologist with the U.S. Environmental Protection Agency, Matt led investigations to characterize and cleanup closing military bases, including Mare Island Naval Shipyard, Hunters Point Naval Shipyard, Treasure Island Naval Station, Alameda Naval Station, Moffett Field, Mather Army Airfield, and Sacramento Army Depot. Specific activities were as follows:

- Led efforts to model groundwater flow and contaminant transport, ensured adequacy of monitoring networks, and assessed cleanup alternatives for contaminated sediment, soil, and groundwater.
- Initiated a regional program for evaluation of groundwater sampling practices and laboratory analysis at military bases.
- Identified emerging issues, wrote technical guidance, and assisted in policy and regulation development through work on four national U.S. EPA workgroups, including the Superfund Groundwater Technical Forum and the Federal Facilities Forum.

At the request of the State of Hawaii, Matt developed a methodology to determine the vulnerability of groundwater to contamination on the islands of Maui and Oahu. He used analytical models and a GIS to show zones of vulnerability, and the results were adopted and published by the State of Hawaii and County of Maui.

As a hydrogeologist with the EPA Groundwater Protection Section, Matt worked with provisions of the Safe Drinking Water Act and NEPA to prevent drinking water contamination. Specific activities included the following:

- Received an EPA Bronze Medal for his contribution to the development of national guidance for the protection of drinking water.
- Managed the Sole Source Aquifer Program and protected the drinking water of two communities through designation under the Safe Drinking Water Act. He prepared geologic reports, conducted

public hearings, and responded to public comments from residents who were very concerned about the impact of designation.
- Reviewed a number of Environmental Impact Statements for planned major developments, including large hazardous and solid waste disposal facilities, mine reclamation, and water transfer.

Matt served as a hydrogeologist with the RCRA Hazardous Waste program. Duties were as follows:
- Supervised the hydrogeologic investigation of hazardous waste sites to determine compliance with Subtitle C requirements.
- Reviewed and wrote "part B" permits for the disposal of hazardous waste.
- Conducted RCRA Corrective Action investigations of waste sites and led inspections that formed the basis for significant enforcement actions that were developed in close coordination with U.S. EPA legal counsel.
- Wrote contract specifications and supervised contractor's investigations of waste sites.

With the National Park Service, Matt directed service-wide investigations of contaminant sources to prevent degradation of water quality, including the following tasks:
- Applied pertinent laws and regulations including CERCLA, RCRA, NEPA, NRDA, and the Clean Water Act to control military, mining, and landfill contaminants.
- Conducted watershed-scale investigations of contaminants at parks, including Yellowstone and Olympic National Park.
- Identified high-levels of perchlorate in soil adjacent to a national park in New Mexico and advised park superintendent on appropriate response actions under CERCLA.
- Served as a Park Service representative on the Interagency Perchlorate Steering Committee, a national workgroup.
- Developed a program to conduct environmental compliance audits of all National Parks while serving on a national workgroup.
- Co-authored two papers on the potential for water contamination from the operation of personal watercraft and snowmobiles, these papers serving as the basis for the development of nation-wide policy on the use of these vehicles in National Parks.
- Contributed to the Federal Multi-Agency Source Water Agreement under the Clean Water Action Plan.

Policy:

Served senior management as the Senior Science Policy Advisor with the U.S. Environmental Protection Agency, Region 9.

Activities included the following:
- Advised the Regional Administrator and senior management on emerging issues such as the potential for the gasoline additive MTBE and ammonium perchlorate to contaminate drinking water supplies.
- Shaped EPA's national response to these threats by serving on workgroups and by contributing to guidance, including the Office of Research and Development publication, Oxygenates in Water: Critical Information and Research Needs.
- Improved the technical training of EPA's scientific and engineering staff.
- Earned an EPA Bronze Medal for representing the region's 300 scientists and engineers in negotiations with the Administrator and senior management to better integrate scientific

principles into the policy-making process.
- Established national protocol for the peer review of scientific documents.

Geology:

With the U.S. Forest Service, Matt led investigations to determine hillslope stability of areas proposed for timber harvest in the central Oregon Coast Range. Specific activities were as follows:

- Mapped geology in the field, and used aerial photographic interpretation and mathematical models to determine slope stability.
- Coordinated his research with community members who were concerned with natural resource protection.
- Characterized the geology of an aquifer that serves as the sole source of drinking water for the city of Medford, Oregon.

As a consultant with Dames and Moore, Matt led geologic investigations of two contaminated sites (later listed on the Superfund NPL) in the Portland, Oregon, area and a large hazardous waste site in eastern Oregon. Duties included the following:

- Supervised year-long effort for soil and groundwater sampling.
- Conducted aquifer tests.
- Investigated active faults beneath sites proposed for hazardous waste disposal.

Teaching:

From 1990 to 1998, Matt taught at least one course per semester at the community college and university levels:

- At San Francisco State University, held an adjunct faculty position and taught courses in environmental geology, oceanography (lab and lecture), hydrogeology, and groundwater contamination.
- Served as a committee member for graduate and undergraduate students.
- Taught courses in environmental geology and oceanography at the College of Marin.

Matt is currently a part time geology instructor at Golden West College in Huntington Beach, California where he taught from 2010 to 2014 and in 2017.

Invited Testimony, Reports, Papers and Presentations:

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Presentation to the Public Environmental Law Conference, Eugene, Oregon.

Hagemann, M.F., 2008. Disclosure of Hazardous Waste Issues under CEQA. Invited presentation to U.S. EPA Region 9, San Francisco, California.

Hagemann, M.F., 2005. Use of Electronic Databases in Environmental Regulation, Policy Making and Public Participation. Brownfields 2005, Denver, Coloradao.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Nevada and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Las Vegas, NV (served on conference organizing committee).

Hagemann, M.F., 2004. Invited testimony to a California Senate committee hearing on air toxins at schools in Southern California, Los Angeles.

Brown, A., Farrow, J., Gray, A. and **Hagemann, M.**, 2004. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to the Ground Water and Environmental Law Conference, National Groundwater Association.

Hagemann, M.F., 2004. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in Arizona and the Southwestern U.S. Presentation to a meeting of the American Groundwater Trust, Phoenix, AZ (served on conference organizing committee).

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River and Impacts to Drinking Water in the Southwestern U.S. Invited presentation to a special committee meeting of the National Academy of Sciences, Irvine, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a tribal EPA meeting, Pechanga, CA.

Hagemann, M.F., 2003. Perchlorate Contamination of the Colorado River. Invited presentation to a meeting of tribal repesentatives, Parker, AZ.

Hagemann, M.F., 2003. Impact of Perchlorate on the Colorado River and Associated Drinking Water Supplies. Invited presentation to the Inter-Tribal Meeting, Torres Martinez Tribe.

Hagemann, M.F., 2003. The Emergence of Perchlorate as a Widespread Drinking Water Contaminant. Invited presentation to the U.S. EPA Region 9.

Hagemann, M.F., 2003. A Deductive Approach to the Assessment of Perchlorate Contamination. Invited presentation to the California Assembly Natural Resources Committee.

Hagemann, M.F., 2003. Perchlorate: A Cold War Legacy in Drinking Water. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. From Tank to Tap: A Chronology of MTBE in Groundwater. Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. A Chronology of MTBE in Groundwater and an Estimate of Costs to Address Impacts to Groundwater. Presentation to the annual meeting of the Society of Environmental Journalists.

Hagemann, M.F., 2002. An Estimate of the Cost to Address MTBE Contamination in Groundwater (and Who Will Pay). Presentation to a meeting of the National Groundwater Association.

Hagemann, M.F., 2002. An Estimate of Costs to Address MTBE Releases from Underground Storage Tanks and the Resulting Impact to Drinking Water Wells. Presentation to a meeting of the U.S. EPA and State Underground Storage Tank Program managers.

Hagemann, M.F., 2001. From Tank to Tap: A Chronology of MTBE in Groundwater. Unpublished report.

Hagemann, M.F., 2001. Estimated Cleanup Cost for MTBE in Groundwater Used as Drinking Water. Unpublished report.

Hagemann, M.F., 2001. Estimated Costs to Address MTBE Releases from Leaking Underground Storage Tanks. Unpublished report.

Hagemann, M.F., and VanMouwerik, M., 1999. Potential Water Quality Concerns Related to Snowmobile Usage. Water Resources Division, National Park Service, Technical Report.

VanMouwerik, M. and **Hagemann, M.F**. 1999, Water Quality Concerns Related to Personal Watercraft Usage. Water Resources Division, National Park Service, Technical Report.

Hagemann, M.F., 1999, Is Dilution the Solution to Pollution in National Parks? The George Wright Society Biannual Meeting, Asheville, North Carolina.

Hagemann, M.F., 1997, The Potential for MTBE to Contaminate Groundwater. U.S. EPA Superfund Groundwater Technical Forum Annual Meeting, Las Vegas, Nevada.

Hagemann, M.F., and Gill, M., 1996, Impediments to Intrinsic Remediation, Moffett Field Naval Air Station, Conference on Intrinsic Remediation of Chlorinated Hydrocarbons, Salt Lake City.

Hagemann, M.F., Fukunaga, G.L., 1996, The Vulnerability of Groundwater to Anthropogenic Contaminants on the Island of Maui, Hawaii. Hawaii Water Works Association Annual Meeting, Maui, October 1996.

Hagemann, M. F., Fukanaga, G. L., 1996, Ranking Groundwater Vulnerability in Central Oahu, Hawaii. Proceedings, Geographic Information Systems in Environmental Resources Management, Air and Waste Management Association Publication VIP-61.

Hagemann, M.F., 1994. Groundwater Characterization and Cleanup at Closing Military Bases in California. Proceedings, California Groundwater Resources Association Meeting.

Hagemann, M.F. and Sabol, M.A., 1993. Role of the U.S. EPA in the High Plains States Groundwater Recharge Demonstration Program. Proceedings, Sixth Biennial Symposium on the Artificial Recharge of Groundwater.

Hagemann, M.F., 1993. U.S. EPA Policy on the Technical Impracticability of the Cleanup of DNAPL-contaminated Groundwater. California Groundwater Resources Association Meeting.

Hagemann, M.F., 1992. Dense Nonaqueous Phase Liquid Contamination of Groundwater: An Ounce of Prevention... Proceedings, Association of Engineering Geologists Annual Meeting, v. 35.

Other Experience:

Selected as subject matter expert for the California Professional Geologist licensing examinations, 2009-2011.

Attachment D

SWAPE Technical Consultation, Data Analysis and Litigation Support for the Environment

SOIL WATER AIR PROTECTION ENTERPRISE
2656 29th Street, Suite 201
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Paul Rosenfeld, Ph.D.

Chemical Fate and Transport & Air Dispersion Modeling

Principal Environmental Chemist

Risk Assessment & Remediation Specialist

Education

Ph.D. Soil Chemistry, University of Washington, 1999. Dissertation on volatile organic compound filtration.

M.S. Environmental Science, U.C. Berkeley, 1995. Thesis on organic waste economics.

B.A. Environmental Studies, U.C. Santa Barbara, 1991. Focus on wastewater treatment.

Professional Experience

Dr. Rosenfeld has over 25 years of experience conducting environmental investigations and risk assessments for evaluating impacts to human health, property, and ecological receptors. His expertise focuses on the fate and transport of environmental contaminants, human health risk, exposure assessment, and ecological restoration. Dr. Rosenfeld has evaluated and modeled emissions from oil spills, landfills, boilers and incinerators, process stacks, storage tanks, confined animal feeding operations, industrial, military and agricultural sources, unconventional oil drilling operations, and locomotive and construction engines. His project experience ranges from monitoring and modeling of pollution sources to evaluating impacts of pollution on workers at industrial facilities and residents in surrounding communities. Dr. Rosenfeld has also successfully modeled exposure to contaminants distributed by water systems and via vapor intrusion.

Dr. Rosenfeld has investigated and designed remediation programs and risk assessments for contaminated sites containing lead, heavy metals, mold, bacteria, particulate matter, petroleum hydrocarbons, chlorinated solvents, pesticides, radioactive waste, dioxins and furans, semi- and volatile organic compounds, PCBs, PAHs, creosote, perchlorate, asbestos, per- and poly-fluoroalkyl substances (PFOA/PFOS), unusual polymers, fuel oxygenates (MTBE), among other pollutants. Dr. Rosenfeld also has experience evaluating greenhouse gas emissions from various projects and is an expert on the assessment of odors from industrial and agricultural sites, as well as the evaluation of odor nuisance impacts and technologies for abatement of odorous emissions. As a principal scientist at SWAPE, Dr. Rosenfeld directs air dispersion modeling and exposure assessments. He has served as an expert witness and testified about pollution sources causing nuisance and/or personal injury at sites and has testified as an expert witness on numerous cases involving exposure to soil, water and air contaminants from industrial, railroad, agricultural, and military sources.

Professional History:

Soil Water Air Protection Enterprise (SWAPE); 2003 to present; Principal and Founding Partner
UCLA School of Public Health; 2007 to 2011; Lecturer (Assistant Researcher)
UCLA School of Public Health; 2003 to 2006; Adjunct Professor
UCLA Environmental Science and Engineering Program; 2002-2004; Doctoral Intern Coordinator
UCLA Institute of the Environment, 2001-2002; Research Associate
Komex H_2O Science, 2001 to 2003; Senior Remediation Scientist
National Groundwater Association, 2002-2004; Lecturer
San Diego State University, 1999-2001; Adjunct Professor
Anteon Corp., San Diego, 2000-2001; Remediation Project Manager
Ogden (now Amec), San Diego, 2000-2000; Remediation Project Manager
Bechtel, San Diego, California, 1999 – 2000; Risk Assessor
King County, Seattle, 1996 – 1999; Scientist
James River Corp., Washington, 1995-96; Scientist
Big Creek Lumber, Davenport, California, 1995; Scientist
Plumas Corp., California and USFS, Tahoe 1993-1995; Scientist
Peace Corps and World Wildlife Fund, St. Kitts, West Indies, 1991-1993; Scientist

Publications:

Rosenfeld P. E., Spaeth K., Hallman R., Bressler R., Smith, G., (2022) Cancer Risk and Diesel Exhaust Exposure Among Railroad Workers. *Water Air Soil Pollution.* **233,** 171.

Remy, L.L., Clay T., Byers, V., **Rosenfeld P. E.** (2019) Hospital, Health, and Community Burden After Oil Refinery Fires, Richmond, California 2007 and 2012. *Environmental Health.* 18:48

Simons, R.A., Seo, Y. **Rosenfeld, P**., (2015) Modeling the Effect of Refinery Emission On Residential Property Value. Journal of Real Estate Research. 27(3):321-342

Chen, J. A, Zapata A. R., Sutherland A. J., Molmen, D.R., Chow, B. S., Wu, L. E., **Rosenfeld, P. E.,** Hesse, R. C., (2012) Sulfur Dioxide and Volatile Organic Compound Exposure To A Community In Texas City Texas Evaluated Using Aermod and Empirical Data. *American Journal of Environmental Science*, 8(6), 622-632.

Rosenfeld, P.E. & Feng, L. (2011). *The Risks of Hazardous Waste.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2011). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Agrochemical Industry*, Amsterdam: Elsevier Publishing.

Gonzalez, J., Feng, L., Sutherland, A., Waller, C., Sok, H., Hesse, R., **Rosenfeld, P.** (2010). PCBs and Dioxins/Furans in Attic Dust Collected Near Former PCB Production and Secondary Copper Facilities in Sauget, IL. *Procedia Environmental Sciences*. 113–125.

Feng, L., Wu, C., Tam, L., Sutherland, A.J., Clark, J.J., **Rosenfeld, P.E.** (2010). Dioxin and Furan Blood Lipid and Attic Dust Concentrations in Populations Living Near Four Wood Treatment Facilities in the United States. *Journal of Environmental Health*. 73(6), 34-46.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2010). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Wood and Paper Industries.* Amsterdam: Elsevier Publishing.

Cheremisinoff, N.P., & **Rosenfeld, P.E.** (2009). *Handbook of Pollution Prevention and Cleaner Production: Best Practices in the Petroleum Industry*. Amsterdam: Elsevier Publishing.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. *WIT Transactions on Ecology and the Environment, Air Pollution,* 123 (17), 319-327.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). A Statistical Analysis Of Attic Dust And Blood Lipid Concentrations Of Tetrachloro-p-Dibenzodioxin (TCDD) Toxicity Equivalency Quotients (TEQ) In Two Populations Near Wood Treatment Facilities. *Organohalogen Compounds*, 70, 002252-002255.

Tam L. K.., Wu C. D., Clark J. J. and **Rosenfeld, P.E.** (2008). Methods For Collect Samples For Assessing Dioxins And Other Environmental Contaminants In Attic Dust: A Review. *Organohalogen Compounds*, 70, 000527-000530.

Hensley, A.R. A. Scott, J. J. J. Clark, **Rosenfeld, P.E.** (2007). Attic Dust and Human Blood Samples Collected near a Former Wood Treatment Facility. *Environmental Research*. 105, 194-197.

Rosenfeld, P.E., J. J. J. Clark, A. R. Hensley, M. Suffet. (2007). The Use of an Odor Wheel Classification for Evaluation of Human Health Risk Criteria for Compost Facilities. *Water Science & Technology* 55(5), 345-357.

Rosenfeld, P. E., M. Suffet. (2007). The Anatomy Of Odour Wheels For Odours Of Drinking Water, Wastewater, Compost And The Urban Environment. *Water Science & Technology* 55(5), 335-344.

Sullivan, P. J. Clark, J.J.J., Agardy, F. J., **Rosenfeld, P.E.** (2007). *Toxic Legacy, Synthetic Toxins in the Food, Water, and Air in American Cities.* Boston Massachusetts: Elsevier Publishing

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash. *Water Science and Technology*. 49(9),171-178.

Rosenfeld P. E., J.J. Clark, I.H. (Mel) Suffet (2004). The Value of An Odor-Quality-Wheel Classification Scheme For The Urban Environment. *Water Environment Federation's Technical Exhibition and Conference (WEFTEC) 2004.* New Orleans, October 2-6, 2004.

Rosenfeld, P.E., and Suffet, I.H. (2004). Understanding Odorants Associated With Compost, Biomass Facilities, and the Land Application of Biosolids. *Water Science and Technology*. 49(9), 193-199.

Rosenfeld, P.E., and Suffet I.H. (2004). Control of Compost Odor Using High Carbon Wood Ash, *Water Science and Technology*, 49(9), 171-178.

Rosenfeld, P. E., Grey, M. A., Sellew, P. (2004). Measurement of Biosolids Odor and Odorant Emissions from Windrows, Static Pile and Biofilter. *Water Environment Research*. 76(4), 310-315.

Rosenfeld, P.E., Grey, M and Suffet, M. (2002). Compost Demonstration Project, Sacramento California Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Integrated Waste Management Board Public Affairs Office*, Publications Clearinghouse (MS–6), Sacramento, CA Publication #442-02-008.

Rosenfeld, P.E., and C.L. Henry. (2001). Characterization of odor emissions from three different biosolids. *Water Soil and Air Pollution*. 127(1-4), 173-191.

Rosenfeld, P.E., and Henry C. L., (2000). Wood ash control of odor emissions from biosolids application. *Journal of Environmental Quality*. 29, 1662-1668.

Rosenfeld, P.E., C.L. Henry and D. Bennett. (2001). Wastewater dewatering polymer affect on biosolids odor emissions and microbial activity. *Water Environment Research*. 73(4), 363-367.

Rosenfeld, P.E., and C.L. Henry. (2001). Activated Carbon and Wood Ash Sorption of Wastewater, Compost, and Biosolids Odorants. *Water Environment Research*, 73, 388-393.

Rosenfeld, P.E., and Henry C. L., (2001). High carbon wood ash effect on biosolids microbial activity and odor. *Water Environment Research*. 131(1-4), 247-262.

Chollack, T. and **P. Rosenfeld. (**1998). Compost Amendment Handbook For Landscaping. Prepared for and distributed by the City of Redmond, Washington State.

Rosenfeld, P. E. (1992). The Mount Liamuiga Crater Trail. *Heritage Magazine of St. Kitts*, 3(2).

Rosenfeld, P. E. (1993). High School Biogas Project to Prevent Deforestation On St. Kitts. *Biomass Users Network*, 7(1).

Rosenfeld, P. E. (1998). Characterization, Quantification, and Control of Odor Emissions From Biosolids Application To Forest Soil. Doctoral Thesis. University of Washington College of Forest Resources.

Rosenfeld, P. E. (1994). Potential Utilization of Small Diameter Trees on Sierra County Public Land. Masters thesis reprinted by the Sierra County Economic Council. Sierra County, California.

Rosenfeld, P. E. (1991). How to Build a Small Rural Anaerobic Digester & Uses Of Biogas In The First And Third World. Bachelors Thesis. University of California.

Presentations:

Rosenfeld, P.E., "The science for Perfluorinated Chemicals (PFAS): What makes remediation so hard?" Law Seminars International, (May 9-10, 2018) 800 Fifth Avenue, Suite 101 Seattle, WA.

Rosenfeld, P.E., Sutherland, A; Hesse, R.; Zapata, A. (October 3-6, 2013). Air dispersion modeling of volatile organic emissions from multiple natural gas wells in Decatur, TX. *44th Western Regional Meeting, American Chemical Society.* Lecture conducted from Santa Clara, CA.

Sok, H.L.; Waller, C.C.; Feng, L.; Gonzalez, J.; Sutherland, A.J.; Wisdom-Stack, T.; Sahai, R.K.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Atrazine: A Persistent Pesticide in Urban Drinking Water. *Urban Environmental Pollution*. Lecture conducted from Boston, MA.

Feng, L.; Gonzalez, J.; Sok, H.L.; Sutherland, A.J.; Waller, C.C.; Wisdom-Stack, T.; Sahai, R.K.; La, M.; Hesse, R.C.; **Rosenfeld, P.E.** (June 20-23, 2010). Bringing Environmental Justice to East St. Louis, Illinois. *Urban Environmental Pollution.* Lecture conducted from Boston, MA.

Rosenfeld, P.E. (April 19-23, 2009). Perfluoroctanoic Acid (PFOA) and Perfluoroactane Sulfonate (PFOS) Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*, Lecture conducted from Tuscon, AZ.

Rosenfeld, P.E. (April 19-23, 2009). Cost to Filter Atrazine Contamination from Drinking Water in the United States" Contamination in Drinking Water From the Use of Aqueous Film Forming Foams (AFFF) at Airports in the United States. *2009 Ground Water Summit and 2009 Ground Water Protection Council Spring Meeting*. Lecture conducted from Tuscon, AZ.

Wu, C., Tam, L., Clark, J., **Rosenfeld, P**. (20-22 July, 2009). Dioxin and furan blood lipid concentrations in populations living near four wood treatment facilities in the United States. Brebbia, C.A. and Popov, V., eds., *Air Pollution XVII: Proceedings of the Seventeenth International Conference on Modeling, Monitoring and Management of Air Pollution*. Lecture conducted from Tallinn, Estonia.

Rosenfeld, P. E. (October 15-18, 2007). Moss Point Community Exposure To Contaminants From A Releasing Facility. *The 23rd Annual International Conferences on Soils Sediment and Water.* Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). The Repeated Trespass of Tritium-Contaminated Water Into A Surrounding Community Form Repeated Waste Spills From A Nuclear Power Plant. *The 23rd Annual International Conferences on Soils Sediment and Water*. Platform lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld, P. E. (October 15-18, 2007). Somerville Community Exposure To Contaminants From Wood Treatment Facility Emissions. The *23rd Annual International Conferences on Soils Sediment and Water*. Lecture conducted from University of Massachusetts, Amherst MA.

Rosenfeld P. E. (March 2007). Production, Chemical Properties, Toxicology, & Treatment Case Studies of 1,2,3-Trichloropropane (TCP). *The Association for Environmental Health and Sciences (AEHS) Annual Meeting*. Lecture conducted from San Diego, CA.

Rosenfeld P. E. (March 2007). Blood and Attic Sampling for Dioxin/Furan, PAH, and Metal Exposure in Florala, Alabama. *The AEHS Annual Meeting.* Lecture conducted from San Diego, CA.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (August 21 – 25, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *The 26th International Symposium on Halogenated Persistent Organic Pollutants – DIOXIN2006*. Lecture conducted from Radisson SAS Scandinavia Hotel in Oslo Norway.

Hensley A.R., Scott, A., **Rosenfeld P.E.,** Clark, J.J.J. (November 4-8, 2006). Dioxin Containing Attic Dust And Human Blood Samples Collected Near A Former Wood Treatment Facility. *APHA 134 Annual Meeting & Exposition.* Lecture conducted from Boston Massachusetts.

Paul Rosenfeld Ph.D. (October 24-25, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. Mealey's C8/PFOA. *Science, Risk & Litigation Conference.* Lecture conducted from The Rittenhouse Hotel, Philadelphia, PA.

Paul Rosenfeld Ph.D. (September 19, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, *Toxicology and Remediation PEMA Emerging Contaminant Conference*. Lecture conducted from Hilton Hotel, Irvine California.

Paul Rosenfeld Ph.D. (September 19, 2005). Fate, Transport, Toxicity, And Persistence of 1,2,3-TCP. *PEMA Emerging Contaminant Conference.* Lecture conducted from Hilton Hotel in Irvine, California.

Paul Rosenfeld Ph.D. (September 26-27, 2005). Fate, Transport and Persistence of PDBEs. *Mealey's Groundwater Conference.* Lecture conducted from Ritz Carlton Hotel, Marina Del Ray, California.

Paul Rosenfeld Ph.D. (June 7-8, 2005). Fate, Transport and Persistence of PFOA and Related Chemicals. *International Society of Environmental Forensics: Focus On Emerging Contaminants*. Lecture conducted from Sheraton Oceanfront Hotel, Virginia Beach, Virginia.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Fate Transport, Persistence and Toxicology of PFOA and Related Perfluorochemicals. *2005 National Groundwater Association Ground Water And Environmental Law Conference*. Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld Ph.D. (July 21-22, 2005). Brominated Flame Retardants in Groundwater: Pathways to Human Ingestion, Toxicology and Remediation. *2005 National Groundwater Association Ground Water and Environmental Law Conference.* Lecture conducted from Wyndham Baltimore Inner Harbor, Baltimore Maryland.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. and Rob Hesse R.G. (May 5-6, 2004). Tert-butyl Alcohol Liability and Toxicology, A National Problem and Unquantified Liability. *National Groundwater Association. Environmental Law Conference*. Lecture conducted from Congress Plaza Hotel, Chicago Illinois.

Paul Rosenfeld, Ph.D. (March 2004). Perchlorate Toxicology. *Meeting of the American Groundwater Trust*. Lecture conducted from Phoenix Arizona.

Hagemann, M.F., **Paul Rosenfeld, Ph.D.** and Rob Hesse (2004). Perchlorate Contamination of the Colorado River. *Meeting of tribal representatives*. Lecture conducted from Parker, AZ.

Paul Rosenfeld, Ph.D. (April 7, 2004). A National Damage Assessment Model For PCE and Dry Cleaners. *Drycleaner Symposium. California Ground Water Association*. Lecture conducted from Radison Hotel, Sacramento, California.

Rosenfeld, P. E., Grey, M., (June 2003) Two stage biofilter for biosolids composting odor control. *Seventh International In Situ And On Site Bioremediation Symposium Battelle Conference* Orlando, FL.

Paul Rosenfeld, Ph.D. and James Clark Ph.D. (February 20-21, 2003) Understanding Historical Use, Chemical Properties, Toxicity and Regulatory Guidance of 1,4 Dioxane. *National Groundwater Association. Southwest Focus Conference. Water Supply and Emerging Contaminants.*. Lecture conducted from Hyatt Regency Phoenix Arizona.

Paul Rosenfeld, Ph.D. (February 6-7, 2003). Underground Storage Tank Litigation and Remediation. *California CUPA Forum*. Lecture conducted from Marriott Hotel, Anaheim California.

Paul Rosenfeld, Ph.D. (October 23, 2002) Underground Storage Tank Litigation and Remediation. *EPA Underground Storage Tank Roundtable*. Lecture conducted from Sacramento California.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Understanding Odor from Compost, *Wastewater and Industrial Processes. Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Suffet, M. (October 7- 10, 2002). Using High Carbon Wood Ash to Control Compost Odor. *Sixth Annual Symposium On Off Flavors in the Aquatic Environment. International Water Association*. Lecture conducted from Barcelona Spain.

Rosenfeld, P.E. and Grey, M. A. (September 22-24, 2002). Biocycle Composting For Coastal Sage Restoration. *Northwest Biosolids Management Association*. Lecture conducted from Vancouver Washington..

Rosenfeld, P.E. and Grey, M. A. (November 11-14, 2002). Using High-Carbon Wood Ash to Control Odor at a Green Materials Composting Facility. *Soil Science Society Annual Conferenc*e. Lecture conducted from Indianapolis, Maryland.

Rosenfeld. P.E. (September 16, 2000). Two stage biofilter for biosolids composting odor control. *Water Environment Federation.* Lecture conducted from Anaheim California.

Rosenfeld. P.E. (October 16, 2000). Wood ash and biofilter control of compost odor. *Biofest.* Lecture conducted from Ocean Shores, California.

Rosenfeld, P.E. (2000). Bioremediation Using Organic Soil Amendments. *California Resource Recovery Association*. Lecture conducted from Sacramento California.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. *Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings*. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., and C.L. Henry. (1999). An evaluation of ash incorporation with biosolids for odor reduction. *Soil Science Society of America*. Lecture conducted from Salt Lake City Utah.

Rosenfeld, P.E., C.L. Henry, R. Harrison. (1998). Comparison of Microbial Activity and Odor Emissions from Three Different Biosolids Applied to Forest Soil. *Brown and Caldwell.* Lecture conducted from Seattle Washington.

Rosenfeld, P.E., C.L. Henry. (1998). Characterization, Quantification, and Control of Odor Emissions from Biosolids Application To Forest Soil. *Biofest.* Lecture conducted from Lake Chelan, Washington.

Rosenfeld, P.E, C.L. Henry, R. Harrison. (1998). Oat and Grass Seed Germination and Nitrogen and Sulfur Emissions Following Biosolids Incorporation With High-Carbon Wood-Ash. Water Environment Federation 12th Annual Residuals and Biosolids Management Conference Proceedings. Lecture conducted from Bellevue Washington.

Rosenfeld, P.E., C.L. Henry, R. B. Harrison, and R. Dills. (1997). Comparison of Odor Emissions From Three Different Biosolids Applied to Forest Soil. *Soil Science Society of America*. Lecture conducted from Anaheim California.

Teaching Experience:

UCLA Department of Environmental Health (Summer 2003 through 20010) Taught Environmental Health Science 100 to students, including undergrad, medical doctors, public health professionals and nurses. Course focused on the health effects of environmental contaminants.

National Ground Water Association, Successful Remediation Technologies. Custom Course in Sante Fe, New Mexico. May 21, 2002. Focused on fate and transport of fuel contaminants associated with underground storage tanks.

National Ground Water Association; Successful Remediation Technologies Course in Chicago Illinois. April 1, 2002. Focused on fate and transport of contaminants associated with Superfund and RCRA sites.

California Integrated Waste Management Board, April and May, 2001. Alternative Landfill Caps Seminar in San Diego, Ventura, and San Francisco. Focused on both prescriptive and innovative landfill cover design.

UCLA Department of Environmental Engineering, February 5, 2002. Seminar on Successful Remediation Technologies focusing on Groundwater Remediation.

University Of Washington, Soil Science Program, Teaching Assistant for several courses including: Soil Chemistry, Organic Soil Amendments, and Soil Stability.

U.C. Berkeley, Environmental Science Program Teaching Assistant for Environmental Science 10.

Academic Grants Awarded:

California Integrated Waste Management Board. $41,000 grant awarded to UCLA Institute of the Environment. Goal: To investigate effect of high carbon wood ash on volatile organic emissions from compost. 2001.

Synagro Technologies, Corona California: $10,000 grant awarded to San Diego State University.
Goal: investigate effect of biosolids for restoration and remediation of degraded coastal sage soils. 2000.

King County, Department of Research and Technology, Washington State. $100,000 grant awarded to University of Washington: Goal: To investigate odor emissions from biosolids application and the effect of polymers and ash on VOC emissions. 1998.

Northwest Biosolids Management Association, Washington State. $20,000 grant awarded to investigate effect of polymers and ash on VOC emissions from biosolids. 1997.

James River Corporation, Oregon: $10,000 grant was awarded to investigate the success of genetically engineered Poplar trees with resistance to round-up. 1996.

United State Forest Service, Tahoe National Forest: $15,000 grant was awarded to investigating fire ecology of the Tahoe National Forest. 1995.

Kellogg Foundation, Washington D.C. $500 grant was awarded to construct a large anaerobic digester on St. Kitts in West Indies. 1993

Deposition and/or Trial Testimony:

In the Superior Court of the State of California, County of San Bernardino
Billy Wildrick, Plaintiff vs. BNSF Railway Company
Case No. CIVDS1711810
Rosenfeld Deposition 10-17-2022

In the State Court of Bibb County, State of Georgia
Richard Hutcherson, Plaintiff vs Norfolk Southern Railway Company
Case No. 10-SCCV-092007
Rosenfeld Deposition 10-6-2022

In the Civil District Court of the Parish of Orleans, State of Louisiana
Millard Clark, Plaintiff vs. Dixie Carriers, Inc. et al.
Case No. 2020-03891
Rosenfeld Deposition 9-15-2022

In The Circuit Court of Livingston County, State of Missouri, Circuit Civil Division
Shirley Ralls, Plaintiff vs. Canadian Pacific Railway and Soo Line Railroad
Case No. 18-LV-CC0020
Rosenfeld Deposition 9-7-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jonny C. Daniels, Plaintiff vs. CSX Transportation Inc.
Case No. 20-CA-5502
Rosenfeld Deposition 9-1-2022

In The Circuit Court of St. Louis County, State of Missouri
Kieth Luke et. al. Plaintiff vs. Monsanto Company et. al.
Case No. 19SL-CC03191
Rosenfeld Deposition 8-25-2022

In The Circuit Court of the 13th Judicial Circuit Court, Hillsborough County, Florida Civil Division
Jeffery S. Lamotte, Plaintiff vs. CSX Transportation Inc.
Case No. NO. 20-CA-0049
Rosenfeld Deposition 8-22-2022

In State of Minnesota District Court, County of St. Louis Sixth Judicial District
Greg Bean, Plaintiff vs. Soo Line Railroad Company
Case No. 69-DU-CV-21-760
Rosenfeld Deposition 8-17-2022

In United States District Court Western District of Washington at Tacoma, Washington
John D. Fitzgerald Plaintiff vs. BNSF
Case No. 3:21-cv-05288-RJB
Rosenfeld Deposition 8-11-2022

In Circuit Court of the Sixth Judicial Circuit, Macon Illinois
Rocky Bennyhoff Plaintiff vs. Norfolk Southern
Case No. 20-L-56
Rosenfeld Deposition 8-3-2022

In Court of Common Pleas, Hamilton County Ohio
Joe Briggins Plaintiff vs. CSX
Case No. A2004464
Rosenfeld Deposition 6-17-2022

In the Superior Court of the State of California, County of Kern
George LaFazia vs. BNSF Railway Company.
Case No. BCV-19-103087
Rosenfeld Deposition 5-17-2022

In the Circuit Court of Cook County Illinois
Bobby Earles vs. Penn Central et. al.
Case No. 2020-L-000550
Rosenfeld Deposition 4-16-2022

In United States District Court Easter District of Florida
Albert Hartman Plaintiff vs. Illinois Central
Case No. 2:20-cv-1633
Rosenfeld Deposition 4-4-2022

In the Circuit Court of the 4th Judicial Circuit, in and For Duval County, Florida
Barbara Steele vs. CSX Transportation
Case No.16-219-Ca-008796
Rosenfeld Deposition 3-15-2022

In United States District Court Easter District of New York
Romano et al. vs. Northrup Grumman Corporation
Case No. 16-cv-5760
Rosenfeld Deposition 3-10-2022

In the Circuit Court of Cook County Illinois
Linda Benjamin vs. Illinois Central
Case No. No. 2019 L 007599
Rosenfeld Deposition 1-26-2022

In the Circuit Court of Cook County Illinois
Donald Smith vs. Illinois Central
Case No. No. 2019 L 003426
Rosenfeld Deposition 1-24-2022

In the Circuit Court of Cook County Illinois
Jan Holeman vs. BNSF
Case No. 2019 L 000675
Rosenfeld Deposition 1-18-2022

In the State Court of Bibb County State of Georgia
Dwayne B. Garrett vs. Norfolk Southern
Case No. 20-SCCV-091232
Rosenfeld Deposition 11-10-2021

In the Circuit Court of Cook County Illinois
Joseph Ruepke vs. BNSF
Case No. 2019 L 007730
Rosenfeld Deposition 11-5-2021

In the United States District Court For the District of Nebraska
Steven Gillett vs. BNSF
Case No. 4:20-cv-03120
Rosenfeld Deposition 10-28-2021

In the Montana Thirteenth District Court of Yellowstone County
James Eadus vs. Soo Line Railroad and BNSF
Case No. DV 19-1056
Rosenfeld Deposition 10-21-2021

In the Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al.cvs. Cerro Flow Products, Inc.
Case No. 0i9-L-2295
Rosenfeld Deposition 5-14-2021
Trial October 8-4-2021

In the Circuit Court of Cook County Illinois
Joseph Rafferty vs. Consolidated Rail Corporation and National Railroad Passenger Corporation d/b/a AMTRAK,
Case No. 18-L-6845
Rosenfeld Deposition 6-28-2021

In the United States District Court For the Northern District of Illinois
Theresa Romcoe vs. Northeast Illinois Regional Commuter Railroad Corporation d/b/a METRA Rail
Case No. 17-cv-8517
Rosenfeld Deposition 5-25-2021

In the Superior Court of the State of Arizona In and For the Cunty of Maricopa
Mary Tryon et al. vs. The City of Pheonix v. Cox Cactus Farm, L.L.C., Utah Shelter Systems, Inc.
Case No. CV20127-094749
Rosenfeld Deposition 5-7-2021

In the United States District Court for the Eastern District of Texas Beaumont Division
Robinson, Jeremy et al vs. CNA Insurance Company et al.
Case No. 1:17-cv-000508
Rosenfeld Deposition 3-25-2021

In the Superior Court of the State of California, County of San Bernardino
Gary Garner, Personal Representative for the Estate of Melvin Garner vs. BNSF Railway Company.
Case No. 1720288
Rosenfeld Deposition 2-23-2021

In the Superior Court of the State of California, County of Los Angeles, Spring Street Courthouse
Benny M Rodriguez vs. Union Pacific Railroad, A Corporation, et al.
Case No. 18STCV01162
Rosenfeld Deposition 12-23-2020

In the Circuit Court of Jackson County, Missouri
Karen Cornwell, Plaintiff, vs. Marathon Petroleum, LP, Defendant.
Case No. 1716-CV10006
Rosenfeld Deposition 8-30-2019

In the United States District Court For The District of New Jersey
Duarte et al, Plaintiffs, vs. United States Metals Refining Company et. al. Defendant.
Case No. 2:17-cv-01624-ES-SCM
Rosenfeld Deposition 6-7-2019

In the United States District Court of Southern District of Texas Galveston Division
M/T Carla Maersk vs. Conti 168., Schiffahrts-GMBH & Co. Bulker KG MS "Conti Perdido" Defendant.
Case No. 3:15-CV-00106 consolidated with 3:15-CV-00237
Rosenfeld Deposition 5-9-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
Carole-Taddeo-Bates et al., vs. Ifran Khan et al., Defendants
Case No. BC615636
Rosenfeld Deposition 1-26-2019

In The Superior Court of the State of California In And For The County Of Los Angeles – Santa Monica
The San Gabriel Valley Council of Governments et al. vs El Adobe Apts. Inc. et al., Defendants
Case No. BC646857
Rosenfeld Deposition 10-6-2018; Trial 3-7-19

In United States District Court For The District of Colorado
Bells et al. Plaintiffs vs. The 3M Company et al., Defendants
Case No. 1:16-cv-02531-RBJ
Rosenfeld Deposition 3-15-2018 and 4-3-2018

In The District Court Of Regan County, Texas, 112th Judicial District
Phillip Bales et al., Plaintiff vs. Dow Agrosciences, LLC, et al., Defendants
Cause No. 1923
Rosenfeld Deposition 11-17-2017

In The Superior Court of the State of California In And For The County Of Contra Costa
Simons et al., Plaintifs vs. Chevron Corporation, et al., Defendants
Cause No. C12-01481
Rosenfeld Deposition 11-20-2017

In The Circuit Court Of The Twentieth Judicial Circuit, St Clair County, Illinois
Martha Custer et al., Plaintiff vs. Cerro Flow Products, Inc., Defendants
Case No.: No. 0i9-L-2295
Rosenfeld Deposition 8-23-2017

In United States District Court For The Southern District of Mississippi
Guy Manuel vs. The BP Exploration et al., Defendants
Case No. 1:19-cv-00315-RHW
Rosenfeld Deposition 4-22-2020

In The Superior Court of the State of California, For The County of Los Angeles
Warrn Gilbert and Penny Gilber, Plaintiff vs. BMW of North America LLC
Case No. LC102019 (c/w BC582154)
Rosenfeld Deposition 8-16-2017, Trail 8-28-2018

In the Northern District Court of Mississippi, Greenville Division
Brenda J. Cooper, et al., Plaintiffs, vs. Meritor Inc., et al., Defendants
Case No. 4:16-cv-52-DMB-JVM
Rosenfeld Deposition July 2017

In The Superior Court of the State of Washington, County of Snohomish
Michael Davis and Julie Davis et al., Plaintiff vs. Cedar Grove Composting Inc., Defendants
Case No. 13-2-03987-5
Rosenfeld Deposition, February 2017
Trial March 2017

In The Superior Court of the State of California, County of Alameda
Charles Spain., Plaintiff vs. Thermo Fisher Scientific, et al., Defendants
Case No. RG14711115
Rosenfeld Deposition September 2015

In The Iowa District Court In And For Poweshiek County
Russell D. Winburn, et al., Plaintiffs vs. Doug Hoksbergen, et al., Defendants
Case No. LALA002187
Rosenfeld Deposition August 2015

In The Circuit Court of Ohio County, West Virginia
Robert Andrews, et al. v. Antero, et al.
Civil Action No. 14-C-30000
Rosenfeld Deposition June 2015

In The Iowa District Court for Muscatine County
Laurie Freeman et. al. Plaintiffs vs. Grain Processing Corporation, Defendant
Case No. 4980
Rosenfeld Deposition May 2015

In the Circuit Court of the 17th Judicial Circuit, in and For Broward County, Florida
Walter Hinton, et. al. Plaintiff, vs. City of Fort Lauderdale, Florida, a Municipality, Defendant.
Case No. CACE07030358 (26)
Rosenfeld Deposition December 2014

In the County Court of Dallas County Texas
Lisa Parr et al, Plaintiff, vs. Aruba et al, Defendant.
Case No. cc-11-01650-E
Rosenfeld Deposition: March and September 2013
Rosenfeld Trial April 2014

In the Court of Common Pleas of Tuscarawas County Ohio
John Michael Abicht, et al., Plaintiffs, vs. Republic Services, Inc., et al., Defendants
Case No. 2008 CT 10 0741 (Cons. w/ 2009 CV 10 0987)
Rosenfeld Deposition October 2012

In the United States District Court for the Middle District of Alabama, Northern Division
James K. Benefield, et al., Plaintiffs, vs. International Paper Company, Defendant.
Civil Action No. 2:09-cv-232-WHA-TFM
Rosenfeld Deposition July 2010, June 2011

In the Circuit Court of Jefferson County Alabama
Jaeanette Moss Anthony, et al., Plaintiffs, vs. Drummond Company Inc., et al., Defendants
Civil Action No. CV 2008-2076
Rosenfeld Deposition September 2010

In the United States District Court, Western District Lafayette Division
Ackle et al., Plaintiffs, vs. Citgo Petroleum Corporation, et al., Defendants.
Case No. 2:07CV1052
Rosenfeld Deposition July 2009

2.18 RESPONSE TO LETTER O3: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE, DATED JULY 3, 2024

Several of the responses below are based on the following technical memorandum provided as Appendix E of this Final EIR:

- Murrieta Road Warehouse Air Quality, Health Risk, Energy, and Greenhouse Gas Assessment Response to Comments (Golden State Letter), Urban Crossroads, Inc., August 1, 2024, Appendix E.

Comment O3.1: This comment provides an introduction to the comment letter and states that the comment is submitted on behalf of the Golden State Environmental Justice Alliance (GSEJA). Additionally, it states that GSEJA requests to be notified regarding any subsequent environmental documents, public notices, and public hearings for the Project. This comment includes a project summary of the proposed Project.

Response O3.1 GSEJA will be added to the notification list and will be notified of any subsequent environmental documents, public notices, and public hearings regarding the proposed Project. The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment O3.2: The comment states that the DEIR does not accurately describe the proposed Project. This comment expresses concern that the proposed Project is a piecemealed portion of a larger project that includes TPM No 38469 (PLN22-018), which was approved as an NOE and included multiple right-of-way areas that were proposed to be vacated. The comment states that the TPM was a necessary precedent for the proposed Project and that the DEIR must be revised to comply with CEQA Section 15161 by preparing a project EIR which analyzes this prior action.

Response O3.2: As stated in the DEIR within Section 1.0, *Executive Summary*, and Section 4.0, *Environmental Setting*, a Tentative Parcel Map (TPM), No. 38469 (PLN22-0180), to consolidate all the existing parcels within the site into one parcel was previously approved and was exempt pursuant to CEQA Guidelines Section 15315 through a NOE, Categorical Exemption (Class 15 – Section 15315, "Minor Land Divisions"). However, the Final Tract Map has yet to consolidate all the existing parcels, therefore, the DEIR accurately described the Project site as currently being identified by Assessor's Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005.

Generally, courts have considered distinct activities as one CEQA project and required them to be reviewed together: (1) when the project under review is designed to provide the necessary first step toward a larger development, and (2) when development of the project under review requires or presumes completion of another activity. The TPM, in and of itself, did not include any project features or entitlements that would result in physical effects on the environment. It should also be noted that the NOE that the TPM conformed to the City's General Plan and zoning. Further, the courts have held that piecemealing occurs when such analysis is omitted where the reviewed project has as its purpose serving as a first step toward future development, or where it legally compels or practically presumes completion of another action; conversely, "specific future action that is merely contemplated or a gleam in a planner's eye" need not be analyzed. At the time the TPM was being processed by the City of Menifee, no industrial development had been proposed for the Project site. The TPM was processed to accommodate a hypothetical industrial facility that was not in the planning phase or proposed. Therefore, a future industrial facility (the Project) was unknown at the time and an analysis of such would have been speculative.

Furthermore, the TPM was processed and approved by the City of Menifee on May 19, 2023. Therefore, at the time the Notice of Preparation (NOP) for the proposed Project was released for public review (November 7, 2023), the City of Menifee had already approved the TPM through a Notice of Exemption.

CEQA Guidelines 15125 (a)(1) states that "Generally, the lead agency should describe physical environmental conditions as they exist at the time the NOP is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective". Furthermore, CEQA Guidelines Section 15125 describes that the existing setting constitutes the baseline conditions by which a lead agency determines whether an impact is significant. As the TPM was approved prior to the proposed Project being considered, the DEIR adequately discloses the environmental setting and describes the whole of the action proposed by the Project. The proposed Project did not rely on or require the completion of another activity, no piecemealing occurred, and the two actions are separate.

Further, the discretionary action for approval of the TPM was determined to have no physical impacts on the environment and would not cumulatively combine with the proposed Project to result in new or increased impacts. The TPM was adequately discussed as part of the Project Description and disclosed to the public. The DEIR accurately analyzes all potential environmental impacts from the proposed Project and does not present unduly low environmental impacts. Conversely, as detailed in Section 3.0, *Project Description*, the DEIR's analysis provides a conservative evaluation of total building square footage by considering a three percent buffer on the square footage of the building submitted to the City as part of the Project's entitlements. Overall, the DEIR's environmental analysis would not result in new or increased impacts from what is currently disclosed in the DEIR when considering the TPM. The proposed Project is consistent with the General Plan land use designation of EDC, consistent with the zoning designation of EDC-NG. The TPM is not considered part of the environmental baseline, and the previously approved TPM did not result in any impacts.

Lastly, ownership information and entitlement history are irrelevant for the description of a project and are not required to be disclosed according to CEQA Guidelines Section 15124. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.3: The comment states the PD is inadequate as it does not provide entitlement history or ownership of the site. The comment describes the sites entitlement and history and states that all sections of the DEIR must be revised to note the Project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland.

Response O3.3: Please refer to Response O3.2 above. The DEIR accurately described that the Project site is currently identified by Assessor's Parcel Numbers (APNs) 330-210-010, -011, -013, and -062, 330-560-001 through 330-560-040, 330-570-001 through 330-570-033, and 330-571-001 through 330-571-005. The DEIR also adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis.

CEQA Guidelines 15125 (a)(3) states that "An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline". Thus, although Lot 78 may have been previously identified within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan, the DEIR is not required to include the hypothetical condition as part of the existing baseline. Furthermore, as shown in the City of Menifee Parks Master Plan, adopted July 2023, in Figure 5-2, *Future and Existing Parks,* Lot 78 is not identified as future parkland. The Project site has a General Plan land use designation of EDC and zoning designation of EDC-NG which allows for development of industrial warehouse land uses at a maximum Floor Area Ratio of 1.0. Therefore, the proposed Project is an allowed land use under the Project site designations and would be consistent with the City's development standards. Furthermore, the NOE for the TPM, approved by the City of Menifee on May 19, 2023, found that the proposed lot consolidation conformed to the City's General Plan and zoning. Thus, the consolidation of the "77 lots subdivided for residential development and 1.96-acre parcel (lot 78)", as stated by the commentor, was determined to comply with the General Plan Land

use and zoning designation for the site and would not lead to any conflicts with the General Plan. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.4: The comment states that the Project Description does not provide a floor plan, detailed site plan, conceptual grading plan, written narrative, or detailed elevations. The comment states that a few figures have been edited to remove meaningful information. The comment requests that the DEIR must be revised to include an unedited floor plan, grading plan, site plan, elevations, and project narrative for public review.

Response O3.4: This comment does not provide any substantial evidence that the proposed Project would result in a significant environmental impact. Pursuant to CEQA Guidelines Section 15124, the Project Description "should not supply extensive detail beyond that needed for the evaluation and review of the environmental impact". As such, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Figure 3-8 of the DEIR provides conceptual building elevations for the proposed building and Figure 3-7 of the DEIR provides a conceptual site plan. As demonstrated by *Citizens for a Sustainable Treasure Island v. City & County of San Francisco (2014) 227 CA4th 1036, 1053,* the EIR's description of the proposed Project should identify the Project's main features and other information needed for an analysis of the Project's environmental impacts. As long as the requirements set forth in CEQA Guidelines Section 15124 are met, the Project Description may allow for the flexibility needed to respond to changing conditions that could impact the Project's final design. The proposed Project is thoroughly described within DEIR Section 3.0, *Project Description*, and includes information such as the Floor Area Ratio (FAR), grading quantities, elevations, architectural features, parking, landscaping, and more. As such, detailed plans and elevations are not required to be included in the DEIR's Project description and a general description of the Project and conceptual plans are allowed. Additionally, the conceptual grading plan and conceptual floor plan is on file with the City of Menifee. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.5: The comment states that the City's General Plan analyzed the Project site as exclusively residential development due to the entitlement history. Therefore, the comment states that the proposed Project was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD.

Response O3.5: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.3 and O3.4 above. Entitlement history is irrelevant to the description of a project under CEQA and are not included as part of the environmental baseline for analysis under CEQA.

As described in the City of Menifee General Plan and General Plan EIR, Exhibit LU-4 *General Plan Future Buildout Summary* is based on the theoretical buildout (dwelling units, population, nonresidential square footage, and employment) of each land use designation based on a range of allowable residential densities (expressed as units per acre) and nonresidential intensities (expressed as floor area ratio). A key assumption in understanding these projections is that they reflect a theoretical buildout of the entire City, rather than what is likely to appear on the ground over the 20-year planning cycle. Accordingly, the build-out estimates in the General Plan do not assume build-out at the maximum density or intensity and instead are adjusted downward to account for variations in build-out intensity. Thus, the buildout summary identified in Exhibit LU-4 of the General Plan is not site specific, and the Project site was not identified or analyzed within the General Plan or General Plan EIR as being developed as exclusively residential development. Therefore, the Project site was included for analysis as an employment generating use by the City, SCAG, or SCAQMD. In addition, development assumptions and scenarios presented in the General Plan and the General Plan EIR should not be considered a "cap" on permissible acreage or square footage buildout.

Furthermore, as stated in the CEQA Guidelines Section 15183 (i)(2), "For purposes of this section, "consistent" means that the density of the proposed project is the same or less than the standard expressed for the involved parcel in the general plan, community plan or zoning action for which an EIR has been certified, and that the project complies with the density-related standards contained in that plan or zoning. Where the zoning ordinance refers to the general plan or community plan for its density standard, the project shall be consistent with the applicable plan." The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. As described throughout the DEIR, the proposed Project is consistent with both the General Plan land use designation and the zoning designation for the Project site. Therefore, as concluded in the DEIR, the Project would be consistent with the General Plan, SCAG, and SCAQMD growth projections. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.6: This comment states that the DEIR does not include analysis of relevant environmental justice issues in reviewing potential impacts, including cumulative impacts from the proposed Project to the surrounding community, such as SB 535 Disadvantage Communities. The comment states that according to the CalEnviroScreen 4.0 the Proposed Project's census tract ranks in the 91st percentile for ozone burden, the 51st percentile for particulate matter 2.5 burden, and the 74th percentile for solid waste facility impacts. The comment also states that the census tract consists of a diverse community that is especially vulnerable to impacts of pollution.

Response O3.6: This comment does not provide substantial evidence of a significant environmental impact. CEQA is an environmental protection statute that is concerned with physical changes to the environment (CEQA Guidelines Section 15358(b)). The environment includes land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance (CEQA Guidelines Section 15360). The Project's potential environmental justice effects are not considered effects on the environment (CEQA Guidelines Sections 15064(e) and 15131(a)). Further, environmental justice is not listed within the "Environmental Factors Potentially Affected" in Appendix G, Environmental Checklist Form, to the CEQA Guidelines. Thus, consistent with CEQA, the DEIR includes an analysis of the Project's potentially significant physical impacts on the environment and does not include substantial discussion of environmental justice.

SB 535 established initial requirements for minimum funding levels to "Disadvantaged Communities" (DACs). The legislation also gives California EPA the responsibility for identifying those communities, stating that the designation of disadvantaged communities must be based on "geographic, socioeconomic, public health, and environmental hazard criteria." SB 535 does not include project specific requirements or prohibit developments in proximity to the designated communities. Furthermore, CalEnviroScreen is a general policy tool. It is generally inappropriate for CEQA review. However, the DEIR and Response O3.4 provide a detailed evaluation of the potential cumulative air quality related impacts of the proposed Project upon the surrounding community (localized impacts) pursuant to SCAQMD methodology and thresholds, which is the appropriate due to the project's location within the South Coast Air Basin. The DEIR also provides a detailed evaluation of the potential cumulative water supply, water quality, hazardous waste, and solid waste impacts of the proposed Project.

Regarding the existing pollution burden, the existing air quality in the Project area is described in DEIR Section 5.2, *Air Quality*. Table 5.2-2, *Air Quality Monitoring Summary 2020-2022*, of the DEIR provides data from the closest air quality monitoring station to the Project site (SRA 24 Perris Valley, SRA 25 Elsinore valley, and SRA 23 Metropolitan Riverside County). Data from the air quality monitoring stations indicates that the $PM_{2.5}$ federal standard had 2 exceedances in 2020, 13 exceedances in 2021, and no exceedances in 2022. While the Project vicinity has experienced exceedances of State and federal standards, the thresholds set forth by the SCAQMD are intended to be health protective and are based on Clean Air Act standards and recommendations by the EPA. Although there has been an increase in development in the

South Coast Area Basin, emissions concentrations have declined, and air quality has generally improved over the last 30 years largely due to cleaner air vehicles and fuel requirements.

As detailed under Impact AQ-2 in Section 5.2, *Air Quality*, of the DEIR, pollutant emissions associated with construction of the Project would be below SCAQMD thresholds and the Project would not result in a net increase of a pollutant for which the region in in non-attainment. Therefore, criteria emissions impacts related to construction and operation of the proposed Project would be less than significant.

Also, a Mobile Source Health Risk Assessment (included as Appendix G to the DEIR) was prepared to evaluate the health risk impacts as a result of exposure to diesel particulate matter (DPM) as a result of heavy-duty diesel trucks and equipment activities from Project construction. The results of the health risk assessment determined that at the maximum incremental cancer risk attributable to construction DPM source emissions from the proposed Project is 0.77 in one million, which would not exceed the SCAQMD cancer risk threshold of 10 in one million. Additionally, the non-cancer risks were estimated to be <0.01, which would not exceed the applicable threshold of 1.0. As such, the Project would not cause a significant human health or cancer risk to adjacent land uses as a result of Project construction activity.

An operational diesel mobile source health risk (included as Appendix G to the DEIR) was also prepared to evaluate the operational health risk impacts as a result of exposure to DPM from heavy-duty diesel trucks traveling to and from the Project site, maneuvering onsite, and entering and leaving the site during operation of the proposed Project. The DEIR details that the results of the operational health risk assessment identified that the maximum cancer risk would be 3.02 in one million under Scenario 1 and 3.04 in one million under Scenario 2 for the nearby residential land uses, which is below the SCAQMD threshold of 10 in one million. Additionally, the non-cancer risks were estimated to be ≤0.01 under both scenarios, which would not exceed the applicable significance threshold of 1.0. The worker receptor risk would be lower at 0.11 in one million. Maximum non-cancer risks at this same location were estimated to be <0.01, which would not exceed the applicable significance threshold of 1.0. In addition, the DEIR determined that because there is no reasonable potential that TAC emissions would cause significant health impacts at distances of more than ¼ mile from the air pollution source, there would be no significant impacts that would occur to any schools in the vicinity of the proposed Project. Therefore, all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.

The DEIR also included a long-term microscale (CO Hot Spot) analysis which determined Project-related vehicles are not expected to contribute significantly to result in the CO concentrations exceeding the State or federal CO standards. Therefore, as concluded in the DEIR, the Project would not impact nearby sensitive receptors including residences, workers, or schools. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.7: This comment states that CalEEMod is not listed as an approved energy compliance modeling software. The comment states that since the DEIR did not accurately or adequately model impacts in compliance with Title 24, a finding of significance must be made and a revised EIR with modeling in one of the three approved software types must be circulated for public review in order to adequately analyze the Project's potentially significant environmental impacts.

Response O3.7: This comment does not provide substantial evidence of a significant environmental impact. The commenter incorrectly assumes the purpose of Title 24 and California Energy Commission approved software programs. The approved programs serve the purpose of being used under the performance approach (energy budget) method of compliance for Energy Standards. The programs mentioned are not intended to be utilized for CEQA analysis. CalEEMod, the California Emissions Estimator Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions

associated with both construction and operations from a variety of land use projects. The model was developed for the California Air Pollution Officers Association (CAPCOA) in collaboration with the California Air Districts. Additionally, the proposed Project would be compliant with measures set forth in Title 24, which would be verified through the plan check process. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.8: The comment states that the Project did not analyze consistency with Exhibit LU Table LU-4 "Buildout Summary" and that industrial development within the EDC-NG analyzes a 0.40 FAR. In addition, the comment states that the EDC assumes buildout of 29 acres of residential which they claim is clearly meant for the Project site due to its entitlement history. The comment states that since the Project is inconsistent with the GP, it is also inconsistent with the RTP/SCS and AQMP.

Response O3.8: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.2, O3.3, and O3.5 above where this comment has been previously responded to.

As described in Response O3.5, the Project site was not analyzed as exclusively residential development by the City of Menifee General Plan or General Plan EIR and was accurately analyzed as an employment generating land use. Furthermore, the build-out estimate in the General Plan (Exhibit LU-4) does not assume build-out at the maximum density or intensity allowed by the EDC and instead is adjusted downward to account for variations in build-out intensity. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR, the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and Land Use Buildout Scenario since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the growth generated by the proposed Project was anticipated by the General Plan, RTP/SCS, and AQMP. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.9: This comment states that the EIR does not provide any meaningful evidence to support the Projects consistency with the SCAG RTP/SCS. The comment also mentions that there are errors in modeling and states that the Project is inconsistent with Goal 5, Goal 6, and Goal 7 of Table 5.9-1 from the DEIR. Furthermore, the comment states that the analysis excludes the EIR's determination that the project will result in significant and unavoidable cumulatively considerable GHG emissions impacts. The comment states that the EIR must be revised to include a finding of significance due to inconsistency with the 2020-2045 RTP/SCS Connect SoCal document.

Response O3.9: This comment does not provide substantial evidence of a significant environmental impact. As discussed in Responses O3.37 through O3.46 below, appropriate CalEEMod defaults were utilized and there are no errors in modeling. Substantial evidence supporting the SCAG RTP/SCS consistency analysis is provided in Section 5.2, *Air Quality*, and Section 5.6, *Greenhouse Gas Emissions*, of the DEIR. The consistency analysis within Table 5.9-1 of the DEIR provides justification for the Project's consistency with each goal. Additionally, as noted throughout the DEIR, the Project is also consistent with the City of Menifee zoning and land use designations for the Project site. Thus, the DEIR does not need to be revised due to an inconsistency with the 2020-2045 RTP/SCS Connect SoCal document. The RTP/SCS Goal Statements are regional goals and are not project-specific. The DEIR accurately analyzes consistency with these goals as the proposed Project would not impede in the regional attainment of them. Furthermore, as stated in Section 5.6, *Greenhouse Gas Emissions*, the proposed Project would also be consistent with the City of Menifee Good Neighbor Policies and General Plan GHG policies. However, in response to this comment Section 5.9, *Land Use and Planning*, of the DEIR has been revised in Chapter 3.0, *Revisions to the DEIR*, of the FEIR as follows:

Table 2-2: SCAG RTP/SCS Consistency Analysis

RTP/SCS Goal Statements	Project Consistency
Goal 5: Reduce greenhouse gas emissions and improve air quality.	**Consistent.** While the Project would not improve air quality **and would have a significant and unavoidable GHG emissions impact as described in Section 5.6, *Greenhouse Gas Emissions*,** it would not prevent SCAG from implementing actions that would improve air quality within the region. Mitigation measures are specified to reduce the Project's greenhouse gas impacts to the maximum extent feasible, and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy Efficiency Standards. **Furthermore, as discussed within Section 5.2, *Air Quality*, the proposed Project would be below SCAQMD thresholds for criteria air pollutants.**
Goal 6: Support healthy and equitable communities.	**Consistent.** The Project would be constructed consistent with the City of Menifee General Plan land use designation/zoning classification and associated development standards. The Project would be constructed to current building codes, and state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents. **Furthermore, a Health Risk Assessment (Appendix G) was prepared for the proposed Project and determined all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.**
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**Consistent.** This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. **Although the proposed Project would have a significant and unavoidable GHG emissions impact as described in Section 5.6, *Greenhouse Gas Emissions*, implementation of the proposed** Project would not conflict with this goal. **Furthermore, the proposed Project would implement all feasible mitigation measures, including MM GHG-1 through MM GHG-8, as described within Section 5.6, *Greenhouse Gas Emissions*.**

Comment O3.10: The comment states that the DEIR includes consistency analysis that is erroneous and misleading to the public and decision makers regarding some of the General Plan goals and policies, and lists policies which the Project has potential to conflict with. The comment states that the Project has significant potential to conflict with many policies due to its significant and unavoidable impacts to greenhouse gas emissions.

Response O3.10: This comment does not provide substantial evidence of a significant environmental impact. The DEIR is a public disclosure document that serves to provide information to the City's decisionmakers and elected officials when deciding whether or not to approve a project. The goal of the consistency analysis is

to provide the reader with a general overview of whether a project is in harmony with the overall intent of the applicable goals and policies. It is within the City's purview to decide if the Project is consistent or inconsistent with applicable goals or policies. CEQA case law recognizes that "it is nearly, if not absolutely, impossible for a project to be in perfect conformity with each and every policy set forth in the applicable [general] plan." (*Pfeiffer v. City of Sunnyvale City Council* (2011) 200 Cal.App.4th 1552, 1563).

Furthermore, as described in Response O3.5, the proposed Project is consistent with the City of Menifee zoning and land use designations for the Project site. A compiled table of applicable Menifee General Plan goals and policies, along with the Project's consistency is included in Section 5.9, *Land Use and Planning*. Goals and Policies that are not applicable to the proposed Project, including those identified in the comment, are not included under table 5.9-2 of the DEIR as they are City initiatives or do not include project specific criteria. In addition, it should be noted that while the proposed Project results in a significant and unavoidable impact to GHG emissions, it does not equate to the proposed Project impeding the implementation or achievement of these Goal and Policies at a regional or local level. For the purposes of this response, a consistency analysis between the proposed Project and the goals and policies listed by the comment is provided below in Table 2-2 of the FEIR.

Table 2-3: General Plan Consistency Analysis

General Plan Policy or Goal	Project Consistency
Goal S-7: A community that has protected its sensitive structures, functions, and populations from the risks associated with climate change.	**Not Applicable.** This goal is intended to be implemented at a citywide level. This is not a project-specific goal and is therefore not applicable.
Policy EJ-3.6: Continue to collaborate with the South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), utility providers, Southern California Association of Governments (SCAG), Western Riverside Council of Governments (WRCOG) and nonprofit organizations, neighborhoods groups, and other community organizations to improve air quality, food availability, renewable energy systems, sustainable land use and reduce greenhouse gas emissions (GHGs).	**Not Applicable.** This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Goal OSC-10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions.	**Not Applicable.** This goal is intended to be implemented at a citywide level. This is not a project-specific goal and is therefore not applicable.
Policy OSC-10.1: Align the city's local GHG reduction targets to be consistent with the statewide GHG reduction target of AB 32.	**Not Applicable.** This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.2: Align the city's long-term GHG reduction goal consistent with the statewide GHG reduction goal of Executive Order S-03-05.	**Not Applicable.** This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.3: Participate in regional greenhouse gas emission reduction initiatives.	**Not Applicable.** This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Goal 10: An environmentally aware community that is responsive to changing climate conditions and actively seeks to reduce local greenhouse gas emissions	**Not Applicable.** This goal is intended to be implemented on a citywide level. This is not a project-specific goal, but a City initiative, and is therefore not applicable.
Policy OSC-10.4 Consider impacts to climate change as a factor in evaluation of policies, strategies, and projects.	**Consistent.** This goal is intended for City staff and City decisionmakers. As discussed in Section 5.6, *Greenhouse Gas Emissions*, a Greenhouse Gas Emissions Impact Analysis was prepared for the Project and found that greenhouse gas (GHG) emissions would exceed the

General Plan Policy or Goal	Project Consistency
	recommended thresholds, thus the Project would implement mitigation measures GHG-1 through GHG-8 to minimize impacts.
Policy C-5.13: Support efforts to reduce/eliminate the negative environmental impacts of goods movement.	**Not Applicable.** This goal is intended for City staff and City decisionmakers. This is not a project-specific goal, but a City initiative, and is therefore not applicable.

Comment O3.11: This comment states that any improvements or in-lieu fees/fair share fees paid for City of Perris or Caltrans facilities are beyond the control/scope of the lead agency. The comment states that evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided, thus a revised EIR must be prepared to include the level of service (LOS) analysis as cumulatively considerable significant impact as the project conflicts with Transportation Impact Threshold TRA-1 as well as Land Use and Planning Impact Threshold LU-2 because it is not consistent with the following General Plan Policy C-1.2.

Response O3.11: This comment does not provide substantial evidence of a significant environmental impact. As stated within Table 5.9-2 of the DEIR under Policy C-1.2, LOS is no longer a component of CEQA traffic analysis (CEQA Guidelines Section 15064.3). Per CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The analysis included in the DEIR concerning these proposed improvements was provided for informational purposes only for the City's use in evaluating the proposed Project and considering conditions of approval outside of CEQA's framework. This is clearly identified in Section 5.12, *Transportation*, where it states that the LOS analysis is intended for "Non-CEQA Level of Service Analysis – For Informational Purposes Only." The implementation of these improvements would be based on direct discussion between City staff and the Applicant and would be imposed via the Conditions of Approval process, not through CEQA. Further, the Project's land use impacts are based in part upon determining compliance with the City's General Plan. The Project Applicant is proposing to improve roadways along the Project's frontage per the City of Menifee General Plan. All roadway improvements associated with the proposed Project would be consistent with the City of Menifee General Plan Circulation Element. Any improvements to portions of intersections or roadways shared with the City of Perris would be coordinated between the City of Menifee and City of Perris prior to final offsite engineering for the Project. Please refer to Responses to letter A3 above for a full description regarding City of Perris roadway improvements. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.12: The comment states that the DEIR has not utilized the best available data to calculate the project's trip generation and must be revised to implement Fehr and Peers' updated study of the data in WSP's study.

Response 03.12: This comment does not provide substantial evidence of a significant environmental impact. Although the Fehr and Peer's updated WSP Study has been received by the WRCOG, updates to the TUMF Fulfillment Center Rates have yet to be formally adopted. According to the WRCOG Planning Directors Committee meeting on December 14, 2023, "WRCOG will initiate work on including any necessary changes to how TUMF is calculated for high cube warehouses in the TUMF Handbook based on the reduced trips observed in this analysis. These changes will be brought forth to this Committee for review when a complete update is conducted at the conclusion of the TUMF Nexus Study update process." Therefore, the TUMF High-Cube Warehouse Trip Generation Study, WSP, January 29, 2019, is still the most up to date source for vehicle trip rate calculations and the DEIR utilized the best available data to calculate the proposed Project's trip generation.

Furthermore, CEQA Guidelines 15125 (a)(1) states that the environmental baseline for a project is set at the time the NOP is published. The NOP for the proposed Project was published May 24, 2024, and set the environmental baseline for the DEIR analysis. Therefore, the Fehr and Peers updated WSP study was not received by WRCOG at the time the NOP was published. Furthermore, the Scoping Agreement form, which included the use of the TUMF High-Cube Warehouse Trip Generation Study, WSP, January 29, 2019, was approved by the City of Menifee prior to the Fehr and Peer's updated WSP Study. The DEIR utilized the most up to date WSP at the time the NOP set the environmental baseline and at the time the Scoping Agreement was approved. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.13: The comment states that any improvements recommended or fees paid to mitigate impacts for City of Perris or Caltrans facilities are beyond the control of the lead agency and evidence that these improvements will be completed or approved by Perris or Caltrans has not been provided.

Response O3.13: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.11 above. Policy C-1.2 is not applicable as Level of Service is no longer a component of CEQA traffic analysis (CEQA Guidelines Section 15064.3). Per CEQA Guidelines Section 15064.3, automobile delay no longer is considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. However, Response to Comment Letter A3, specifically Response A3.6, offers a detailed response to this comment. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.14: The comment states that Appendix L, *VMT Analysis*, excludes the City of Menifee VMT Scoping Form and modeling input parameters and output screens generated by the RIVCOM model to support the EIR's claims that the project will have less than significant impacts.

Response O3.14: This comment does not provide substantial evidence of a significant environmental impact and relies on speculation and opinion. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence. Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines ["the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure"].) The DEIR for the proposed Project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

A scoping form is not required for preparation of a VMT Screening Analysis; however, a VMT Scoping Form was approved by the City of Menifee and is available upon request. Furthermore, the Scoping Agreement for the Traffic Study is included as Appendix A of the *Traffic Impact Analysis*, Appendix K of the DEIR. The *VMT Analysis*, Appendix L of the DEIR, provides an adequate description of the City's guidelines and use of the RIVCOM model for preparation of the VMT analysis. The analysis is based on the requirements of *The City of Menifee Traffic Impact Analysis (TIA) Guidelines for Vehicle Miles Traveled (January 2022)* and was prepared by professional traffic engineers. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.15: The comment states that the Projects VMT analysis was underestimated as it did not include truck/trailer/delivery van activity. The comment concludes in saying a revised EIR must be prepared to with a revised VMT analysis to include truck/trailer/and delivery van activity.

Response O3.15: This comment does not provide substantial evidence of a significant environmental impact. Based on local and State guidance as well as the State CEQA Guidelines Section 15064.3, VMT is an

evaluation of passenger cars, not truck trips. The VMT analysis conducted therefore, only analyzed VMT/Employee for home-based-work trips as per the County Guidelines. This is consistent with State CEQA Guidelines Section 15064.3(a) which states "For the purpose of this section, "vehicle miles traveled" refers to the amount and distance of automobile travel attributable to a project." Here, the term "automobile" refers to on-road passenger vehicles, specifically cars and light trucks. Hence the VMT analysis only includes and represents the impacts of automobile travel as a result of the proposed Project using RIVCOM and is not required to include truck trips as a part of the VMT analysis. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.16: This comment states that the DEIR does not adequately analyze the Projects potential impacts regarding hazards due to a geometric design feature. The comment explains that there are areas of overlap between truck movements and an inadequate depiction of the onsite turning radius for truck moving through the site.

Response O3.16: This comment does not provide substantial evidence of a significant environmental impact. As stated in Section 3.0 *Project Description* of the DEIR, access to the proposed Project would be provided via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The northern and southern driveways on Murrietta Road would be accessible by both passenger vehicles and trucks. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The Project would include a 26-foot-wide fire access road throughout the site. In addition, the Project would include a 32-foot-wide private driveway along the southern boundary of the Project site.

There are no unique bends or obstacles along Murrieta Road and Geary Street. The onsite circulation design provides truck accessibility and turning ability throughout the site. Therefore, there is no geometric design feature that would prevent trucks or result in impacts from trucks accessing the site. As described in Response O3.4 above, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are conceptual plans and including specific truck/trailer turning exhibits in the DEIR is not required or needed to support the impact determination. Furthermore, the conceptual site plan accurately shows that there is 214 feet between the proposed rolling gate and property line, allowing for adequate truck queuing.

Onsite traffic signing and striping would also be implemented in conjunction with detailed construction plans with implementation of the proposed Project. Additionally, sight distance at the Project's access points would be reviewed with respect to City standards at the time of final grading, landscape, and street improvement plan reviews. Project frontage improvements and site access points would be constructed to be consistent with the identified roadway classifications and respective cross-sections in accordance with the City of Menifee General Plan Circulation Element. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Thus, no impacts related to hazards due to a geometric design feature would occur from implementation of the proposed Project and Murrieta Road and the northernmost driveway on Geary Street would not require additional maneuvering space. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.17: The comment states that several areas for potential conflicts between trucks/trailers and passenger cars exist throughout the Project site. The comment states that the DEIR has not provided any exhibits demonstrating that there is sufficient backup space and queuing space for trucks/trailers to utilize

these spaces. The comment states a revised EIR must be prepared to include a finding of significance due to these significant and unavoidable impacts.

Response O3.17: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.4 and O3.16 above, the level of detail needed for the evaluation of the proposed Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are conceptual plans and including specific exhibits demonstrating that there is sufficient backup space and queuing space for trucks/trailers to utilize these spaces in the DEIR is not required or needed to support the impact determination. Should the proposed Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff prior to issuance of construction related permitting to ensure that all applicable turning and access standards are met, which include both California Fire Code and California Building Code requirements. Compliance with existing regulations would be ensured through the City's construction permitting process. Therefore, the proposed Project would not result in significant traffic safety impacts. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.18: The comment states that the EIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project.

Response O3.18: This comment does not provide substantial evidence of a significant environmental impact. This comment has previously been responded to in Responses O3.2 and O3.3. The DEIR adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.19: This comment states that the DEIR relied upon erroneous Energy modeling to determine the Project would meet sustainability requirements. Specifically, the comment states that the DEIR did not model its energy consumption in compliance with Title 24.

Response 03.19: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.7, the Title 24 and California Energy Commission approved software programs are intended for the energy budget method of compliance for Energy Standards and are not intended to be utilized for CEQA analysis. CalEEMod, the California Emissions Estimator Model, is a statewide land use emissions computer model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and GHG emissions associated with both construction and operations from a variety of land use projects. Additionally, the Project would be compliant with measures set forth in Title 24, which would be verified through the plan check process. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.20: The comment states that the City's General Plan analyzed the project site as exclusively residential development due to the entitlement history. Therefore, the comment states that the proposed Project was not included for analysis as an employment generating use by either the City, SCAG, or SCAQMD. Furthermore, the comment states that Exhibit LU-4 analyzed the site as a 0.4 FAR whereas the Project's FAR is higher.

Response O3.20: Please refer above to Response O3.5 and Response O3.8 for a detailed response. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR,

the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and Land Use Buildout Scenario since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the Project itself would not result in employment growth above what was anticipated by the General Plan, RTP/SCS, and the AQMP as it is consistent with the General Plan land use and zoning designations. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.21: This comment states that the DEIR must include a cumulative analysis discussion to demonstrate the impact of the proposed Project in a cumulative setting, including the associated cumulative impacts of the project's significant and unavoidable cumulatively considerable GHG impacts.

Response O3.21: This comment does not provide substantial evidence of a significant environmental impact. This comment has been addressed previously, please refer to Response O3.5 and O3.8. The proposed Project is consistent with the General Plan goals and policies, land use designation, and zoning designation for the site and was accurately analyzed as consistent with the RTP/SCS and AQMP.

The analysis of GHG emission impacts under CEQA contained in the Draft EIR effectively constitutes an analysis of the Project's contribution to the cumulative impact of GHG emissions. CEQA Guidelines Section 15183.5(b) states that compliance with GHG-related plans can support a determination that a project's cumulative effect is not cumulatively considerable. However, as described in Section 5.6 of the DEIR, *Greenhouse Gas Emissions*, the estimated GHG emissions from development and operation of the proposed Project would exceed SCAQMD thresholds. Despite implementation of Mitigation Measures GHG-1 through GHG-8, impacts would remain significant. Therefore, the proposed Project would result in cumulatively considerable GHG impacts and cumulative GHG impacts would be significant and unavoidable. Therefore, the DEIR fully analyzed the cumulative impacts of the Project to GHG; including the significant and unavoidable impacts due to emissions of GHGs.

Comment O3.22: The comment states that the DEIR did not adequately analyze removing obstacles to growth, specifically the right-of-way vacations for the TPM. The comment states that the DEIR must be revised to include specific information and analysis of any and all right-of-way vacations and/or City owned property that is involved in the proposed project.

Response O3.22: Please refer to Responses O3.2 and O3.3 above. The DEIR adequately discloses that the existing parcels have been approved for consolidation through a TPM by the City of Menifee as a NOE. Furthermore, ownership information and entitlement history are irrelevant for the description of a project according to CEQA Guidelines Section 15124. Therefore, the DEIR adequately describes the Project site and the environmental setting for analysis of growth inducing impacts.

Further, as described in Section 6.0, *Other CEQA Considerations*, the proposed infrastructure improvements have been designed to serve only the demands of the Project. Therefore, the Project would not expand stormwater drainage services, as well as other offsite improvements, into unplanned areas and would not result in significant growth inducing impacts. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.23: The comment states that the proposed Project must provide a quantified analysis of the Project's growth compared to the General Plan's buildout. The comment states that the DEIR must include a cumulative analysis of the impact of the proposed Project in combination with previous projects since 2016 and projects "in the pipeline" to determine if the Project would result in a cumulative exceedance of employment and population growth forecasts.

Response O3.23: This comment does not provide substantial evidence of a significant environmental impact. As previously discussed under Response O3.5 and O3.8, development assumptions and scenarios presented in the General Plan and its program-level EIR should not be considered a "cap" on permissible acreage or square footage buildout, but simply serve as a framework upon which future project-level environmental analyses may be based. Cumulative projects are properly included in Table 5-1, *Cumulative Projects*, of the DEIR and accounted for throughout the analysis of the DEIR. All previously constructed projects (i.e., completed prior to issuance of the 2023 Notice of Preparation for the DEIR) are considered part of the environmental baseline and have therefore been accounted for as part of the existing conditions.

Growth-inducing potential of a project would be considered significant if it fosters growth or a concentration of population in excess of what is assumed in master plans, land use plans, or in projections made by regional planning agencies, such as SCAG. Although the Project would induce 652 employees within the City, the proposed industrial use is accounted for within the City of Menifee General Plan, as the Project would be consistent with the planned Economic Development Corridor – Northern Gateway land use. According to SCAG's 2020-2045 RTP/SCS population and household growth forecast for Menifee, between 2016 and 2045, SCAG anticipates an employment increase of 15,400 additional jobs (from 13,800 to 29,200), yielding a 111 percent growth rate. SCAG also anticipates a population increase of 40,200 between 2016 and 2045 (from 89,600 to 129,800). The proposed Project would generate the need for approximately 652 employees conservatively, which represents approximately 1.6 percent of the forecasted population growth between 2016 and 2045 and approximately 4.2 percent of the forecasted employment growth between 2016 and 2045 for the City. Additionally, as detailed within the DEIR, the proposed Project would result in a FAR of 0.5 which is below the maximum FAR of 1.0 allowed by the EDC land use and related employment projections. Thus, although the Project would generate additional long-term employment in the Project area, the new employment opportunities would be within the forecasted and planned growth of the City. Thus, while the Project would contribute to employment growth through the proposed development within the Project site, the projected increases in employment from the Project are within SCAG's 2020 RTP/SCS increases.

Furthermore, employment growth from the Project would not induce population growth by 652 persons. As described in the Initial Study (included as Appendix A of the DEIR) and DEIR Section 7.0, *Effects Found Not Significant,* the employees that would fill these roles are anticipated to come from the region, as the unemployment rate of the City of Menifee and the City of Perris are high (4.9 percent and 5.8 percent respectfully). Due to these levels of unemployment, employees would live in housing either already built or are planned for development in Menifee, Perris, and the surrounding Riverside County areas and the surrounding areas. Because it is anticipated that most of the future employees from implementation of the Project would already be living in the Inland Empire area, the Project's introduction of employment opportunities would not induce substantial growth in the area and cause the need for additional housing.

In addition, projects referenced by the commentor were either required to conduct their own analysis of population growth and employment or would be required to do so by CEQA prior to approval. The commenter provides no substantial evidence of a significant environmental impact. The Project would not result in cumulative citywide or countywide population and housing impacts. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.24: The comment states that since the Project is analyzed as a speculative high-cube industrial warehouse and that the tenant is unknown for the proposed Project, there is no possible assurance that positions are available within the region to satisfy the anticipated workforce needs.

Response O3.24: This comment does not provide substantial evidence of a significant environmental impact. As detailed in the above comment, speculative refers to the tenant, not the type of activities that would be conducted. The proposed Project has been proposed as and would be developed as a new high cube industrial warehouse building. As such, the proposed Project has been consistently analyzed throughout the

DEIR as a high cube industrial warehouse. Therefore, operational characteristics, including the required workforce to operate the building, have been accurately analyzed for a high cube warehouse building and the workforce required to operate the building would not change substantially due to the tenant.

Furthermore, as described in Response O3.23 the employees that would fill these roles are anticipated to come from the region, as the unemployment rate of the City of Menifee and the City of Perris are high (4.9 percent and 5.8 percent respectfully). Due to these levels of unemployment, it is anticipated that new employees at the Project site would already reside within commuting distance and would not generate needs for any housing.

However, the Initial Study provides further analysis, so that should the proposed Project require employees to relocate to the area for work (i.e., specialized workforce is not available in the region), there is sufficient vacant housing available within the region. Within the City of Menifee, 36,308 of 38,734 total housing units are occupied, resulting in a vacancy rate of 6.3 percent. In addition, as described above in Response O3.23, the proposed Project would generate the need for approximately 652 employees conservatively, which represents approximately 1.6 percent of the forecasted population growth between 2016 and 2045 and approximately 4.2 percent of the forecasted employment growth between 2016 and 2045 for the city. Therefore, the proposed Project would be within both the anticipated employment and population growth projections for the City of Menifee. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.25: This comment states that the DEIR does not provide an exhibit depicting which areas of the site are within the applicable Compatibility Zone for each respective Airport. The comment also states that the DEIR does not provide any analysis or information regarding regulations and requirements within influence area Zone E of the Perris Valley Airport or Zone E of the March. Therefore, the comment claims that the DEIR does not provide adequate informational documents and meaningful disclosure to support its claims of consistency.

Response O3.25: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.4, the level of detail needed for the evaluation of the Project by the public and decision makers and for the review of the Project's environmental impacts does not require extensively detailed figures (CEQA Guidelines Section 15124). Thus, exhibits or graphics depicting the applicable ALUC Compatibility Zones are not required for a meaningful analysis. Furthermore, as described in the Initial Study (Appendix A of the DEIR) and Section 5.10, *Noise*, of the DEIR, the proposed Project is located over 10 miles southeast of the Perris Valley Airport and March Air Reserve Base. Additionally, the entire Project site is located within Zone E and is not located in any existing noise contours for the Perris Valley Airport and March Air Reserve Base. Review by the Riverside County ALUC is not required for the proposed Project as the City of Menifee is consistent with the Perris Valley Airport ALUCP and March Air Reserve Base ALUCP. Since the proposed Project is consistent with the City of Menifee land use designation for the site, the proposed Project would also be consistent with the ALUCP for both the Perris Valley Airport and March Air Reserve Base.

Since the proposed Project is fully consistent with the City of Menifee General Plan land use designation, as analyzed throughout the DEIR, the proposed Project is also fully consistent with the requirements and regulations within influence Zone E for both the Perris valley Airport and March Air Reserve Base. Overall, the proposed Project would not result in hazards related to excessive glare, light, steam, smoke, dust, or electronic interference, and the proposed Project would not introduce a safety hazard associated with airport operations for people residing, working, and visiting the Project site. As described above, meaningful disclosure to support the DEIR's impact and consistency determination was provided. The comment does not contain any information requiring changes to the EIR. No further response is warranted.

Comment O3.26: The comment states that the proposed Project fails to comply with the Housing Crisis Act/ Senate Bill (SB) 330/SB 8 as the Project does not provide replacement capacity for the reduced residential development as a result of the proposed Project. The comment supports this by stating the EDC land use designation has a maximum density of 24 units per acres, and therefore the Project site can accommodate the development of up to 678 dwelling units. The comment concludes that the Project must provide 678 replacement units elsewhere in the city in accordance with SB 330 and the loss of residential capacity should be included as a finding of significance.

Response O3.26: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.2, O3.3, O3.5 and O3.7 above as this comment has been previously addressed. The commenter erroneously applies the requirements of SB 330 to the proposed Project. As discussed on page 3-13 of the DEIR, the Project site has a land use designation of EDC and zoning of EDC-NG. Additionally, the proposed Project is consistent with the General Plan land use designation and zoning designation for the site, which allow for both industrial and residential development. Thus, there is no residential density specifically assigned to the Project site, nor would the Project remove the ability for a future residential development to occur onsite as the Project would not include a zone change.

As such, the proposed Project would be consistent with the provisions of Government Code Section 65860 and is not required to upzone a different site or identify a replacement housing site pursuant to SB 330. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.27: The comment states that the Project site is located in a developed area of the City adjacent to existing roads and in close proximity to infrastructure and utilities. The comment states that Geary Street and Murrieta Road are undeveloped. Furthermore, the comment states that more than 50 percent of the land within the vicinity of the Project site is vacant, meaning that the project site is not located in a developed area of the City and is not located adjacent to existing roads.

Response O3.27: This comment does not provide substantial evidence of a significant environmental impact. The comment erroneously states that Murrieta Road and Geary Street are undeveloped and that the proposed Project is not located adjacent to existing roads and utilities. Murrieta Road is an existing paved roadway east of the Project site that currently provides access to Ethanac Road. Murrieta Road would be improved along the Project frontage. Geary Street is an existing dirt roadway west of the Project site. Geary Street would be improved along the Project Frontage and extended from Floyd Avenue to Ethanac Road. Therefore, both Geary Street and Murrieta Road are existing roadways that currently provide circulation, and the DEIR accurately describes the existing roads adjacent to the Project site. Furthermore, the Project site is surrounded by existing infrastructure and utilities as described in Section 3.0, *Project Description*. There is an existing 27-inch diameter water line in Murrieta Road, an existing 8-inch sewer line in Murrieta Road, existing overhead utility lines are located along Murrieta Road, and existing natural gas mainlines lie within Murrieta Road.

According to Cal. Code Regs. tit. 14 Section 15387 "Urbanized area" means a central city or a group of contiguous cities with a population of 50,000 or more, together with adjacent densely populated areas having a population density of at least 1,000 persons per square mile. A lead agency shall determine whether a particular area meets the criteria in this section either by examining the area or by referring to a map prepared by the U.S. Bureau of the Census which designates the area as urbanized. According to the SCAG RTP/SCS 2020 the City of Menifee had a population of 89,600 in 2016. Therefore, the Project site meets the criteria for an urbanized area and is designated as such.

This comment does not provide evidence of a significant impact and no changes to the analysis are necessary. However, in order to provide clarity on the existing setting, Section 7.0, *Effects Found Not Significant,* of the DEIR on page 7-12, has been revised in Chapter 3.0, *Revisions to the DEIR,* as part of the Final EIR to state that the Project site is located within an urbanizing area rather than a developed area:

> The proposed Project would develop a new industrial warehouse on a vacant, previously developed site that would be consistent with the General Plan approved in 2013. The site is located in an **urbanizing area** ~~a developed area~~ of the City adjacent to existing roads and in close proximity to infrastructure and utilities.

Comment O3.28: The comment states that the DEIR does not provide sufficient evidence to support the claim that the employees are expected to come from within the City or region. Additionally, the comment states that the DEIR does not provide evidence that the specific workforce listed is qualified for or interested in industrial work to substantiate this claim. Furthermore, the comment claims that relying on the unemployed workforce population of the surrounding region will increase project related VMT and emissions and a revised EIR must be prepared to account for longer worker trip distances. The comment states that the DEIR excludes from analysis the zoning capacity of 678 units.

Response O3.28: This comment does not provide substantial evidence of a significant environmental impact. As elaborated above and throughout the DEIR, the proposed Project would not induce substantial population growth in an area beyond what is forecasted, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure).

As described throughout this response to comments, the proposed Project would not result in the loss of 678 units. As elaborated in Response O3.24, the proposed Project has been proposed as and would be developed as a new high cube industrial warehouse building which does not require a specialized workforce. As such, the proposed Project has been consistently analyzed throughout the DEIR as a high cube industrial warehouse. Therefore, operational characteristics, including the required workforce to operate the building, have been accurately analyzed for a high cube warehouse building and the workforce required to operate the building would not change substantially due to the tenant.

Furthermore, the DEIR does not rely on the unemployed workforce population of the surrounding region to support the impact determination as vacant housing is available in the region. The DEIR accurately states that there is sufficient vacant housing available within the region as the City of Menifee has a vacancy rate of 6.3 percent (DEIR page 7-2). Therefore, there would be no increase to project related VMT or emissions to account for longer worker trip distances. Although employees are expected to come from within the City and the region, further evidence is provided to support the less than significant impact determination. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.29: The comment states that the City's General Plan analyzed the Project site with exclusively residential development, meaning that it was not included for analysis as an employment generating use by either the City or SCAG.

Response O3.29: This comment does not provide substantial evidence of a significant environmental impact. Please refer to refer to Response O3.8 above. The Project site was not analyzed as exclusively residential development by the City of Menifee General Plan or General Plan EIR and was accurately analyzed as an employment generating land use by the City and SCAG. The build-out estimate in the General Plan (Exhibit LU-4) does not assume build-out at the maximum density or intensity allowed by the EDC and instead is adjusted downward to account for variations in build-out intensity. The EDC and EDC-NG designations allow for a maximum FAR of 1.0 whereas the proposed Project would have a FAR of 0.48 and was analyzed in the DEIR as a FAR of 0.5. Therefore, as detailed throughout the DEIR, the proposed Project is consistent with the GP land use designation of EDC and zoning designation of EDC-NG. Although the proposed Project would have a FAR above what was assumed in the build-out estimates provided in Exhibit LU-4, it is still consistent with the General Plan and SCAG employment estimates since the buildout scenario is adjusted downward and is simply a theoretical scenario for development across the entirety of the EDC and not the Project site. Therefore, the employment growth generated by the proposed Project was anticipated by the

General Plan and SCAG. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.30: The comment states that the proposed Project must provide a quantified analysis of the Project's growth compared to the General Plan's buildout. The comment states that the DEIR must include a cumulative analysis of the impact of the proposed Project in combination with previous projects since 2016 and projects "in the pipeline" to determine if the Project would result in a cumulative exceedance of employment and population growth forecasts.

Response O3.30: This comment does not provide substantial evidence of a significant environmental impact. This comment is a duplicate of Comment O3.23, please refer to Response O3.23 above. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.31: The comment states that the EIR must be revised to note the Project site's status as an approved residential development and the City's ownership of Lot 78 with reservation and dedication for parkland. The comment also states that the EIR must be revised to include this information for analysis and include a finding of significance as Project implementation will result in a direct impact to City recreation facilities.

Response O3.31: Please refer to Response O3.2 and O3.3 above. CEQA Guidelines 15125 (a)(3) states that "An existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline". Thus, although Lot 78 may have been previously identified within Resolution No. 16-500: Parks, Trails, Open Space, and Recreation Master Plan, the DEIR is not required to include the hypothetical condition as part of the existing baseline. The Project site has never been developed as a city recreational facility and as shown in the City of Menifee Parks Master Plan, adopted July 2023, in Figure 5-2, *Future and Existing Parks,* Lot 78 is not identified as future parkland. Therefore, the DEIR accurately described the Project site's environmental baseline and no impacts to recreational facilities would occur. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.32: The comment states that the DEIR is deferring analysis by stating that development plans would be reviewed by the Office of the Fire Marshal prior to approval. The comment states that the DEIR does not provide any information regarding the proposed onsite fire pump house that is depicted on the Site Plan. The comment also states that a revised EIR must be prepared for the proposed project with emergency access exhibits, information regarding the proposed onsite fire pump house, and associated analysis/requirements in order to provide an adequate and accurate environmental analysis.

Response O3.32: This comment does not provide substantial evidence of a significant environmental impact. This comment was previously addressed under Response O3.16. As detailed under Response O3.16, Figure 3-7, C*onceptual Site Plan*, depicts the proposed emergency vehicle access to the site. The proposed Project would provide emergency access to the site via two driveways from Geary Street and three driveways from Murrieta Road. Both driveways on Geary Street would be accessible by both passenger vehicles and trucks. The northern and southern driveways on Murrietta Road would be accessible by both passenger vehicles and trucks. The driveways along Geary Street and the northern and southern driveways on Murrieta Road would have a width of 40 feet. The middle driveway on Murrieta Road would be limited to passenger vehicles only and would have a width of 30 feet. The Project would include a 26-foot-wide fire access road throughout the site. The onsite circulation design provides accessibility and turning ability throughout the site. Therefore, there is no geometric design feature that would prevent emergency vehicle maneuverability or result in impacts from trucks or emergency vehicles accessing or circulating the Project site. Furthermore, as described in Response O3.4, the level of detail needed for the evaluation of the Project by the public and decision makers and for the review of the Project's environmental impacts is adequate within the Project Description, and extensively detailed figures are not needed. Therefore, the plans provided in the DEIR are

conceptual plans and including exhibits depicting emergency vehicle access and maneuvering in the DEIR is not required or needed to support the impact determination.

The proposed onsite conceptual circulation design provides emergency vehicle accessibility and turning ability throughout the site and does not identify potential significant environmental impacts. Should the Project be approved, design level civil engineering plans would be prepared and reviewed by the City's engineering staff and the Office of the Fire Marshal prior to issuance of construction related permitting to ensure that all applicable emergency access standards are met, which include both California Fire Code and California Building Code requirements, as included in the City's Municipal Code. This is not a deferral of analysis, but the City's standard development review and permitting process to ensure that all applicable design requirements are met, including emergency access.

Furthermore, the proposed onsite fire pump that is depicted on the Conceptual Site Plan has been analyzed and described throughout the DEIR, notably in Section 5.2, *Air Quality*, and Section 5.6, *Greenhouse Gas Emissions*. The fire pump is also identified in Section 3.0, *Project Description*, and states that the proposed Project would require permits to install and operate a diesel fire pump from the South Coast Air Quality Management District. This is not a deferral of analysis, but standard development review and permitting process to ensure that all applicable design requirements are met. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.33: The comment states that a revised DEIR must be completed that includes analysis of a reasonable range of alternatives and to foster informed decision making. The comment states that the DEIR does not identify an alternative that meets the Projects objectives and eliminates all the Project's significant and unavoidable impacts.

Response O3.33: This comment does not provide substantial evidence of a significant environmental impact. The DEIR included a comprehensive analysis of Project Alternatives as required by CEQA Guidelines Section 15126.6. The "range of alternatives" to be evaluated is governed by the "rule of reason" and feasibility, which requires the EIR to set forth only those alternatives that are feasible and necessary to permit an informed and reasoned choice by the lead agency and to foster meaningful public participation (CEQA Guidelines Section 15126.6(f)). Additionally, State CEQA Guidelines Section 15126.6(b) emphasizes that the selection of project alternatives be based primarily on the ability to reduce impacts relative to the proposed project. An EIR need not consider every conceivable alternative to a project. Additionally, an alternative is not required to meet all project objectives and eliminate all of the Project's significant and unavoidable impacts as incorrectly stated by the Commenter.

DEIR page 8-1 states that a pursuant to State CEQA Guidelines Section 15126.6(d), discussion of each alternative presented in this DEIR section is intended "to allow meaningful evaluation, analysis, and comparison with the proposed project." As permitted by CEQA, the significant effects of each alternative are discussed in less detail than those of the proposed Project, but in enough detail to provide perspective and allow for a reasoned choice among alternatives to the proposed Project. As detailed in DEIR Section 8.0, *Alternatives*, the proposed Project is consistent with the current zoning of the site and would result in significant and unavoidable impacts related to greenhouse gas emissions and noise. One alternative (Alternate Site Alternative) was considered but rejected due to its infeasibility and lack of ability to meaningfully reduce Project impacts while meeting Project objectives. Instead, a No Project/Build Out of the Existing Zoning, a 30 percent Reduced Project Alternative, a 51 percent Reduced Project alternative, and a No Project/ Buildout of Existing Zone Alternative were selected for further analysis. As such, the alternatives utilized by the DEIR provide a reasonable range of alternatives pursuant to CEQA Guidelines Section 15126.6.

Table 8-4 of the DEIR provides, in summary format, a comparison between the level of impacts for each alternative and the proposed Project. In addition, DEIR Table 8-5 provides a comparison of the ability of

each of the alternatives to meet the objectives of the proposed Project. The environmentally superior alternative identified in the DEIR is the 51 percent Reduced Project Alternative and is expected to greatly reduce GHG emissions compared to the proposed Project, to a less than significant determination. Noise impacts would continue to be significant and unavoidable under this alternative and would not meet the Project objectives to the same extent as the proposed Project. The comment does not contain any information requiring changes to the DEIR. No further response is warranted.

Comment O3.34: This comment states that SWAPE has reviewed the DEIR and states that the EIR fails to adequately evaluate the air quality, health risk, and greenhouse gas impacts and suggests that a revised EIR be prepared.

Response O3.34: This comment is introductory in nature and introduces the inadequacies of the DEIR that will be further discussed within the comment. Because the comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue no further response is required.

Comment O3.35: This comment states that the CalEEMod default data was changed for modeling of the proposed Project and that CEQA requires such changes be justified by substantial evidence. The comment states that when default values in the program are changed, output files are produced which disclose to the reader which values within the program have been changed.

Response O3.35: The comment is introductory in nature and does not raise any specific concerns with the adequacy of the DEIR or raise any other specific CEQA issue. It is typical that default CalEEMod data is revised, so that the modeling accurately depicts construction and/or operation of each proposed Project. No revisions per this comment are required and no further response is required or provided.

Comment O3.36: The comment that that CalEEMod version 2022.1 is relied upon to estimate project emissions, which poses a problem as it is described as a "soft release" which fails to provide complete output files. The comment states that the "User Changes to Default Data" table no longer provides the quantitative counterparts to the changes to the default values. The comment states that the DEIR should have provided access to the model's ".JSON" output files, which allow third parties to review the model's revised input parameters.

Response O3.36: This comment does not provide substantial evidence of a significant environmental impact. Please refer to Response O3.7 above. The commenter is incorrect that CalEEMod 2022.1 is a "soft release." As indicated in the CalEEMod release notes, CalEEMod version 2022.1 was approved for full launch on 12/21/2022 and the "soft release" message was removed. As such, CalEEMod version 2022.1 is appropriate for use and the analysis is adequate as presented.

In addition, as discussed on pages 10 and 11 of the CalEEMod User's Guide for CalEEMod version 2022.1, CalEEMod was designed to allow the user to change the defaults to reflect site- or project-specific information when available. Thus, modifications to CalEEMod defaults are used when more detailed information is known about the project such as the construction timeline, the mix of equipment use, architectural coatings, and more. Modifications made to the CalEEMod defaults as a part of this Project were done in order to provide an accurate snapshot of the Project's construction and operational details. Modifications to defaults and the explanations are noted in the output report. Pages 35 of the CalEEMod outputs (Appendix 3.1 of the *Air Quality Analysis*) identifies the user changes that were made CalEEMod. The ".JSON" files are input files, not output files. As such, all output files were included in Appendix 3.1 of the *Air Quality Analysis*. No revisions per this comment are required and no further response is required or provided.

Comment O3.37: The comment states that the commentor discovered inconsistencies between the model inputs and the information within the DEIR, thus a revised DEIR must be prepared to include an updated air quality analysis.

Response O3.37: This comment does not provide substantial evidence of a significant environmental impact. The comment does specify any specific inconsistencies with information disclosed in the DEIR or raise any other CEQA issue. As discussed throughout these responses and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled and analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. No further response is warranted.

Comment O3.38: The comment states that the CalEEMod output files for the proposed Project demonstrates that the model includes several changes to the default individual construction phase lengths. The comment claims that the changes to the individual construction phase lengths are unsubstantiated for two reasons.

Response O3.38: This comment does not provide substantial evidence of a significant environmental impact. The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.39: This comment states that the DEIR does not provide a source for the individual construction phase lengths and therefore underestimates the length of construction. The comment states that the model should have proportionately altered the individual phase lengths to match the proposed construction duration of 11 months.

Response O3.39: This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating "[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines ["disagreement among experts does not make an EIR inadequate . . . the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure"].) The DEIR for the proposed project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

The Project's construction duration in CalEEMod was based on the Project's anticipated construction schedule, as provided by the Applicant, as specified on page 3-33 of Section 3.0, *Project Description*, of the DEIR, which assumes that construction is expected to begin the first quarter of 2025 and last for 11 months. The CalEEMod output files accurately define the construction schedule as starting on 10/15/24 and ending on 9/30/25. As such, the Project's construction schedule in CalEEMod is consistent with the Project Description. This is consistent with the instructions in the CalEEMod User's Guide that directs the user to use site-specific phasing. As discussed in the CalEEMod User's Guide, pages 33 through 35, the construction tab contains default information obtained from a survey of construction sites with a range of project types and sizes and provides default construction equipment lists and phase length data based on the total lot acreage of a project. The User's Guide states that if the user has more detailed site-specific equipment and phase information, the user should override the default values.

The analysis properly relied on Project-specific construction phases that accurately reflect the required construction activities necessary for Project buildout. The commenter has not provided any supporting documentation as to why the construction assumptions used in the analysis would not be representative of the

Project's construction. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.40: The comment states that the total construction duration modeled in the CalEEMod is 12 months. As a result, the construction schedule included in the model is overestimated and not consistent with the 11-month duration proposed by the DEIR. The comment states that by altering and extending some of the individual construction phase lengths without proper justification, the model assumes there are a greater number of days to complete the construction activities required by the prolonged phases.

Response O3.40: This comment does not provide any substantial evidence of a significant environmental impact. Please refer to Response O3.39 above. It should be noted that the comment erroneously states "construction schedule begins 10/1/2024 and ends 9/30/2024, resulting in a total construction duration of 12 months". Table 3-3 of the comment letter provides a snapshot of Appendix B, *Air Quality Analysis*, of the DEIR, where it specifically shows construction would begin on 10/15/24, not 10/1/24. The commenter has not provided any supporting documentation as to why the construction assumptions used in the analysis would not be representative of the Project's construction. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.41: The comment states that review of the CalEEMod output files demonstrates model changes to the default off-road construction equipment parameters, specifically the model assumes that all of the Project's off-road construction equipment fleet would meet Tier 4 Interim emissions standards. The comment states that the use of tier 4 interim emissions standards is not formally included as mitigation measures, and cannot guarantee that these standards would be implemented, monitored, and enforced on the Project site.

Response O3.41: In response to this comment, Section 5.6 of the DEIR, *Greenhouse Gas Emissions*, has been revised to include Tier 4 Interim construction equipment as a Project Design Feature (PDF). In compliance with the City of Menifee Good Neighbor Policies the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. This revision has been included in Chapter 3.0, *Revisions to the Draft EIR*, as part of the FEIR as follows:

5.6.9 PROJECT DESIGN FEATURES

PDF GHG-1: Tier 4 Interim Construction Equipment. In order to comply with the City of Menifee Good Neighbor Policies the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. Prior to grading permits, the City of Menifee Building and Safety Division shall confirm that the Project utilizes at minimum, Tier 4 Interim compliant construction equipment (or electric) as well as Tier 4 Interim compliant final engines. Offroad construction equipment shall be consistent with, and meet, at minimum, Tier 4 Interim standards as specified in Title 40 of the Code of Federal Regulations Part 1039. The Project shall also be required to keep construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items listed above. Maintenance records shall be kept on-site and furnished to the City upon request.

The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large

fleets, defined by the CARB as, "A fleet with a total max hp (as defined below) greater than 5,000 hp." In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.

Comment O3.42: The comment states that the CalEEMod output files include changes to the default construction architectural coating emission factor. The comment states that the model's reductions to the architectural coating emission factors are unsubstantiated for two reasons.

Response O3.42: The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.43: The comment states that the accuracy of the revised architectural coating emission factors cannot be verified based on the South Coast Air Quality Management District ("SCAQMD") Rule 1113 alone. The comment states that as the DEIR fails to explicitly require the use of a specific type of coating which would adhere to a specific VOC limit, they cannot verify the model's revised coating emission factors.

Response O3.43: This comment does not provide substantial evidence of a significant environmental impact. All Project air quality modeling has been conducted in conformance with SCAQMD requirements and applicable CalEEMod protocols, including modeling of VOCs. SCAQMD (the CEQA Responsible Agency for air quality considerations) has been provided all air quality modeling input and outputs, as detailed in Response A6.1. SCAQMD has not found the VOC modeling in CalEEMod to be deficient in any manner.

The commentor states that supporting air quality modeling has not been provided. This is inaccurate. Complete and accurate modeling of the Project air pollutant emissions is provided as Appendix 3.1 of the DEIR Appendix B, *Air Quality Analysis*. Modeling of Project air quality impacts reflects characteristics and attributes of this specific Project and its context. Any and all modeling inputs are consistent with applicable CalEEMod parameters and SCAQMD guidance and reflect extensive practical experience of the Project air quality expert. The intent of the Project air quality modeling is to establish a likely maximum impact scenario available to decision-makers for their consideration when evaluating the Project and its potential environmental impacts. Further, the excerpt provided in the comment identifies the square footage of the existing baseline use from the operational run and is not representative of the proposed Project. This analysis is adequate as presented.

While the limits outlined in Rule 1113 do vary, the architectural coatings that would commonly be used as part of construction for this type of project would fall into the building envelope coatings, flat/nonflat coatings, floor coatings, concrete surface retarder, roof coatings, and "default" coating categories, all of which have a limit of 50 g/L. As such, the analysis assumed a VOC content of 50 g/L for interior and exterior architectural coatings for Project construction. This is further specified in the 5.2 of the DEIR, *Air Quality*, as PPP-AQ-2 states the following:

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

The analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.44: The comment states that since the output files fail to demonstrate the architectural coating emission factors that the model relies on, we cannot verify that the values included in the model are accurate.

Response O3.44: Please refer to Response O3.43 above. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.45: The comment states that the Project's models should accurately reflect operational daily vehicle trip rates. The comment states that review of the CalEEMod output files demonstrates that the model

only includes a total of approximately 91 Saturday14 and 30 Sunday15 vehicle trips. The comment further states that the Saturday and Sunday trips are underestimated by a total of approximately 1,044 trips and 1,105 trips. As such, the comment states the trip rates input into the model are inconsistent with the information provided by the DEIR. The comment states by underestimated Saturday and Sunday operational vehicle trips, the model underestimates the Project's mobile-source operational emissions and should not be relied upon to determine Project significance.

Response O3.45: This comment does not provide substantial evidence of a significant environmental impact. As described in Response O3.43 above, all Project air quality modeling has been conducted in conformance with SCAQMD requirements and applicable CalEEMod protocols, including modeling of daily vehicle trip rates. SCAQMD (the CEQA Responsible Agency for air quality considerations) has been provided all air quality modeling input and outputs, as detailed in Response A6.1. SCAQMD has not found the daily vehicle trip rates modeling in CalEEMod to be deficient in any manner. The commentor states that supporting air quality modeling has not been provided. This is inaccurate. Complete and accurate modeling of the Project air pollutant emissions is provided as Appendix 3.1 of the DEIR Appendix B, *Air Quality Analysis*. Modeling of Project air quality impacts reflects characteristics and attributes of this specific Project and its context. Any and all modeling inputs are consistent with applicable CalEEMod parameters and SCAQMD guidance and reflect extensive practical experience of the Project air quality expert.

For the Saturday/Sunday trip rates, trips were calculated based on the ratio of weekday to weekend truck trips in the ITE Trip Generation Manual, 11th Edition. As such, this is based on actual data for similar facilities, and consistent with the data published in the DEIR Appendix K, *Traffic Impact Analysis*. This is to account for reduced operation at the facility that would occur on weekends vs. weekdays. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.46: The comment states that the CalEEMod output files show unsubstantiated changes to the default operational vehicle fleet mix, and they must be revised to show the percentages used to calculate the Project's operational emissions.

Response O3.46: This comment does not provide any substantial evidence that the Project would result in a significant environmental impact. Section 152049(c) of the CEQA Guidelines advises that comments should be accompanied by factual support, stating "[r]eviewers should explain the basis for their comments and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence." Where comments provide no facts or other substantial evidence to support an assertion, or where comments do not explain why the evidence supporting a conclusion in the DEIR is not substantial evidence, the Final EIR is not required to alter a significance determination of the DEIR. While CEQA permits disagreements of opinion with respect to environmental issues addressed in the EIR (see Section 15151 of the CEQA Guidelines ["disagreement among experts does not make an EIR inadequate . . . the courts have looked not for perfection but for adequacy, completeness, and a good faith effort at full disclosure"].) The DEIR for the proposed project provides an adequate, complete, and good faith effort at full disclosure of the physical environmental impacts of the proposed project and the conclusions are based upon substantial evidence in light of the whole record.

As discussed on page 49 of Appendix 3.2 of the *Air Quality Analysis* (Appendix B of the DEIR), trip generation rates used in CalEEMod for the Project were based on the Project's *Traffic Impact Analysis* (Appendix K of the DEIR), which identifies that the proposed Project would generate approximately 1,135 average daily trips, including 933 passenger vehicle trips, 15 two-axle truck trips, 28 three-axle truck trips, 43 four-axle truck trips, and 116 five+-axle truck trips.

Therefore, the modeling is conservative as it increases the percentage of medium duty truck trips from the default 1.73 percent to 2.5 percent and increases the percentage of heavy heavy duty (HHD) truck trips

from the default of 1.76 percent to assume 10.20 percent consistent with the VMT Analysis prepared for the proposed Project. As such, the commenter is incorrect that the modeling included unsubstantiated changes that may underestimate the Project's mobile source emissions. This analysis is adequate as presented. Therefore, no further response is required or provided.

Comment O3.47: This comment states that the commenter prepared an updated CalEEMod model, using the Project-specific information provided by the DEIR, omitting the changes to operational fleet mixes and states that NOx emissions would increase by approximately 370 percent and VOC emissions would increase by 449 percent, exceeding the applicable significance threshold resulting in a potentially significant air quality impact that was not previously identified or addressed in the DEIR.

Response O3.47: This comment does not provide any substantial evidence of a significant environmental impact. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled, analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. The modeling provided by the commenter included default operational fleet mix values that are not specific to the proposed Project as determined by the Lead Agency. In addition, the modeling provided by the commenter included additional import which does not reflect the Project grading plan. As these values do not represent the proposed Project, the increased emissions that result from them are also not applicable. No further response is warranted.

Comment O3.48: This comment states that the less than significant health risk impact based on the Mobile Health Risk Assessment in Appendix D to the DEIR is incorrect based off two reasons.

Response O3.48: The comment is introductory in nature and does not identify the specific issue with the adequacy of the DEIR. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.49: This comment states that the first reason the Health Risk Assessment is flawed is that it relies upon a flawed air model based on the comments mentioned above (in Comments O3.37 through O3.46) and thus should not be relied upon.

Response O3.49: Refer to Response O3.37 through O3.46. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the Project was properly modeled and analyzed, and the proposed Project would not result in potentially significant air quality or health risk impacts. No further response is warranted.

Comment O3.50: This comment states that the DEIR underestimates the exposure assumptions for fraction of time at home.

Response O3.50: As detailed in Section 5.2, *Air Quality*, of the DEIR, the HRA that was completed for the proposed Project provides the appropriate conservative analysis pursuant to SCAQMD, CARB, and OEHHA recommended methodology. Per OEHHA methodology, the HRA included refinements to identify potential effects to smaller human body weights and breathing rates to assess risk to children, which was done as detailed in the methodology provided on page 19 and 20 of the HRA (Appendix G of the DEIR). In addition, the HRA provides a conservative analysis by evaluating the closest receptors with the maximum potential emissions and continuous exposure (24-hours per day). Thus, stringent significance thresholds and methodology that is consistent with resource agency direction was utilized in the DEIR to determine potential impacts to residents and school children, which determined that impacts would be less than significant, and mitigation is not required. The thresholds utilized were based on the City's discretion (as Lead Agency) and are supported by substantial evidence from SCAQMD, CARB, and OEHHA.

Comment O3.51: This comment states that an impact can only be labeled as significant and unavoidable after all available, feasible mitigation is considered. The comment states that while the DEIR implements MM GHG-1 through MM GHG-8, the DEIR fails to implement all feasible mitigation measures.

Response O3.51: The comment is introductory in nature and does not identify any feasible mitigation measures. Please refer to Response O3.52 below, the DEIR adequately provides reasonable rationale supporting the proposed mitigation measures and the finding of infeasibility of further mitigation. As described in Section 5.6, *Greenhouse Gas Emissions*, and Appendix F, *Greenhouse Gas Analysis*, of the DEIR more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Therefore, mitigation measures tailored towards mobile source emission reductions are not feasible or commercially available.

While there are no feasible mitigation measures that would reduce vehicular emissions, electric vehicle supply equipment would be installed allowing charging stations to be supplied. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions are considered significant and unavoidable. Therefore, as disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR includes all feasible mitigation measures that are capable of substantially reducing the Project's GHG emissions and no revisions to the DEIR or additional mitigation measures are required. Because the comment does not express the specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Comment O3.52: This comment states that the DEIR fails to implement all feasible mitigation measures related to the Projects significant and unavoidable impact related to GHG emissions and provides a list of mitigation measures from the CA Department of Justice (DOJ) and CARB. Additionally, the comment also states that the DEIR fails to implement all feasible mitigation measures related to VOC emissions and NOx emissions and provides a list of mitigation measures found in the 2020 SCAG RTP/SCS Program EIR and the Department of Justice that incorporate feasible ways to include lower-emitting design features into the Project.

Response O3.52: This comment does not provide substantial evidence of a significant environmental impact. As discussed throughout these responses, and the Air Quality Report and Health Risk Analysis (Appendix B and G of the DEIR), the proposed Project was properly modeled and analyzed as part of the DEIR and the proposed Project would not result in significant air quality or health risk impacts. Significant and unavoidable impacts related to VOC, NOx, or any other criteria pollutant would not occur and there is no nexus related to the inclusion of mitigation for VOC or NOx. No mitigation is required.

GHG impacts would remain significant despite implementation of all feasible mitigation. The commenter provides a list of various suggested mitigation measures, many of which are already included in the DEIR and would be implemented by the Project Mitigation Monitoring and Reporting Program. The commenter does not provide any evidence that the suggested mitigation measures would actually or substantially reduce the Project's GHG emissions. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.).

The DEIR adequately provides reasonable rationale supporting the proposed mitigation measures and the finding of infeasibility of further mitigation. As described in Section 5.6, *Greenhouse Gas Emissions*, and Appendix F, *Greenhouse Gas Analysis*, of the DEIR more than 86 percent of all GHG emissions (by weight) would be generated by Project mobile sources (vehicle trips). Neither the Project Applicant nor the Lead Agency (City of Menifee) can substantively or materially affect reductions in Project mobile-source emissions beyond regulatory requirements imposed by the federal or State governments or the SCAQMD. Emissions associated with heavy duty trucks involved in goods movements are generally controlled by technology and through fleet turnover of older trucks and engines to newer and cleaner trucks and engines. The first battery-electric heavy-heavy duty trucks have not yet been integrated into large-scale truck operations due to difficulties in meeting the duty cycles required of current diesel-powered vehicles and long charging times. Therefore, mitigation measures tailored towards mobile source emission reductions are not feasible or commercially available.

While there are no feasible mitigation measures that would reduce vehicular emissions, electric vehicle supply equipment would be installed allowing charging stations to be supplied. Charging stations could lead to less use of gasoline-burning automobiles and thus, less GHG emissions. Nonetheless, GHG emissions are considered significant and unavoidable. Therefore, as disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR includes all feasible mitigation measures that are capable of substantially reducing the Project's GHG emissions and no revisions to the DEIR or additional mitigation measures are required.

Comment O3.53: This comment states that the commenter has received limited discovery regarding the Project, additional information may become available in the future; and the commentor retains the right to revise or amend this report when additional information becomes available.

Response O3.53: This comment is advisory in nature and discloses that the commenter has the right to revise the report as additional information becomes available. The comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is warranted.

2.19 LETTER O4: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE (1 PAGE)

From: Adam Salcido <asalcido@goldenstateeja.com>
Sent: Friday, July 5, 2024 1:26 PM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: Executive Director <executivedirector@goldenstateeja.com>; Assistant Executive Director <assistantexecutivedirector@goldenstateeja.com>; Josh Bourgeois <jbourgeois@goldenstateeja.com>; Steven Piepkorn <spiepkorn@goldenstateeja.com>; Ramon Amaya <ramaya@goldenstateeja.com>; Pete Sheehan <psheehan@goldenstateeja.com>; Stanley Saltzman <ssaltzman@goldenstateeja.com>
Subject: Murrieta Road Warehouse Project

You don't often get email from asalcido@goldenstateeja.com. Learn why this is important

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Good Afternoon Mr. Hamilton,

Please provide any updates to the above mentioned project.

I am requesting under Public Resource Code Section 21092.2 to add the email addresses and mailing address below to the notification list, regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for this project.

executivedirecton@goldenstateeja.com

assistantexecutivedirector@goldenstateeja.com

jbourgeois@goldenstateeja.com

asalcido@goldenstateeja.com

spiepkorn@goldenstateeja.com

ramaya@goldenstateeja.com

psheehan@goldenstateeja.com

ssaltzman@goldenstateeja.com

O4.1

2.20 RESPONSE TO LETTER O4: GOLDEN STATE ENVIRONMENTAL JUSTICE ALLIANCE, DATED JULY 5, 2024

Comment O4.1: This comment states that Golden State Justice Alliance would like to be added to the notification list regarding any subsequent environmental documents, public notices, public hearings, and notices of determination for the Project. The comment included eight email addresses and one mailing address.

Response O4.1: Golden State Justice Alliance will be added to the notification list and provided future notices for the proposed Project and Hearings. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

2.21 LETTER I1: ADRIENNE VENDOR (1 PAGE)

-----Original Message-----
From: Adrienne Vender <avender@usa.net>
Sent: Monday, May 27, 2024 6:18 PM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Cc: rkarwin@karwinlaw.com
Subject: Planned Warehouse ,Case No. DEV2022-017. PLN22-0179

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

Dear Brett,

Our neighborhood on Floyd Avenue as well as McLaughlin residences were at a meeting last November 28th, 2023. A follow-up letter was delivered to you as required.

As of today, seven months later, we have not received any information on the potential mega-warehouse you are planning on building between our homes off of Murrieta Road. 11.1

What we have seen are trucks, flags on the property and all along Geary Street. What was said to a neighbor was, they are preparing for sewers for the planned building there.

Why haven't we been told about this, if they know, and what happened to Menifee's Good Neighbor Policy?

Adrienne Vender
25820 Floyd Ave
Menifee, 92585
951-657-3009

2.22 RESPONSE TO LETTER I1: ADRIENNE VENDOR, DATED MAY 27, 2024

Comment I1.1: This comment states that the residents on Floyd Avenue and Mclaughlin held a meeting and delivered a follow up letter to the City. The comment further states that the neighbors have not received any information on the Project in seven months and nearby residences have viewed trucks on the property preparing to put in sewer lines. The comment concludes in asking about the Menifee Good Neighbor Policy.

Response I1.1: The comment does not raise any specific concerns with the adequacy of the DEIR or raise any other CEQA issue. On May 24, 2024, a Notice of Availability (NOA) was mailed to property owners within a 500-foot radius of the Project site. The NOA contained information regarding the DEIR document related to the Project as well as information on where to obtain the document and how to comment on the Project. Prior to the NOA, a Notice of Preparation (NOP) was mailed to property owners within the 500-foot radius of the Project site on November 7, 2023, giving notice that a DEIR was being prepared for the proposed Project. The NOP similarly provided details for how the public could comment on the proposed Project as well as notified residents of the Scoping Meeting on November 28, 2023, which provided another opportunity for residents to hear about the Project as well as comment on the proposed Project. The purpose of the NOP was to solicit early comments from public agencies with expertise in subjects that are discussed in the DEIR and to solicit comments from the public regarding potential Project environmental impacts. In addition, construction activities would not begin on the Project site until after approval of the Project and Certification of the FEIR document. Any construction activity near the site that is currently ongoing is not associated with the proposed Project. The Project's consistency with the City of Menifee's Good Neighbor Policies are shown in Table 5.9-3 of the DEIR. Thus, no further response is warranted.

2.23 LETTER I2: BOB POWELL (1 PAGE)

From: Robert Powell <bobpowell1975@gmail.com>
Sent: Tuesday, May 28, 2024 12:04 PM
To: Brett Hamilton <bhamilton@cityofmenifee.us>
Subject: Re: Warehouse project south of Ethanac and west of Murrieta Road

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

On Tue, May 28, 2024 at 12:02 PM Robert Powell <bobpowell1975@gmail.com> wrote:

> I live on Floyd Ave and am expressing concerns about the proposed warehouse south of Floyd Ave.
> Concerns are:Noise, traffic, flooding, and air pollution that will impact my residential area.
> We live on a dirt road that is maintained by the residents on Floyd Ave. The cost and labor involved for maintenance is paid for by the residents that live here.
> We need to have a dead end at Floyd and east side of Geary roads. This will help with traffic on our street and road deterioration.
> Thank you-
> Bob Powell

12.1

2.24 RESPONSE TO LETTER I2: BOB POWELL, DATED MAY 28, 2024

Comment I2.1: This Comment states that the commenter has concerns regarding noise, traffic, flooding, and air pollution in the Project area. The comment also states that they live on a dirt road which is maintained by residents on Floyd Avenue and suggests that a dead end at Floyd Avenue and the east side of Geary Road to help with traffic congestion.

Response I2.1: This comment does not raise a specific issue with the adequacy of the DEIR. Impacts related to noise, traffic, flooding, and air pollution are discussed in Section 5.10, 5,12, 5.8, and 5.2 of the DEIR, respectively. As described in the DEIR within Section 5.2, *Air Quality*, impacts would be less than significant. Furthermore, the proposed Project would be required to comply with PPP AQ-1 through PPP AQ-4, including compliance with the provisions of South Coast Air Quality Management District. As described in the DEIR within Section 5.8, *Hydrology and Water Quality*, impacts would be less than significant. Furthermore, the proposed Project would be required to comply with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB) and would be required to prepare a WQMP that shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters. As described in the DEIR within Section 5.10, *Noise*, the proposed Project would result in potentially significant impacts due to offsite traffic noise increases, and there are no feasible mitigation measures to reduce impacts. As described in the DEIR within Section 5.12, *Transportation*, impacts would be less than significant.

No improvements are proposed on Floyd Avenue and no extension of Floyd Avenue beyond what is existing in proposed. Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road, including through the intersection with Floyd Avenue. Trucks accessing the site via the driveways on Geary Street and Murrieta Road Ethanac Road north of the Project site, no vehicles related to the proposed Project would utilize Floyd Avenue.

2.25 LETTER I3: KIMBERLY AND MOO TANG (2 PAGES)

June 26, 2024

City of Menifee, Community Development Department
Attn: Brett Hamilton, Senior Planner
29844 Haun Road
Menifee, CA 92586
951-723-3747

Re: "Murrieta Road Warehouse Project"

Dear Mr. Hamilton,

Our names are Kimberly and Moo Tang and we own the home located at 25815 Floyd Ave., Menifee, CA 92585. We purchased our home in February 2024 and have two young boys ages 6 and 4. We are writing regarding the Murrieta Road Warehouse proposed project, which will run along the entire backend and side of our property line. 13.1

Prior to purchasing our home, we did reach out to you and Kayla Charters to get more information about the project. We were made aware of the potential build behind the property, but were told it would be "light industrial," and not anywhere did it appear Geary St. would be impacted. This comes as a disappointment and proposes a HUGE safety concern of our kids and the kids within the neighborhood as they cross Geary St. and Floyd Ave. daily to get to each other's homes (whether it be walking, riding bikes/ motorcycles, etc. or simply having an area to ride and play together uninterrupted by vehicles). Our neighborhood is very safe and with only having a handful of homes west of us, we very rarely get any passing vehicles coming down Floyd Ave. or Geary St. This project would change the whole dynamic of our rural neighborhood with the warehouse behind us and the passing by of vehicles and trucks daily will create an environment that presents safety risks with no sidewalks, no stop signs, no stop lights—while the area in front of the project site will include some of these additions for a safer roadway. 13.2

We also wanted to address noise and air quality issues. We have less than 20 homes on Floyd Ave. and no homes behind our property. The proposed project talks about hundreds of daily trips of passenger vehicles and trucks—many of which are not only operating directly behind our home, but are going to have access to Geary St. which runs alongside our entire property line as well. Comparing our current rural living conditions to this proposed project, we have great concern of the impact and our exposure to additional noise and unhealthy air quality simply based on the types of trucks and significantly increased volume of vehicles coming and going, as well as idling within the project site. How would a project of this size not have an impact on the surrounding residential neighborhoods? It seems there would need to be many mitigated factors in place for it not to be a concern for our family and neighbors. 13.3

We understand there will be a retaining/ screening wall along the northern property line, which may decrease our exposure some, but as soon as vehicles exit the northern driveway, we then have 100% exposure as they drive on Geary St. In addition, it is noted that the southern driveway on Geary St. would be limited to 2-axle trucks only on a private driveway, but all other trucks would utilize the northern driveway (nearest to our home), hence even more exposure. Even just doubling the number of vehicles currently would create more noise and pollution, then 13.4

to add huge trucks coming and going—there will be a greater chance of us, our kids, and fellow neighbors being exposed to poor air quality and it's negative impacts on our health, as well as a noise disturbance to our daily lives—again 24/7. 13.5

Additionally, the plan doesn't address our residential street and the impact the project will have on us. There will be a paved road (Geary St.) that crosses Floyd Ave. (that will remain a dirt road?) What could that transition potentially look like especially during rain? Any addition of curbs and sidewalks will only be developed along the "frontage on Geary, Murrieta Road, and the new driveway south of the building" which is nice, but in reality the greater scope of this project, effects much more than just the project site with limited planning of how the residences on Floyd Ave. will truly be impacted. Where we are able to safely walk now around our neighborhood, will not be the case on roadways without additional measures put into place. We will basically be boxed in as the Murrieta Road Warehouse Project operates and circulates around us. 13.6

Speaking of operating around us and Murrieta Rd. specifically, the increased number of vehicles for this project turning onto Murrieta Rd. from Ethanac presents concern of traffic and longer wait times to enter/ exit Floyd Ave., in addition to an increased number of the general public, employee's from the project, or truck driver's (basically, not residence's) using Floyd Ave. as they navigate to and from the project site or to go around it. 13.7

Overall, our greatest concern is the project size in general and the multiple factors we will be faced with, in addition to the use of Geary St. to operate "off-site." It seems like such an odd place to put this huge warehouse, with thousands of additional vehicles and trucks of ALL sizes between two residential neighborhoods, as it comes with risks, concerns, and a massive impact to our quality of life. Our proposal would be to downsize the project so that it only operates within the project site with less exposure across the board and fully eliminating the use of Geary St. or buy us out. 13.8

We hope that you take our concerns into consideration and the negative impact the project will have on our family, our wellbeing, and daily lives. 13.9

Sincerely,

Kimberly Tang
951-427-8819

Moo Tang
323-360-7966

2.26 RESPONSE TO LETTER I3: KIMBERLY AND MOO TANG, DATED JUNE 26, 2024

Comment I3.1: This comment provides an introduction to the comment letter and states that the Project will be located along the commenters back side of their property.

Response I3.1: The comment is introductory in nature and does not raise a specific issue with the adequacy of the DEIR or raise any other CEQA issue. Therefore, no further response is required or provided.

Comment I3.2: This comment states that the commenter reached out to the city previously regarding the Project and was not made aware of the improvement related to Geary Street. The comment expresses concern for safety at the intersection of Floyd Avenue and Geary Street due to the increase in trucks accessing the site via Geary Street.

Response I3.2: As discussed in Section 5.12, *Transportation*, of the DEIR, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. This portion of the roadway improvement not abutting the Project site boundary would include paving at a width of 36-feet and would not include the construction of sidewalks or curbs. All road improvements would be subject to a street improvement plan review by the City, which would ensure that road improvements are design and constructed according to City standards. Trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access to the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. Truck circulation would not access the site via Ethanac Road southbound on Geary Street. Furthermore, it should be noted that the proposed Project would comply with the City's Industrial Good Neighbor Policies which require that warehouse, logistics, and distribution to minimize impacts to sensitive uses, protect of public health, safety, and welfare by regulating the design, location and operation of facilities; and protect neighborhood character of adjacent communities. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment I3.3: This comment states that they would like noise and air quality issues addressed due to the proximity of the warehouse and the truck routes to the nearby residences. The comment further states that the additional noise and unhealthy air quality impacts imposed from the Project should mitigated thoroughly.

Response I3.3: Impacts related to air quality and noise are discussed in Sections 5.2, *Air Quality*, and 5.10, *Noise*, of the DEIR. Impacts related to regional air quality as well as for localized significance thresholds were found to be less than significant with the implementation of SCAQMD rules and guidelines. A construction and operational Health Risk Assessment was also conducted and included as Appendix G to the DEIR found that cancer and non-cancer health risks would be below thresholds through both construction and operation of the proposed Project. Noise impacts were analyzed in Section 5.10 of the DEIR and found that noise impacts to sensitive receptors during construction activities would be less than significant with the implementation of PPP NOI-1 and PPP NOI-2 and Project Design Features 1 through 6. Impacts related to the operation of the proposed warehouse would also be less than significant, however noise generated from offsite traffic would result in a significant and unavoidable impact on Geary Road. Section 5.10 of the DEIR explores potential mitigation measures such as noise barriers and rubberized asphalt and came to the conclusion that these measures are not feasible to reduce impacts, consistent with the findings of the General Plan EIR. The commenter does not provide any evidence that the suggested mitigation measures would

actually or substantially reduce the Project's noise and air quality impacts. CEQA does not require adoption of every imaginable mitigation measure. CEQA's requirement applies only to feasible mitigation that will "substantially lessen" a project's significant effects (Public Resources Code Section 21002). As explained by one court: A lead agency's "duty to condition project approval on incorporation of feasible mitigation measures only exists when such measures would [avoid or] 'substantially lessen' a significant environmental effect." (San Franciscans for Reasonable Growth v. City and County of San Francisco (1989) 209 Cal.App.3d 1502, 1519.) "Thus, the agency need not, under CEQA, adopt every nickel and dime mitigation scheme brought to its attention or proposed in the project EIR." (Ibid.) Rather, an EIR should focus on mitigation measures that are feasible, practical, and effective (Napa Citizens for Honest Government v. Napa County Board of Supervisors (2001) 91 Cal.App.4th 342, 365.). As disclosed in the DEIR and supported by substantial evidence in the record, the proposed Project's EIR discusses all feasible mitigation measures that are capable of substantially reducing the Project's noise impacts and no revisions to the EIR or additional mitigation measures are required.

Comment I3.5: This comment further states that while there is a proposed retaining wall along the northern property line, residences along Floyd Avenue are still greatly exposed to potential air and noise impacts from trucks utilizing Geary Street.

Response I3.5: Please see Response L3.4 above. Impacts related to regional air quality as well as for localized significance thresholds were found to be less than significant with the implementation of SCAQMD rules and guidelines. A construction and operational Health Risk Assessment was also conducted and included as Appendix G to the DEIR found that cancer and non-cancer health risks would be below thresholds through both construction and operation of the proposed Project. Noise impacts were analyzed in Section 5.10 of the DEIR and found that noise impacts to sensitive receptors during construction activities would be less than significant with the implementation of PPP NOI-1 and 2 and Project Design Features 1 through 6. Impacts related to the operation of the proposed warehouse would also be less than significant, however noise generated from offsite traffic would result in a significant and unavoidable impact on Geary Road. Section 5.10 of the DEIR explores potential mitigation measures such as noise barriers and rubberized asphalt and came to the conclusion that these measures are not feasible to reduce impacts, consistent with the findings of the General Plan EIR. The commenter does not provide any evidence that the suggested mitigation measures would actually or substantially reduce the Project's noise and air quality impacts.

Comment I3.6: This comment states that the DEIR does not adequately analyze the impacts from the proposed Project on the residences on Floyd Avenue and the improvement along Geary Street.

Response I3.6: As discussed in Section 5.12, *Transportation*, of the DEIR, the Project would improve the existing dirt road portion of Geary Street from the northwestern end of the Project site north to Ethanac Road. This portion of the roadway improvement not abutting the Project site boundary would include paving at a width of 36-feet and would not include the construction of sidewalks or curbs. All road improvements would be subject to a street improvement plan review by the City, which would ensure that road improvements are design and constructed according to City standards. Trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment I3.7: This comment expresses concern for the longer wait times at the entrance of Floyd Avenue on Murrieta Road due to the increase in traffic from trucks and workers accessing the site.

Response I3.7: Per CEQA Guidelines Section 15064.3, automobile delay is no longer considered an environmental impact under CEQA, and therefore this comment does not raise concerns within the scope of CEQA. The discussion included in the DEIR concerning Level of Service (LOS) was provided for informational purposes only for the City's use in evaluating the proposed Project and considering conditions of approval outside of CEQA's framework. This is clearly identified in Section 5.12, *Transportation*, where it states that the LOS analysis is intended for "Non-CEQA Level of Service Analysis – For Informational Purposes Only."

Furthermore, it should be noted that a global Traffic Study for the MEDC area, including the addition of a truck corridor south of Ethanac Road, is currently being prepared in coordination with the City of Menifee and the City of Perris. Appendix K, *Traffic Impact Analysis*, of the DEIR analyzes trucks utilizing Ethanac Road as a worst-case scenario for recommended improvements along Ethanac Road. Furthermore, the Traffic Impact Analysis provides an analysis and recommended improvements for both Project specific traffic-related impacts and cumulative traffic-related impacts. This comment does not raise a deficiency with the DEIR's analysis and therefore no further response is warranted.

Comment I3.8: This comment states that the greatest concern for the commenter is the Project size and the use of Geary Street to operate "off-site." The commenter further states that the Project is poorly cited for its proposed warehouses use and should be downsized to only operate within the Project site or to buy the nearby residences out of their property.

Response I3.8: The commenter incorrectly states that the Project proposes "off-site" operational activity on Geary Street. Geary Street would be improved and paved which would result in construction activities and would be utilized for outbound truck circulation exiting the Project site northbound. Once operational, trucks traveling to the Project site would primarily utilize Ethanac Road westbound, to Murrieta Road southbound. Truck traffic would then either access the site via the northern and southern driveways on Murrieta Road or would utilize the private truck only driveway along the south portion of the site to Geary Street northbound. All trucks traveling northbound on Geary Street would have access the northern driveway, while access to the southern driveway would be limited to 2-axle trucks only. Truck traffic would then exit the site northbound on Murrieta Road via the northern most driveway with the provision of a traffic signal and would also exit the site via Geary Street northbound for the other driveways. The proposed Project's impacts on the nearby residences are adequately disclosed throughout the DEIR document, and this comment does not warrant any further changes to the DEIR.

Comment I3.9: This comment concludes the letter by stating that the negative impact on the commenters' daily lives should be taken into consideration.

Response I3.9: This comment is conclusionary in nature and does not raise a specific issue with the adequacy of the DEIR. Because the comment does not express any specific concern or question regarding the adequacy of the DEIR, no further response is required or provided.

Revisions to the Draft EIR

This section contains revisions to the Draft EIR based upon: (1) clarifications required to prepare a response to a specific comment; and/or (2) typographical errors. The revisions do not alter any of the significance conclusions that were previously disclosed in the Draft EIR. Changes made to the Draft EIR are identified here in ~~strikeout~~ text to indicate deletions and in bold double underlined text (i.e., **bold double underlined**) to signify additions. These changes are meant to provide clarification, corrections, or minor revisions made to the Draft EIR initiated by the Lead Agency, the City of Menifee, and reviewing agencies, the public, and/or consultants based on their review. Text changes are presented in the section and page order in which they appear in the Draft EIR. None of the corrections or additions constitute significant new information or substantial project changes that, in accordance with CEQA Guidelines Section 15088.5, would trigger the need to recirculate portions or all of the Draft EIR.

3.1 REVISIONS IN RESPONSE TO WRITTEN COMMENTS AND CITY CHANGES TO TEXT

The following text, organized by Draft EIR Sections, has been revised in response to comments received on the Draft EIR and corrections identified by the City.

Section 1.0, Executive Summary

Page 1-4, Section 1.3, *Project Objectives,* is revised as follows:

1.3 PROJECT OBJECTIVES

The Murrieta Road Warehouse Project has been designed to meet a series of Project-specific objectives that have been carefully crafted in order to aid decision makers in their review of the Project and its associated environmental impacts. The primary purpose of the proposed Project is to develop a vacant or underutilized property with a speculative warehouse building to provide an employment-generating use to help grow the economy in the City of Menifee. The Project would achieve this goal through the following objectives.

1. To make efficient use of underutilized property in the City of Menifee by adding to its potential for employment-generating uses.
2. To attract new business and employment to Menifee and thereby promote economic growth.
3. To create new jobs to reduce the need for members of the local workforce to commute outside the Project vicinity to work.
4. To develop an underutilized property ~~to host industrial uses~~ as permissible under current ~~land use and~~ zoning code**, to help meet demand for businesses in the City and in the Inland Empire.**
5. **To provide a development consistent with the existing General Plan and zoning** ~~To develop a new industrial project~~ that is located along, and would utilize, a designated truck route to limit truck traffic through residential neighborhoods.
6. To develop an underutilized property consistent with the current General Plan and zoning that is conveniently located in the vicinity of I-215 and has access to available infrastructure, including roads and utilities to accommodate the growing need for goods movement within the region.

Section 3.0, Project Description

Page 3-2, Section 3.3, *Project Objectives*, is revised as follows:

3.3. PROJECT OBJECTIVES

The Murrieta Road Warehouse Project has been designed to meet a series of Project-specific objectives that have been carefully crafted in order to aid decision makers in their review of the Project and its associated environmental impacts. The primary purpose of the proposed Project is to develop a vacant or underutilized property with a speculative warehouse building to provide an employment-generating use to help grow the economy in the City of Menifee. The Project would achieve this goal through the following objectives.

1. To make efficient use of underutilized property in the City of Menifee by adding to its potential for employment-generating uses.
2. To attract new business and employment to Menifee and thereby promote economic growth.
3. To create new jobs to reduce the need for members of the local workforce to commute outside the Project vicinity to work.
4. To develop an underutilized property ~~to host industrial uses~~ as permissible under current ~~land use and~~ zoning code**, to help meet demand for businesses in the City and in the Inland Empire.**
5. **To provide a development consistent with the existing General Plan and zoning** ~~To develop a new industrial project~~ that is located along, and would utilize, a designated truck route to limit truck traffic through residential neighborhoods.
6. To develop an underutilized property consistent with the current General Plan and zoning that is conveniently located in the vicinity of I-215 and has access to available infrastructure, including roads and utilities to accommodate the growing need for goods movement within the region.

Section 5.2, Air Quality

Page 5.2-41 and 5.2-42, in Section 5.2.8, *Existing Plans, Programs, and Policies*, is revised as follows:

Plans, Programs, and Policies

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

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

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

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

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

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

Section 5.3, Biological Resources

Page 5.3-22, Section 5.3.11, *Mitigation Measures*, is revised as follows:

5.3.11 MITIGATION MEASURES

Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. A 30-day preconstruction survey is required prior to the commencement of project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding project activities. A qualified biologist shall conduct the survey and submit the results of the survey to the City of Menifee Planning Division prior to obtaining a grading permit.

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

If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a preconstruction survey will again be required to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above shall be required.

Section 5.6, Greenhouse Gas Emissions

Page 5.6-21, Section 5.6.9, *Project Design Features,* is revised as follows:

5.6.9 PROJECT DESIGN FEATURES

~~None.~~

PDF GHG-1: Tier 4 Interim Construction Equipment. In order to comply with the City of Menifee Good Neighbor Policies, the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. Prior to grading permits, the City of Menifee Building and Safety Division shall confirm that the Project utilizes, at minimum, Tier 4 Interim compliant construction equipment (or electric) as well as Tier 4 Interim compliant final engines. Offroad construction equipment shall be consistent with, and meet, at minimum, Tier 4 Interim standards as specified in Title 40 of the Code of Federal Regulations Part 1039. The Project shall also be required to keep construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items listed above. Maintenance records shall be kept on-site and furnished to the City upon request.

The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large fleets, defined by the CARB as, "a fleet with a total max hp (as defined below) greater than 5,000 hp." In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.

Section 5.9, Land Use and Planning

Page 5.9-12, Table 5.9-1: SCAG RTP/SCS Consistency Analysis, is revised as follows:

Table 5.9-1: SCAG RTP/SCS Consistency Analysis

RTP/SCS Goal Statements	Project Consistency
Goal 5: Reduce greenhouse gas emissions and improve air quality.	**Consistent.** While the Project would not improve air quality **and would have a significant and unavoidable GHG emissions impact as described in Section 5.6, *Greenhouse Gas Emissions,*** it would not prevent SCAG from implementing actions that would improve air quality within the region. Mitigation measures are specified to reduce the Project's greenhouse gas impacts to the maximum extent feasible, and the Project would incorporate various measures related to building design, landscaping, and energy systems to promote the efficient use of energy, pursuant to Title 24 CALGreen Code and Building Energy

RTP/SCS Goal Statements	Project Consistency
	Efficiency Standards. **Furthermore, as discussed within Section 5.2, *Air Quality*, the proposed Project would be below SCAQMD thresholds for criteria air pollutants.**
Goal 6: Support healthy and equitable communities.	**Consistent.** The Project would be constructed consistent with the City of Menifee General Plan land use designation/zoning classification and associated development standards. The Project would be constructed to current building codes, and state and federal requirements including Green Building Standards. The development of the Project would also increase employment for the City and its residents. **Furthermore, a Health Risk Assessment (Appendix G) was prepared for the proposed Project and determined all health risk levels to nearby residents, workers, and schools from operation-related emissions of TACs would be well below the SCAQMD's HRA thresholds and impacts would be less than significant.**
Goal 7: Adapt to a changing climate and support an integrated regional development pattern and transportation network.	**Consistent.** This policy would be implemented by cities and the counties within the SCAG region as part of the overall planning and maintenance of the regional transportation system. **Although the proposed Project would have a significant and unavoidable GHG emissions impact as described in Section 5.6, *Greenhouse Gas Emissions*, implementation of the proposed** Project would not conflict with this goal. **Furthermore, the proposed Project would implement all feasible mitigation measures, including MM GHG-1 through MM GHG-89, as described within Section 5.6, *Greenhouse Gas Emissions*.**

Section 5.10, Noise

Page 5.10-32, Section 5.10.6, *Environmental Impacts*, is revised as follows:

Off-Site Traffic Noise

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

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

Road and right-out turn movements for trucks would not be allowed. Under Project Scenario 2, the northern most driveway on Murrieta Road would be a signalized intersection upon activation.

Page 5.10-24, Section 5.10.7, *Cumulative Impacts*, is revised as follows:

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

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

Figure 5.10-24: Cumulative Offsite Traffic Noise Increases

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

Source: Urban Crossroads, 2024 (Appendix A).

Page 5.10-42, Section 5.10.8, *Existing Regulations and Plans, Programs, or Policies*, is revised as follows:

PPP NOI-2: Off-site Construction Noise on Ethanac Road. Construction associated with **the** off-site **storm drain line** improvements~~,~~ **specifically the portion of construction of the offsite storm drain line improvement on Ethanac Road within the City of Perris Jurisdiction,** ~~on Ethanac Road are~~ **is** required to adhere to the construction noise hours permitted by Section 7.34.060 of the Perris Municipal Code which states: construction is permitted between the hours of 7:00 a.m. of any day and 7:00 p.m. of the following day, and is not permitted on Sundays or on any legal holiday, with the exception of Columbus Day and Washington's birthday.

Appendix H, Noise Report

Appendix H of the DEIR has been revised and is included as Appendix A of the FEIR:

Page 38 of Appendix A includes revisions to Section 7.6, *Offsite Cumulative Traffic Impacts*, consistent with the above revisions to the DEIR Section 5.10*, Noise*. Page 43 of Appendix A now includes the addition of Table 7-11, *Cumulative Offsite Traffic Noise Increases*, consistent with the above revisions to the DEIR Section 5.10*, Noise*.

Appendix K, Traffic Impact Analysis

Appendix K of the DEIR has been revised and is included as Appendix B of the FEIR:

Table 5.5 within Appendix C, Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 1 – No Signal), has been revised to show the correct Opening Year AM Peak Hour Delay for Intersection #8 consistent with Table 5.6 of Appendix C, *Opening Year Cumulative With Project AM and PM Peak Hour Level of Service (Scenario 2 – With Signal)*.

4. Mitigation Monitoring and Reporting Program

4.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires a lead or public agency that approves or carries out a project for which an Environmental Impact Report has been certified which identifies one or more significant adverse environmental effects and where findings with respect to changes or alterations in the project have been made, to adopt a "…reporting or monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA, Public Resources Code Sections 21081, 21081.6).

A Mitigation Monitoring and Reporting Program (MMRP) is required to ensure that adopted mitigation measures are successfully implemented for the Murrieta Road Warehouse Project (Project). The City of Menifee is the Lead Agency for the Project and is responsible for implementation of the MMRP. This section describes the MMRP for the Project and identifies the parties that will be responsible for monitoring implementation of the individual mitigation measures in the MMRP.

4.2 MITIGATION MONITORING AND REPORTING PROGRAM

The MMRP for the Project will be active through all phases of the Project, including design, construction, and operation. The attached table identifies the mitigation program required to be implemented by the City for the Murrieta Road Warehouse Project. The table identifies the Standard Conditions of Approval; Plans, Programs, and Policies (PPPs); Project Design Features (PDFs); and Mitigation Measures required by the City to mitigate or avoid significant adverse impacts associated with the implementation of the Project, the timing of implementation, and the responsible party or parties for monitoring compliance.

The MMRP also includes a column that will be used by the compliance monitor (individual responsible for monitoring compliance) to document when implementation of the measure is completed. As the PPPs and Mitigation Measures are completed, the compliance monitor will sign and date the MMRP, indicating that the required actions have been completed.

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Table 4-1: Mitigation Monitoring and Reporting Program
Murrieta Road Warehouse Project Final EIR

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
AIR QUALITY			
Plan, Program, or Policy (PPP) AQ-1: SCAQMD Rule 403. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 403, which includes the following: • All clearing, grading, earth-moving, or excavation activities shall cease when winds exceed 25 mph per SCAQMD guidelines in order to limit fugitive dust emissions. • The contractor shall ensure that all disturbed unpaved roads and disturbed areas within the Project are watered at least three (3) times daily during dry weather. Watering, with complete coverage of disturbed areas, shall occur at least three times a day, preferably in the mid-morning, afternoon, and after work is done for the day. • The contractor shall ensure that traffic speeds on unpaved roads and Project site areas are reduced to 15 miles per hour or less.	In construction plans and specifications. Prior to construction permits.	City of Menifee Engineering/Public Works Department and SCAQMD.	
Plan, Program, or Policy (PPP) AQ-2: SCAQMD Rule 1113. The Project is required to comply with the provisions of South Coast Air Quality Management District Rule (SCAQMD) Rule 1113. Only "Low-Volatile Organic Compounds" paints (no more than 50 gram/liter of VOC) and/or High Pressure Low Volume (HPLV) applications shall be used.	In construction plans and specifications. Prior to construction permits.	City of Menifee Building & Safety Division and SCAQMD.	
Plan, Program, or Policy (PPP) AQ-3: Rule 402. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 402. The Project shall not discharge from any source whatsoever such quantities of air contaminants or other material which cause injury, detriment, nuisance, or annoyance to any considerable number of persons or to the public, or which endanger the comfort, repose, health or safety of any such persons or the public, or which cause, or have a natural tendency to cause, injury or damage to business or property.	In construction plans and specifications. During Project operation. Prior to grading and building permits.	City of Menifee Building & Safety Division, Engineering/Public Works Department, and SCAQMD.	
Plan, Program, or Policy (PPP) AQ-4: Rule 1470 – Requirements for Stationary Diesel-Fueled Internal Combustion and Other Compression Ignition Engines. The Project is required to obtain a permit from SCAQMD for the proposed diesel fire pump and would be required to comply with Rule 1470, regulating the use of diesel-fueled internal combustion engines.	Prior to issuance of certificates of occupancy permits.	City of Menifee Building & Safety Division and SCAQMD.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Plan, Program, or Policy PPP AQ-5: Rule 2305 - Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. The Project is required to comply with the provisions of South Coast Air Quality Management District (SCAQMD) Rule 2305 and Rule 316.	Prior to issuance of certificates of occupancy permits.	City of Menifee Building & Safety Division and SCAQMD.	
BIOLOGICAL RESOURCES			
Plan, Program, or Policy (PPP) BIO-1: California Fish and Game Code, Sections 3503.5, 3511, 3515. Section 3503.5 of the California Fish and Game Code states that it is "unlawful to take, possess, or destroy any birds in the order Falconiformes or Strigiformes (birds of prey) or to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by this code or any regulation adopted pursuant thereto." Activities that result in the abandonment of an active bird of prey nest may also be considered in violation of this code. In addition, California Fish and Game Code, Section 3511 prohibits the taking of any bird listed as fully protected, and California Fish and Game Code, Section 3515 states that is it unlawful to take any non-game migratory bird protected under the MBTA.	Prior to the issuance of grading permits.	Qualified biologist and City of Menifee Community Development Department.	
Mitigation Measure BIO-1: Burrowing Owl Pre-construction Surveys. A 30-day preconstruction survey is required prior to the commencement of project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering) to ensure that no owls have colonized the site in the days or weeks preceding project activities. A qualified biologist shall conduct the survey and submit the results of the survey to the City of Menifee Planning Division prior to obtaining a grading permit. If burrowing owl are not detected during the preconstruction survey, no further mitigation is required. If active burrowing owl burrows are detected during the breeding season, the on-site biologist will review and establish a conservative avoidance buffer surrounding the nest based on their best professional judgment and experience and verify compliance with this buffer and will verify the nesting effort has finished. Work can resume when no other active burrowing owl nesting efforts are observed within the established buffer area. If active burrowing owl burrows are detected outside the breeding season, then passive and/or active relocation pursuant to a Burrowing Owl Plan that shall be prepared by the Applicant and approved by the City in consultation with CDFW, or the Project Developer shall stop construction activities within the buffer zone established around the active nest and shall not resume construction activities until the nest is no longer active.	Prior to the commencement of Project activities (e.g., vegetation clearing, clearing and grubbing, tree removal, site watering).	Qualified biologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
The Burrowing Owl Plan shall be prepared in accordance with guidelines in the MSHCP. Burrowing owl burrows shall be excavated with hand tools by a qualified biologist when determined to be unoccupied and backfilled to ensure that animals do not reenter the holes/dens. If ground-disturbing activities occur but the site is left undisturbed for more than 30 days, a preconstruction survey will again be required to ensure burrowing owl has not colonized the site since it was last disturbed. If burrowing owl is found, the same coordination described above shall be required.			
Mitigation Measure BIO-2: Nesting Bird Survey. Vegetation removal is recommended to be conducted during the non-nesting season for migratory birds to avoid direct impacts. The non-nesting season is between September 1 and January 31. If vegetation removal occurs during the migratory bird nesting season, between February 1 and August 31, pre-construction nesting bird surveys shall be performed within three days prior to vegetation removal or ground disturbing activities. The biologist conducting the clearance survey shall document a negative survey with a brief letter report indicating that no impacts to active avian nests will occur. If active nests are found during nesting bird surveys, they shall be flagged and a no-disturbance buffer (generally 300 feet for migratory and non-migratory songbirds and 500 feet for raptors and special status species) shall be determined by the biologist and will depend on the level of noise and/or surrounding anthropogenic disturbances, line of sight between the nest and the construction activity, ambient noise, species habituation, and topographical barriers. These factors will be evaluated on a case-by-case basis when developing buffer distances. Limits of construction to avoid an active nest will be established in the field with flagging, fencing, or other appropriate barriers; and construction personnel will be instructed on the sensitivity of nest areas. A biological monitor should be present to delineate the boundaries of the buffer area and to monitor the active nest to ensure that nesting behavior is not adversely affected by the construction activity. A biological monitor shall visit the site a minimum of once a week during ground disturbing activities to ensure all fencing is in place and no sensitive species are being impacted. Once the young have fledged and left the nest, or the nest otherwise becomes inactive under natural conditions, construction activities within the buffer area can occur.	Prior to the issuance of grading permits. Conduct take avoidance surveys for nesting birds if vegetation removal occurs during nesting bird season. Submittal of pre-activity nesting bird field survey results report (during Feb 1 – Aug 31). Three days prior to initiating vegetation removal/clearing.	Qualified biologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
CULTURAL RESOURCES			
Mitigation Measure CUL-1: Cultural Resources Monitoring Program. Monitoring during ground-disturbing activities, such as grading or trenching, by a qualified archaeologist is required to ensure that if buried features (*i.e.,* human remains, hearths, or cultural deposits) are present, they will be handled in a timely and proper manner. The scope of the monitoring program is provided below: • Prior to issuance of a grading permit, the applicant shall provide written verification that a certified archaeologist has been retained to implement the monitoring program. This verification shall be presented in a letter from the project archaeologist to the lead agency. • The project applicant shall provide Native American monitoring during grading. The Native American monitor shall work in concert with the archaeological monitor to observe ground disturbances and search for cultural materials. • The certified archaeologist shall attend the pregrading meeting with the contractors to explain and coordinate the requirements of the monitoring program. • During the original cutting of previously undisturbed deposits, the archaeological monitor(s) and tribal representative shall be on-site, as determined by the consulting archaeologist, to perform periodic inspections of the excavations. The frequency of inspections will depend upon the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The consulting archaeologist shall have the authority to modify the monitoring program if the potential for cultural resources appears to be less than anticipated. • Isolates and clearly non-significant deposits will be minimally documented in the field so the monitored grading can proceed. • Before construction activities are allowed to resume in the affected area, the artifacts shall be recovered, and features recorded using professional archaeological methods. The project archaeologist shall determine the amount of material to be recovered for an adequate artifact sample for analysis. • All cultural material collected during the grading monitoring program shall be processed and curated according to the current professional repository standards. The collections and associated records shall be	Prior to issuance of permits required to conduct ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
transferred, including title, to an appropriate curation facility, to be accompanied by payment of the fees necessary for permanent curation. • A report documenting the field and analysis results and interpreting the artifact and research data within the research context shall be completed and submitted to the satisfaction of the lead agency prior to the issuance of any building permits. The report will include Department of Parks and Recreation Primary and Archaeological Site Forms.			
Standard Condition CUL-1: Inadvertent Archeological Find. If during ground disturbance activities, unique cultural resources are discovered that were not assessed by the archaeological report(s) and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. Unique cultural resources are defined, for this condition only, as being multiple artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to its sacred or cultural importance as determined in consultation with the Native American Tribe(s). a) All ground disturbance activities within 100 feet of the discovered cultural resources shall be halted until a meeting is convened between the developer, the archaeologist, the tribal representative(s), and the Community Development Director to discuss the significance of the find. b) At the meeting, the significance of the discoveries shall be discussed and after consultation with the tribal representative(s) and the archaeologist, a decision shall be made, with the concurrence of the Community Development Director, as to the appropriate mitigation (documentation, recovery, avoidance, etc.) for the cultural resources. c) Grading of further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate mitigation. Work shall be allowed to continue outside of the buffer area and will be monitored by additional Tribal monitors if needed. d) Treatment and avoidance of the newly discovered resources shall be consistent with the Cultural Resources Management Plan and Monitoring Agreements entered into with the appropriate tribes. This may include avoidance of the cultural resources through project design, in-place preservation of cultural resources located in native soils and/or re-burial on the Project property so they are not subject to further disturbance in perpetuity as identified in Non-Disclosure of Reburial Condition.	During ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Pursuant to California Public Resources Code Section21083.2(b) avoidance is the preferred method of preservation for archaeological resources and cultural resources. If the landowner and the Tribe(s) cannot agree on the significance or the mitigation for the archaeological or cultural resources, these issues will be presented to the City Community Development Director for decision. The City Community Development Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources, and recommendations of the project archaeologist and shall take into account the cultural and religious principles and practices of the Tribe. Notwithstanding any other rights available under the law, the decision of the City Community Development Director shall be appealable to the City Planning Commission and/or City Council."			
Standard Condition CUL-2: Cultural Resources Disposition. In the event that Native American cultural resources are discovered during the course of grading (inadvertent discoveries), the following procedures shall be carried out for final disposition of the discoveries: a) One or more of the following treatments, in order of preference, shall be employed with the tribes. Evidence of such shall be provided to the City of Menifee Community Development Department: i. Preservation-In-Place of the cultural resources, if feasible. Preservation in place means avoiding the resources, leaving them in the place where they were found with no development affecting the integrity of the resources. ii. Reburial of the resources on the Project property. The measures for reburial shall include, at least, the following: Measures and provisions to protect the future reburial area from any future impacts in perpetuity. Reburial shall not occur until all legally required cataloging and basic recordation have been completed, with an exception that sacred items, burial goods, and Native American human remains are excluded. Any reburial process shall be culturally appropriate. Listing of contents and location of the reburial shall be included in the confidential Phase IV report. The Phase IV Report shall be filed with the City under a confidential cover and not subject to Public Records Request. iii. If preservation in place or reburial is not feasible then the resources shall be curated in a culturally appropriate manner at a Riverside County curation facility that meets State Resources Department	During ground-disturbing activities.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Office of Historic Preservation Guidelines for the Curation of Archaeological Resources ensuring access and use pursuant to the Guidelines. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence of curation in the form of a letter from the curation facility stating that subject archaeological materials have been received and that all fees have been paid, shall be provided by the landowner to the City. There shall be no destructive or invasive testing on sacred items, burial goods and Native American human remains. Results concerning finds of any inadvertent discoveries shall be included in the Phase IV monitoring report.			
Standard Condition CUL-3: Archeologist Retained. Prior to issuance of a grading permit the project applicant shall retain a Riverside County qualified archaeologist to monitor all ground disturbing activities in an effort to identify any unknown archaeological resources. The Project Archaeologist and the Tribal monitor(s) shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, mass or rough grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc. The Project Archaeologist and the Tribal monitor(s), shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with any required special interest or tribal monitors. The developer/permit holder shall submit a fully executed copy of the contract to the Community Development Department to ensure compliance with this condition of approval. Upon verification, the Community Development Department shall clear this condition. In addition, the Project Archaeologist, in consultation with the Consulting Tribe(s), the contractor, and the City, shall develop a Cultural Resources Management Plan (CRMP) in consultation pursuant to the definition in AB 52 to address the details, timing and responsibility of all archaeological and cultural activities that will occur on the project site. A consulting tribe is defined as a tribe that initiated the AB 52 tribal consultation process for the Project, has not opted out of the AB 52 consultation process, and has completed AB	During ground-disturbing activities and prior to first building permit.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
52 consultation with the City as provided for in California Public Resources Code Section 21080.3.2(b)(1) of AB 52. Details in the Plan shall include: a) Project grading and development scheduling; b) The Project archaeologist and the Consulting Tribe(s) shall attend the pre-grading meeting with the City, the construction manager and any contractors and will conduct a mandatory Cultural Resources Worker Sensitivity Training to those in attendance. The Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event inadvertent discoveries of cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. All new construction personnel that will conduct earthwork or grading activities that begin work on the Project following the initial Training must take the Cultural Sensitivity Training prior to beginning work and the Project archaeologist and Consulting Tribe(s) shall make themselves available to provide the training on an as-needed basis; c) The protocols and stipulations that the contractor, City, Consulting Tribe(s) and Project archaeologist will follow in the event of inadvertent cultural resources discoveries, including any newly discovered cultural resource deposits that shall be subject to a cultural resources evaluation.			
Standard Condition CUL-4: Archeology Report - Phase III and IV. Prior to final inspection of the first building permit associated with each phase of grading, the developer/permit holder shall prompt the Project Archaeologist to submit two (2) copies of the Phase III Data Recovery report (if conducted for the Project) and the Phase IV Cultural Resources Monitoring Report that complies with the Community Development Department's requirements for such reports. The Phase IV report shall include evidence of the required cultural/historical sensitivity training for the construction staff held during the pre-grade meeting. The Community Development Department shall review the reports to determine adequate mitigation compliance. Provided the reports are adequate, the Community Development Department shall clear this condition. Once the report(s) are determined to be adequate, two (2) copies shall be submitted to the Eastern Information Center (EIC) at the University of California Riverside (UCR) and one (1) copy shall be submitted to the Consulting Tribe(s) Cultural Resources Department(s).	Prior to final inspection of the first building permit associated with each phase of grading.	Qualified archaeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
ENERGY			
Plan, Program, or Policy (PPP) E-1: CalGreen Compliance: The Project is required to comply with the CalGreen Building Code to ensure efficient use of energy. CalGreen specifications are required to be incorporated into building plans as a condition of building permit approval.	Prior to issuance of building permits.	City of Menifee Building & Safety Division.	
GEOLOGY AND SOILS			
Mitigation Measure GEO-1: Paleontological Resource Impact Mitigation Program (PRIMP). Prior to issuance of grading permits, the applicant shall retain a qualified paleontologist approved by the City of Menifee to create and implement a PRIMP, subject to the guidelines outlined below, and the guidelines of the Society of Vertebrate Paleontology (2010) for any mass grading and excavation-related activities, including utility trenching, during construction within the property. This PRIMP, when implemented, would reduce potential impacts to paleontological resources to a level below significant: 1. The project paleontologist shall participate in a pre-construction project meeting with development staff and construction operations to ensure an understanding of any mitigation measures required during construction, as applicable. 2. Monitoring of mass grading and excavation activities in areas identified as likely to contain paleontological resources shall be performed by a qualified paleontologist or paleontological monitor supervised by a qualified paleontologist. Starting at five feet below the surface, monitoring shall be conducted full-time in areas of grading or excavation in undisturbed Pleistocene very old alluvial fan deposits. Earthmoving activities in areas of the project area where previously undisturbed strata will be buried but not otherwise disturbed will not be monitored. The project paleontologist or his/her assign will have the authority to reduce monitoring once he/she determines the probability of encountering fossils has dropped below an acceptable level. 3. Paleontological monitors shall be equipped to salvage fossils as they are unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens in a timely manner. Monitoring may be reduced if the potentially fossiliferous units are not present in the subsurface, or, if present, are determined upon exposure and examination by qualified paleontological personnel to have low potential to contain fossil resources. The monitor shall notify the project paleontologist, who will then notify the concerned parties of the discovery.	Prior to issuance of grading permits.	Qualified paleontologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
4. If fossil remains are encountered by earthmoving activities when the project paleontologist is not onsite, these activities will be diverted around the fossil site and the project paleontologist called to the site immediately to recover the remains. 5. Paleontological salvage during trenching and boring activities is typically from the generated spoils and does not delay the trenching or drilling activities. Fossils are collected and placed in cardboard flats or plastic buckets and identified by field number, collector, and date collected. Notes are taken on the map location and stratigraphy of the site, which is photographed before it is vacated and the fossils are removed to a safe place. On mass grading projects, discovered fossil sites are protected by flagging to prevent them from being overrun by earthmovers (scrapers) before salvage begins. Fossils are collected in a similar manner, with notes and photographs being taken before removing the fossils. If the site involves remains from a large terrestrial vertebrate, such as large bone(s) or a mammoth tusk, that is/are too large to be easily removed by a single monitor, a fossil recovery crew shall excavate around the find, encase the find within a plaster and burlap jacket, and remove it after the plaster is set. For large fossils, use of the contractor's construction equipment may be solicited to help remove the jacket to a safe location. 6. Particularly small invertebrate fossils typically represent multiple specimens of a limited number of organisms, and a scientifically suitable sample can be obtained from several five-gallon buckets of fossiliferous sediment. If it is possible to dry screen the sediment in the field, a concentrated sample may consist of one or two buckets of material. For vertebrate fossils, the test is usually the observed presence of small pieces of bones within the sediments. If present, as multiple five-gallon buckets of sediment can be collected and returned to a separate facility to wet-screen the sediment. 7. In accordance with the "Microfossil Salvage" section of the SVP guidelines (2010:7), bulk sampling and screening of fine-grained sedimentary deposits (including carbonate-rich paleosols) must be performed if the deposits are identified to possess indications of producing fossil "microvertebrates" to test the feasibility of the deposit to yield fossil bones and teeth. 8. In the laboratory, individual fossils are cleaned of extraneous matrix, any breaks are repaired, and the specimen, if needed, is stabilized by soaking in an archivally approved acrylic hardener (e.g., a solution of acetone and Paraloid B-72).			

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9. Recovered specimens are prepared to a point of identification and permanent preservation (not display), including screen-washing sediments to recover small invertebrates and vertebrates. Preparation of individual vertebrate fossils is often more time-consuming than for accumulations of invertebrate fossils. 10. Identification and curation of specimens into a professional, accredited public museum repository with a commitment to archival conservation and permanent retrievable storage (e.g., the WSC) shall be conducted. The paleontological program should include a written repository agreement prior to the initiation of mitigation activities. Prior to curation, the lead agency (the City of Menifee) will be consulted on the repository/museum to receive the fossil material. 11. A final report of findings and significance will be prepared, including lists of all fossils recovered and necessary maps and graphics to accurately record their original location(s). The report shall be submitted to the Community Development Department for review and approval prior to building final inspection as described elsewhere in these conditions. When the final report of findings is accepted by the Community Development Director it will signify satisfactory completion of the project program to mitigate impacts to any potential nonrenewable paleontological resources (i.e., fossils) that might have been lost or otherwise adversely affected without such a program in place. 12. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (e.g. Professional Geologist, Professional Engineer, etc.), as appropriate. Two wet-signed original copies of the report shall be submitted directly to the Community Development Department along with a copy of this condition, deposit-based fee and the grading plan for appropriate case processing and tracking.			
GREENHOUSE GAS EMISSIONS			
Mitigation Measure GHG-1: Prior to issuance of tenant occupancy permits, the Project applicant shall be required to install a minimum 101.3 kW DC solar photovoltaic (PV) system or offset an equivalent amount of energy demand through the purchase of renewable energy or implementation of alternative renewable measures, subject to approval by the Community Development Director or his/her designee and SCE. The final PV generation facility size requires approval by Southern California Edison (SCE). SCE's Rule 21 governs operating and metering requirements for any facility connected to SCE's distribution system. Should SCE limit the off-site export, the Project	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
may utilize a battery energy storage system (BESS) to lower off-site export while maintaining on-site renewable generation to off-set consumption. The building shall include an electrical system and other infrastructure sufficiently sized to accommodate the PV arrays. The electrical system and infrastructure must be clearly labeled with noticeable and permanent signage. In addition, to ensure that the Project's electrical room(s) is sufficiently sized to accommodate the potential need for additional electrical panels, either (1) a secondary electrical room shall be provided in the building, or (2) the primary electrical room shall be sized 25 percent larger than is required to satisfy the service requirements of the building or the electrical gear shall be installed with the initial construction with 25 percent excess demand capacity.			
Mitigation Measure GHG-2: Prior to issuance of tenant occupancy permits, Project operators with more than 100 employees shall prepare and submit to the Community Development Director or designee, a Transportation Demand Management (TDM) program detailing strategies that would reduce the use of single-occupant vehicles by employees by increasing the number of trips by walking, bicycle, carpool, vanpool, and transit. The TDM shall include, but is not limited to the following: • Provide a transportation information center and on-site TDM coordinator to educate residents, employers, employees, and visitors of surrounding transportation options. • Incorporate bicycle parking and storage, and self-service bicycle repair areas. • Provide employee break areas as well as kitchen amenities for employees to prepare and/or heat meals. • Promote a ride-matching service (e.g., bulletin boards, website, smartphone application) to connect carpool participants and provide preferential parking for rideshare vehicles to support carpool/vanpool/rideshare transportation modes. • Post Riverside Transportation Authority schedules in conspicuous areas. • Reference Riverside Transportation Authority schedules when creating employees' operating schedules.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
Mitigation Measure GHG-3: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include cold storage equipment for warehousing	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department City of Menifee Building and Safety Division.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
purposes. Cold storage was not included in the analysis for the EIR and is therefore prohibited.			
Mitigation Measure GHG-4: The tenant shall provide information packet that: • Provides information on incentive programs, such as the Carl Moyer Memorial Air Quality Standards Attainment Program (Moyer Program), and other similar funding opportunities, by providing applicable literature available from the California Air Resources Board (CARB). The Moyer Program On- Road Heavy-Duty Vehicles Voucher Incentive Program (VIP) provides funding to individuals seeking to purchase new or used vehicles with 2013 or later model year engines to replace an existing vehicle that is to be scrapped. • Provides information on the United States Environmental Protection Agency's SmartWay program and tenants shall be encouraged to use carriers that are SmartWay carriers.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
Mitigation Measure GHG-5: Prior to issuance of Certificate of Occupancy, the Project shall be required to (1) provide twenty percent (20%) of the employee parking stalls on-site as "EV ready", with all necessary conduit installed, and (2) provide five percent (5%) of the twenty percent (20%) of the employee parking stalls on-site equipped with working Level 2 Quickcharge EV charging stations installed and operational. Signage shall be installed indicating EV charging stations/stalls and specifying stalls that are reserved for clean air/EV vehicles.	Prior to issuance of certificates of occupancy.	City of Menifee Community Development Department	
Mitigation Measure GHG-6: The development shall divert a minimum of 75 percent of landfill waste. Prior to issuance of certificate of tenant occupancy permits, a recyclables collection and load area shall be constructed in compliance with County standards for Recyclable Collection and Loading Areas, and the facility's operator shall be required to provide the City with a copy of the Project's recycling program. This mitigation measure applies only to tenant permits and not the building shell approvals.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department.	
Mitigation Measure GHG-7: Prior to issuance of building permits, building plans shall identify the location of future electric truck charging stations (minimum of three) and install conduit to those spaces.	Prior to issuance of building permits.	City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
Mitigation Measure GHG-8: Prior to the issuance of tenant occupancy permits, the City of Menifee Building and Safety Division shall confirm that the Project does not include conveyance of natural gas utility lines and that the Project will not use natural gas cargo handling equipment and shall be electric and non-diesel powered, per contemporary industry standards and as required City of Menifee Good Neighbor Policies.	Prior to issuance of tenant occupancy permits.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	
Project Design Feature (PDF) GHG-1: Tier 4 Interim Construction Equipment. In order to comply with the City of Menifee Good Neighbor Policies the Project Applicant has agreed to utilize Tier 4 Interim compliant construction equipment. Prior to grading permits, the City of Menifee Building and Safety Division shall confirm that the Project utilizes at minimum, Tier 4 Interim compliant construction equipment (or electric) as well as Tier 4 Interim compliant final engines. Offroad construction equipment shall be consistent with, and meet, at minimum, Tier 4 Interim standards as specified in Title 40 of the Code of Federal Regulations Part 1039. The Project shall also be required to keep construction equipment maintenance records and data sheets, which includes equipment design specifications and equipment emission control tier classifications, as well as any other records necessary to verify compliance with items listed above. Maintenance records shall be kept on-site and furnished to the City upon request. The following exemption shall apply, where the Project Applicant establishes to the satisfaction of the City of Menifee that Tier 4 interim Final equipment is not available. An exemption from these requirements may be granted by the City if the City documents that equipment with the required tier is not reasonably available and corresponding reductions in criteria air pollutant emissions are achieved from other construction equipment to the maximum extent feasible. Before an exemption may be considered by the City, the Project Applicant shall be required to demonstrate that at least two construction fleet owners/operators were contacted and that those owners/operators confirmed Tier 4 interim Final equipment is not/would not be available. In order to meet this requirement to demonstrate that such equipment is not available, the Applicant must seek bids/proposals from contractors of large fleets, defined by the CARB as, "A fleet with a total max hp (as defined below) greater than 5,000 hp." In the event that Tier 4 interim Final equipment is not available, Tier 3 equipment shall be used.	Prior to issuance of grading permits.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
HYDROLOGY AND WATER QUALITY			
Plan, Program, or Policy (PPP) HYD-1: NPDES/SWPPP. Prior to issuance of any grading permits, the applicant shall provide the City Building and Safety Department evidence of compliance with the NPDES (National Pollutant Discharge Elimination System) requirement to obtain a construction permit from the State Water Resource Control Board (SWRCB). The permit requirement applies to grading and construction sites of one acre or larger. The Project applicant/proponent shall comply by submitting a Notice of Intent (NOI) and by developing and implementing a Stormwater Pollution Prevention Plan (SWPPP) and a monitoring program and reporting plan for the construction site.	Prior to issuance of a demolition or grading permits.	City of Menifee Engineering/Public Works Department. City of Menifee Building and Safety Division.	
Plan, Program, or Policy (PPP) HYD-2: WQMP. Prior to the approval of the Grading Plan and issuance of Grading Permits a completed Water Quality Management Plan (WQMP) shall be submitted to and approved by the City Building and Safety Department. The WQMP shall identify all Post-Construction, Site Design, Source Control, and Treatment Control Best Management Practices (BMPs) that will be incorporated into the development project in order to minimize the adverse effects on receiving waters.	Prior to issuance of a grading permit.	City of Menifee Engineering/Public Works Department. City of Menifee Building and Safety Division.	
NOISE			
Plan, Program, or Policy (PPP) NOI-1: Construction Noise. The Menifee Municipal Code Section 8.01.010 permits construction activities Monday through Saturday from 6:30 a.m. to 7:00 p.m. and prohibits construction on Sunday or nationally recognized holidays unless approval is obtained from the City Building Official or City Engineer.	During grading/excavation, and construction activities.	City of Menifee Community Development Department. City of Menifee Building and Safety Division.	
Plan, Program, or Policy (PPP) NOI-2: Off-site Construction Noise on Ethanac Road. Construction associated with the proposed off-site storm drain line improvement, specifically the portion of construction of the offsite storm drain line improvement on Ethanac Road within the City of Perris Jurisdiction, is required to adhere to the construction noise hours permitted by Section 7.34.060 of the Perris Municipal Code which states: construction is permitted between the hours of 7:00 a.m. and 7:00 p.m., and is not permitted on Sundays or on any legal holiday, with the exception of Columbus Day and Washington's birthday.	During grading/excavation, and construction activities.	City of Menifee Community Development Department.	

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Project Design Feature (PDF) NOI-1: Construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturers' standards.	During grading/excavation, and construction activities.	City of Menifee Building & Safety Division and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-2: All stationary construction equipment shall be placed in such a manner so that the emitted noise is directed away from any sensitive receivers.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-3: Construction equipment staging areas shall be located at the greatest feasible distance between the staging area and the nearest sensitive receivers.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-4: The construction contractor shall limit equipment and material deliveries to the same hours specified for construction equipment (between the hours of 6:30am to 7:00pm, with no deliveries allowed on Sundays and nationally recognized holidays.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-5: Electrically powered air compressors and similar power tools shall be used, when feasible, in place of diesel equipment.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
Project Design Feature (PDF) NOI-6: No music or electronically reinforced speech from construction workers shall be allowed.	During grading/excavation, and construction activities.	City of Menifee Community Development Department and Engineering/Public Works Department.	
PUBLIC SERVICES			
Plan, Program, or Policy (PPP) PS-1: Development Impact Fees. The applicant shall pay all applicable development impact fees including but not limited to Development Impact Fee (DIF), Multi-Species Habitat Conservation Plan (MSHCP), Quimby (Parks and Rec), Stephen's Kangaroo Rat (KRAT), School Fees, Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District (RBBD), and Area Drainage Plan (ADP).	Prior to issuance of certificates of occupancy or prior to building permit final inspection.	City of Menifee Community Development Department.	
TRANSPORTATION			
Project Design Feature (PDF) TRA-1: Sidewalks. The Project would construct 6-foot-wide sidewalks along the Project's frontage on Geary Street, Murrieta Road and the new driveway south of the building.	Prior to issuance of certificates of occupancy.	City of Menifee Engineering/Public Works Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
TRIBAL CULTURAL RESOURCES			
Mitigation Measure TCR-1: Native American Monitoring (Pechanga & Soboba). Tribal monitor(s) from both tribes shall be required on-site during all ground-disturbing activities, including grading, stockpiling of materials, engineered fill, rock crushing, etc. The land divider/permit holder shall retain a qualified tribal monitor(s) from the Soboba Band of Luiseño, as well as the Pechanga Band of Indians. Prior to issuance of a grading permit, the developer shall submit a copy of a signed contract between the above-mentioned Tribes and the land divider/permit holder for the monitoring of the project to the Community Development Department and to the Engineering Department. The Tribal Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground-disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.	Prior to issuance of permits associated with ground-disturbing activities; Monitoring during ground-disturbing activities.	City of Menifee Community Development Department.	
Plan, Program, or Policy (PPP) TCR-1: Human Remains. Should human remains or funerary objects be discovered during Project construction, the Project would be required to comply with State Health and Safety Code Section 7050.5, which states that no further disturbance may occur in the vicinity of the body (within a 100-foot buffer of the find) until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The County Coroner must be notified of the find immediately. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine the identity of and notify a Most Likely Descendant (MLD). With the permission of the landowner or his/her authorized representative, the MLD may inspect the site of the discovery. The MLD must complete the inspection within 48 hours of notification by the NAHC.	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	
Standard Condition TCR-1: Human Remains. If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The county Coroner must be notified of the find immediately. The remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission (NAHC) within the period specified by law (24 hours). The NAHC will determine and notify a "most likely descendant." With the permission of the landowner or his/her authorized representative, the most likely descendent may inspect the site of the discovery. This inspection	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	

Standard Condition/ Plan, Program, Policy (PPP) / Mitigation Measure / Condition of Approval / Project Design Feature (PDF)	Timing	Responsible for Ensuring Compliance / Verification	Date Completed and Initials
shall be completed within 48 hours of notification by the NAHC. The most likely descendant shall then make recommendations and engage in consultation concerning the treatment of the remains as provided in Public Resources Code Section 5097.98.			
Standard Condition TCR-2: Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or associated grave goods shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, pursuant to the specific exemption set forth in California Government Code section 7927.000, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code section 7927.000.	During ground disturbing activities.	Qualified archeologist and City of Menifee Community Development Department.	