

August 16, 2023

Orlando Hernandez  
Deputy Community Development Director  
City of Menifee  
29844 Haun Road  
Menifee, CA 92586

Subject: Response to the Comment Letter from City of Menifee dated August 14, 2023 on the Mapes and Trumble Industrial Facility Project (Conditional Use Permit 22-05023)

## INTRODUCTION

The following are responses to the comment letter from the City of Menifee dated August 14, 2023, on the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the Mapes and Trumble Industrial Facility Project (Conditional Use Permit 22-05023).

## RESPONSE TO COMMENTS

The comment letter was enumerated as “Comment Letter A” and is provided in the attachments.

### Comment A-1

The commenter asserts that the project’s IS/MND has not adequately addressed the cumulative impacts of all the proposed projects in order to analyze, mitigate, and disclose all environmental impacts from the proposed project. In reviewing the cumulative list of projects, there are at least seven City of Menifee projects totaling in excess of 4 million square feet of industrial development that was not included in the cumulative analysis. The California Environmental Quality Act (CEQA) requires the adequate analysis of potentially significant traffic safety impacts (Public Resources Code [PRC] Section 21099(b)(3)). Both the Traffic Impact Analysis (TIA) and the IS/MND fail in this regard and thereby understate the potential cumulative transportation safety impacts caused by this project in conjunction with other approved or pending projects in its vicinity.

**Response:** In response to the commenter’s assertion that the project’s IS/MND has not adequately addressed cumulative impacts, the project-specific traffic study scoping letter was prepared between February and March 2022. Cumulative project information for projects in Menifee were obtained from the City of Menifee Land Development/Capital Improvement Plan project list dated March 2022. Among the list of projects, only the projects that were anticipated to affect the project study area were considered as cumulative projects for preparation of the TIA. The project traffic consultant and IS/MND consultant (LSA Associates) followed up with City of Menifee Planning Division to confirm cumulative project information that had incomplete project information provided in the project list obtained from the City of Menifee’s website. The City of Menifee provided this information dated May 20, 2022. Additionally, since the anticipated project opening year is 2024, projects that were estimated to be completed/operational after 2024 were not considered for the cumulative scenario.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response

constitutes new information requiring recirculation of the IS/MND or preparation of an Environmental Impact Report (EIR).

#### **Comment A-2**

This comment states that the IS/MND analyzes the project with a maximum of 50 percent of floor area for cold storage; however, there is no condition of approval restricting the project to the 50 percent.

**Response:** As stated in Section 2.4.1 of the IS/MND, 50 percent of cold storage is the maximum that is being proposed and would be limited by a Project Design Feature as part of the City's development review process through modularity in design. The proposed project is analyzed under CEQA as a warehouse facility up to 396,000 square feet in size; so any application to increase the size of the proposed warehouse facility would require subsequent discretionary approval by the City of Perris. Likewise, an applicant's request to develop the proposed warehouse facility with a greater ratio of cold storage space than has been analyzed under CEQA would also require subsequent discretionary approval by the City of Perris.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

#### **Comment A-3**

The comment states that CEQA requires preparation of an EIR when a fair and reasonable argument can be made that the environmental impacts of a project are potentially significant. Because the IS/MND did not adequately consider cumulative impacts of the proposed project, along with other reasonably foreseeable proposed projects in the area, the analysis of the IS/MND is inadequate and does not comply with CEQA. As a result, a fair and reasonable argument can be made that environmental impacts related to traffic safety, hazards, air quality, greenhouse gas emissions as a result of the project are significant, and preparation of an EIR is needed. Therefore, the City of Perris has failed to fully analyze and mitigate potentially significant environmental impacts as required to comply with CEQA.

**Response:** See the response to Comment A-1. Because the cumulative projects list for the proposed project was generated through consultation with the City of Menifee Planning Division, as well as through consultation with the City of Perris Planning Division and [neighboring jurisdiction] the Riverside County Transportation and Land Management Agency Planning Department, the analysis of cumulative impacts of the proposed project includes all reasonably foreseeable proposed projects in the area and therefore is appropriate and adequate pursuant to CEQA.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

#### Comment A-4

The comment states that, as part of Menifee's Project comments provided on May 3, 2022, the Menifee's Engineering Department/Traffic Engineer requested the opportunity to review the TIA for the project and the opportunity to provide early input in the scoping of the TIA for the project. For the record, Menifee was not offered the opportunity to participate in the scoping of the TIA.

**Response:** The City of Menifee comment letter dated May 3, 2022 included several traffic-related comments, including installing a signal at the intersection of Trumble Road/Mapes Road and dedication of adequate right-of-way for Trumble Road along the project frontage for ultimate right-of-way improvements. These recommendations were included in the project-specific TIA as well as in the IS/MND and project site design. As such, a signal has been recommended for the intersection of Trumble Road/Mapes Road within the TIA, and the project frontage was designed with adequate dedication for ultimate right-of-way improvements along Trumble Road.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

#### Comment A-5

The comment states that the City of Menifee advises the re-evaluation of the intersection design, and width, at "Exceed Road" and "Trumble Road," to the west of Trumble Road. The schematics provided in the TIA show the truck turning movements from eastbound Exceed Road to South Bound Trumble Road significantly crossing over the median, striking cars queued to turn left from northbound Trumble Road to westbound Exceed Road. The right turn from eastbound Exceed Road to South Bound Trumble also would only work if there was "no parking" on Exceed Road, and trucks would still likely encroach onto the Americans with Disabilities Act ramp and encroach onto the northbound Trumble Lane. The proposed geometrics would result in an unsafe condition at the intersection.

**Response:** There is no designated provision for on-street parking along either side of Exceed Road, west of the intersection of Trumble Road/Exceed Road-Sturgeon Electric Driveway. Exceed Road is a local road with the purpose of serving land uses and projects along its northern and southern frontage, west of Trumble Road. The project site is zoned as BP-Business Park, which is expected to generate truck traffic. The primary purpose of Exceed Road is to accommodate passenger vehicle and truck traffic generated by the projects along its frontage. Therefore, it is expected to prioritize the truck ingress and egress traffic rather than provision for vehicular on-street parking. As such, removal of on-street parking from spaces not designated for on-street parking does not constitute any significant and unavoidable impact. Further, it has been stated in the TIA that the existing provision (unofficial) for on-street parking needs to be removed for the truck movements.

Additionally, egress truck traffic turning radii adequacy for trucks turning south into Trumble Road from Exceed Road have been reevaluated as shown on the attached Figure 1. As shown on Figure 1, these trucks do not cross over the median or create any potential safety hazard for cars queued to turn left from northbound Trumble Road to

westbound Exceed Road. Additionally, trucks would not encroach onto the Americans with Disabilities Act ramp or encroach onto northbound lanes along Trumble Road.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

#### **Comment A-6**

The comment states that if the project is approved as proposed, Menifee requests that Perris require the installation of the traffic signal at Trumble Road and Mapes Road per the TIA recommendations.

**Response:** Comment noted. The City of Menifee recommended installing a signal at the intersection of Trumble Road/Mapes Road in their comment letter dated May 3, 2022. As recommended by the City of Menifee and based on the findings of the TIA, a signal has been proposed at this location.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

#### **Comment A-7**

The comment states that if the project is approved as proposed, Menifee requests that Perris require modification of the traffic signal at Highway 74 and Trumble Road to accommodate the dual right-turn movements and right-turn overlap and verify truck-turning templates for dual rights. It may also require relocation of the southbound left-turn head to align with the relocated left-turn lane.

**Response:** The project has a cumulative impact at the intersection of Trumble Road/Highway 74. The project at a minimum will be contributing its fair share (6.25 percent) for implementation of recommended improvements at this intersection. Improvements include moving the curb/gutter and signal poles at the northwest corner of this intersection to accommodate for adequate truck-turning movements. However, the City of Menifee has a related project at that corner, which was included as part of the project-specific TIA. That project ultimately may be conditioned to implement these improvements as part of their project frontage improvements. The project applicant would work with City of Menifee to address operational issues at this intersection. At a minimum, the proposed project would be contributing the necessary fair share contributions for implementation of these improvements.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

## Comment A-8

The comment states that to address potentially significant impacts to hydrology and water quality impacts due to grading and drainage deficiencies of the project site, mitigation is needed to maintain off-site drainage flows and detention capacity through the site.

**Response:** The City of Perris is a co-permittee of the National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and the Incorporated Cities of Riverside County Within the Santa Ana Region, Order No. R8-2010-0033, NPDES No. CAS 618033 as amended by Order No. R8-2013-0024, also known as the Municipal Separate Storm Sewer System or MS4 Permit.

As detailed on pages 98 through 100 of the IS/MND, under existing conditions, storm water generally sheet flows in a northwesterly direction, some of which collects in the Riverside County Flood Control and Water Conservation District (RCFCD)-constructed storm water detention basin in the center of the site, before discharging northbound through an existing swale into a catch basin where it discharges into a detention sump northwest of the project site. The proposed project is expected to generally maintain the existing drainage pattern. Upon development of the site, all on-site storm water would be captured on site in accordance with the MS4 Permit. The runoff from the site would drain to multiple on-site grate inlets and catch basins and would be conveyed into a series of modular wetland facilities and underground water treatment/storage tanks proposed in the northeast and northwest portions of the site. Discharged storm water would be conveyed off site into an existing catch basin and detention sump at volumes that do not exceed the existing, pre-developed condition.

No on-site runoff would be discharged off site before being treated by the on-site detention system. All on-site flows would be captured, conveyed, and released off site at or below existing flow rates with the use of catch basins and an underground detention system. Additionally, no construction activities would occur off site, and clearing, grubbing, and grading of existing vegetation or topsoil would only occur on site, within the proposed limits of grading. In addition, the proposed project would adhere to all local, State, and federal regulations for temporary and permanent grading, erosion, and sediment control as detailed in **Regulatory Compliance Measure HYD-1** and **Regulatory Compliance Measure HYD-2**. Therefore, off-site flow patterns would not be altered by on-site flows, and the proposed project would not result in substantial erosion or siltation off site. For these reasons, the proposed project would not substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off site.

The project is over 1 acre in size and is required to have coverage under the State's General Permit for Construction Activities, Storm Water Pollution Prevention Plan (SWPPP). Pursuant to **Regulatory Compliance Measure HYD-1**, a SWPPP would be prepared and detail Best Management Practices (BMPs) to be implemented during construction to reduce/eliminate adverse water quality impacts resulting from development. All impacts related to runoff during demolition, site preparation, and construction would be addressed through implementation of the SWPPP.

The Clean Water Act (CWA) delegates authority to the states to issue NPDES permits for discharges of storm water from construction, industrial, and municipal entities to waters of the United States. The purpose of the MS4 Permit is to meet the State Water Resources Control Board (SWRCB) requirements to mitigate for the negative impact of increases in storm water runoff caused by new development and redevelopment. The project storm water discharge rates cannot exceed the pre-development runoff condition for 2-year 24-hour storm total or the 85th percentile 24-hour storm runoff event by more than 5 percent to be in compliance with the MS4 post-construction and site design requirements.

Pursuant to **Regulatory Compliance Measure HYD-2**, the project applicant shall prepare a Water Quality Management Plan (WQMP) to address Section 303(d) listed pollutants and retain the project site's minimum design capture volume (DCV). Through implementation of **Regulatory Compliance Measure HYD-2**, BMPs shall be designed and implemented to ensure post-development storm water runoff volume or time of concentration does not exceed pre-development storm water runoff by more than 5 percent of the 2-year peak flow in accordance with the NPDES MS4 Permit. To comply with the MS4 Permit requirements, runoff from the site would drain to multiple on-site grate inlets and catch basins and would be conveyed into a series of modular wetland facilities and underground water treatment/storage tanks proposed in the northeast and northwest portions of the site. Discharged storm water would be conveyed off site into an existing catch basin and detention sump at volumes that do not exceed the existing, pre-developed condition.

The project includes off-site improvements involving the construction of additional curbs and gutters along Mapes Road, Trumble Road, and Exceed Road. All storm drain infrastructure would be constructed to specifications detailed in Title 12, Streets and Sidewalks, and Title 14, Water and Sewage, of the Perris Municipal Code. The Perris Public Works Department would review these proposed storm drain improvements as part of the routine plan check process required by the City of Perris to ensure adequate capacity.

Compliance with the CGP and MS4 permit as detailed in **Regulatory Compliance Measure HYD-1** and **Regulatory Compliance Measure HYD-2** and compliance with the Perris Municipal Code, would ensure that the construction and operation of the proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.

The project site is in an area of the San Jacinto River floodplain known as an ineffective flow area (IEFA). In this IEFA, the floodplain is a result of backwater from the main San Jacinto River floodplain, which means that the floodwaters in this area are ponded and are not contributing to the active flow in the main channel. In addition to the site being on the outer limits of the floodplain, Interstate 215 is approximately 15 feet high in this area and blocks all active flood flows from where the project site is located.

Based on the one-dimensional (1-D) steady flow hydraulic model used to develop the Federal Emergency Management Agency (FEMA) floodplain and floodway, any fill

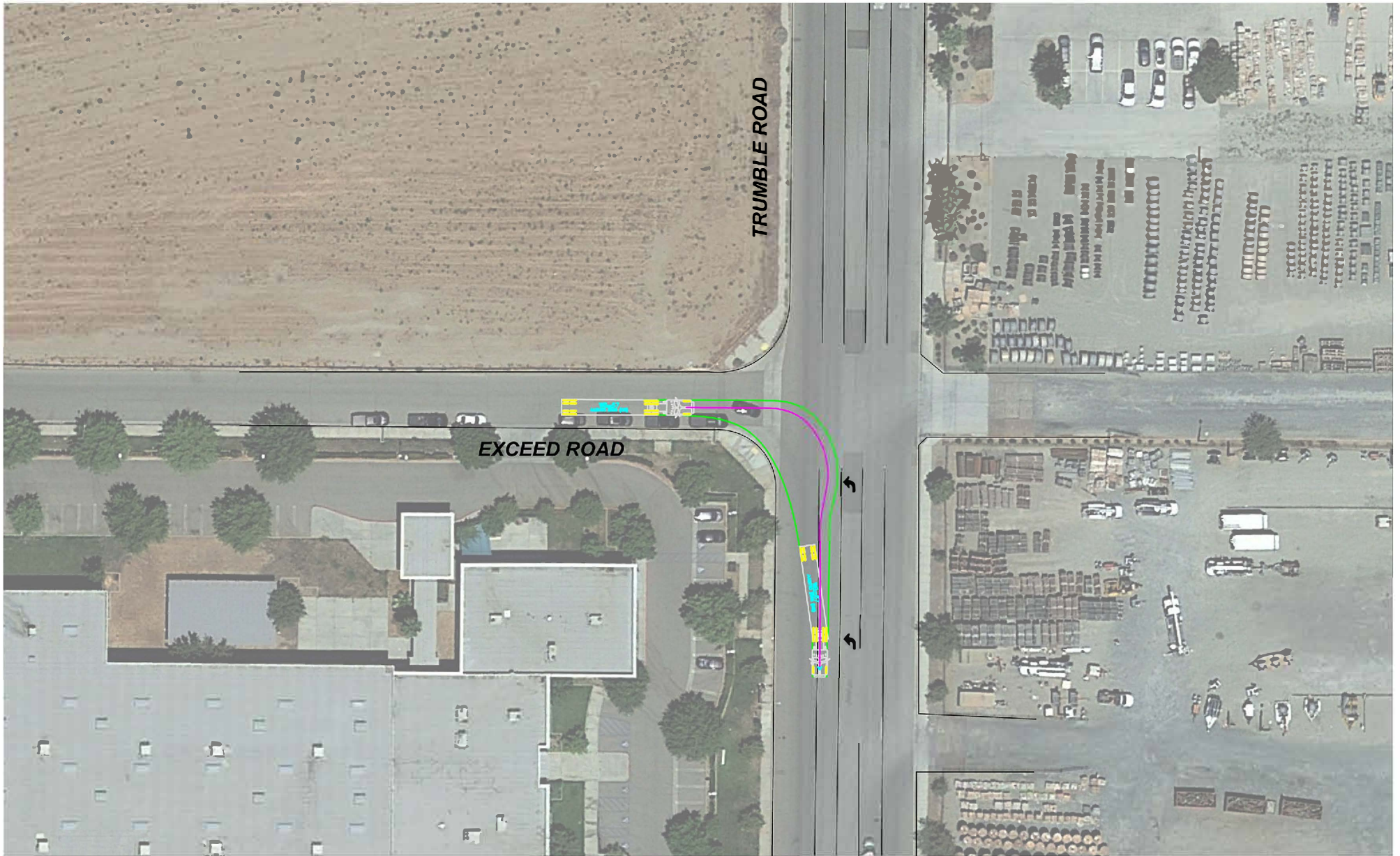
material placed within an IEFA would have zero impact on computed flood elevations on site or off site at the project area, including upstream and downstream of the project. In addition, the effective FEMA Flood Insurance Study (FIS) shows that the overall San Jacinto River floodplain, specifically between cross sections AN and AR, has a constant base flood elevation of 1,420.1 feet (the project site is located between cross sections AQ and AR). Not only is the project site in an IEFA, but the overall floodplain is essentially ponded in this area with no measurable change in computed flood elevation. Therefore, the project would not have an adverse impact on adjacent properties, nor would it impede or redirect flows off site.

This comment does not identify any new significant environmental issues or impacts that were not already addressed in the IS/MND. Neither this comment nor the response constitutes new information requiring recirculation of the IS/MND or preparation of an EIR.

Sincerely,

Lupita Garcia  
Associate Planner  
City of Perris Planning Division

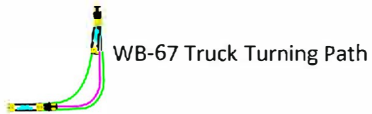
Attachments: Figure 1  
Enumerated Comment Letter A



**LSA**

**LEGEND**

— Existing Lane



**FIGURE 1**

*Mapes and Trumble Industrial Facility Project  
Traffic Study*

**(WB-67) Truck Turning Template- Egress  
Trumble Road/Exceed Road-Sturgeon Electric Driveway**

**Community Development Department**

**Comment Letter A**

August 14, 2023

Lupita Garcia  
Project Manager  
City of Perris  
135 N. D Street  
Perris, CA 92570-2200

RE: CUP22-05023 – City of Menifee Comments for Conditional Use Permit No. 22-05203 for a 395,500 Square-Foot Industrial Building

Dear Ms. Garcia,

The City of Menifee (“Menifee”) appreciates the opportunity to comment on the above-referenced project located at the southwest corner of Mapes Road and Trumble Road within the City of Perris (“Perris”) consisting of a conditional use permit application to construct a 395,500 square-foot industrial building (“Project”). The City of Menifee provides the following comments in light of the Project’s proximity to Menifee and concerns with potential truck traffic and circulation impacts to Menifee streets.

**CEQA**

- The Project’s Initial Study/Mitigated Negative Declaration (IS/MND) has not adequately addressed the cumulative impacts of all the proposed projects in order to analyze, mitigate, and disclose all environmental impacts from the proposed Project. In reviewing the cumulative list of projects, there are at least seven City of Menifee projects totaling in excess of 4 million square feet of industrial development that was not included in the cumulative analysis. The California Environmental Quality Act (CEQA) requires the adequate analysis of potentially significant traffic safety impacts. (Public Resources Code, section 21099(b)(3).) Both the Traffic Impact Analysis (TIA) and the IS/MND fail in this regard and thereby understate the potential cumulative transportation safety impacts caused by this Project in conjunction with other approved or pending projects in its vicinity.
- The IS/MND analyzes the Project with a maximum of 50% of floor area for cold storage; however, there is no condition of approval restricting the Project to the 50%.
- CEQA requires preparation of an Environmental Impact Report (EIR) when a fair and reasonable argument can be made that the environmental impacts of a project are potentially significant. Because the IS/MND did not adequately consider cumulative impacts of the proposed Project

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along with other reasonably foreseeable proposed projects in the area, the analysis of the IS/MND is inadequate and does not comply with CEQA. As a result, a fair and reasonable argument can be made that environmental impacts related to traffic safety, hazards, air quality, greenhouse gas emissions as a result of the Project are significant, and preparation of an EIR is needed. Therefore, the City of Perris has failed to fully analyze and mitigate potentially significant environmental impacts as required to comply with CEQA.

A-3

### Traffic

- As part of Menifee’s Project comments provided on May 3, 2022, the Menifee’s Engineering Department/Traffic Engineer requested the opportunity to review the Traffic Impact Analysis (TIA) for the Project and the opportunity to provide early input in the scoping of the TIA for the Project. For the record, Menifee was not offered the opportunity to participate in the scoping of the TIA.
- The City advises the re-evaluation of the intersection design, and width, at “Exceed Road” and “Trumble Road,” to the west of Trumble Road. The schematics provided in the TIA show the truck turning movements from east-bound Exceed Road to South Bound Trumble Road significantly crossing over the median, striking cars queued to turn left from north-bound Trumble Road to west bound Exceed Road. The right turn from east-bound Exceed Road to South Bound Trumble also would only work if there was “no parking” on Exceed Road and trucks would still likely encroach onto the Americans with Disabilities Act ramp and encroach onto north-bound Trumble Lane. The proposed geometrics would result in an unsafe condition at the intersection.
- If the Project is approved as proposed, Menifee requests that Perris require the installation of the traffic signal at Trumble Road and Mapes Road per the TIA recommendations.
- If the Project is approved as proposed, Menifee requests that Perris require modification of the traffic signal at Highway 74 and Trumble Road to accommodate the dual right turn movements and right turn overlap and verify truck turning templates for dual rights. It may also require relocation of the southbound left turn head to align with the relocated left turn lane.

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### Hydrology/Water Quality

- To address potentially significant impacts to hydrology and water quality impacts due to grading and drainage deficiencies of the Project site, mitigation is needed to maintain off-site drainage flows and detention capacity through the site.

A-8

We appreciate your consideration of these comments and thank you again for the opportunity to provide comments. If you have questions, please contact me at 951-723-3737 or by e-mail at [ohernandez@cityofmenifee.us](mailto:ohernandez@cityofmenifee.us)

Sincerely,

*Orlando Hernandez*

Orlando Hernandez  
Deputy Community Development Director

Cc: Kenneth Phung, City of Perris Director of Development Services  
Patricia Brenes, City of Perris Planning Manager  
Armando Villa, City Manager  
Cheryl Kitzerow, City of Menifee Community Development Director  
Nick Fidler, City of Menifee Public Works Director  
Jeff Melching, City Attorney