

Comment Letter 1 – City of Menifee Public Planning Department

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September 18, 2024

LEAD AGENCY: CITY OF PERRIS

Nathan Perez, Senior Planner
City of Perris Development Services Department
135 North D Street
Perris, CA 92570-2200

E-mail: nperez@cityofperris.org

RE: City of Perris Project – Comment
Item 6.C. General Plan Amendment (GPA) 22-05326, Zone Change (ZC) 22-05327;
Tentative Parcel Map (TPM) 22-05328 (TPM 38600), Development Plan Review (DPR)
22-00030, FEIR SCH No. 2023090525

Dear Mr. Perez:

Thank you for the opportunity to review the above environmental impact report ("EIR") and entitlements for the proposed Ethanac Logistics Center (Hillwood) project (the "Project"). The Project is set for public hearing as Agenda Item 6.C for the City of Perris ("Perris") Planning Commission meeting on September 18, 2024.

As further detailed below, we hope that the Perris Planning Commission will recommend denial of Resolution 24-14, as outstanding issues remain regarding the proposed Hillwood Project's lack of compliance with the California Environmental Quality Act (Pub. Resources Code, §§ 21000–21189.70.10, "CEQA") and CEQA Guidelines (Cal. Code Regs., tit. 14, §§ 15000–15387, "CEQA Guidelines"). The Project EIR has not adequately analyzed, avoided or mitigated significant environmental impacts resulting from the project, including impacts related to aesthetics, air quality, land use and planning and noise impacts to neighboring properties within Menifee; particularly single-family residents (sensitive receptors) located adjacent to warehouse truck loading and parking areas. Furthermore, the Final EIR fails to meaningfully respond to prior comments highlighting these issues.

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Brief Project Background

The City of Menifee ("Menifee") is aware that the Project is generally located on ten (10) parcels totaling 19.9 acres, located at the northwest corner of Sherman Road and Ethanac Road, surrounded by a residential neighborhood to the east. The Project proposes a 412,348 square-foot industrial warehouse building **with 50,000 square feet of cold-refrigerated storage, and 15,000 square feet for supporting office operating 24 hours a day seven days a week, along with associated infrastructure, appurtenances, parking areas, and offsite improvements.** The building would provide 32 dock doors on the east side, 29 dock doors on the west side 106 automobile parking stalls, 144 trailer parking stalls, and two outdoor patio areas. The Project would include roadway improvements along Project frontage, an offsite area along Trumble Road (north of the Project site to Illinois Avenue), and potential offsite improvements to the intersection of Trumble Road and Ethanac Road. The Project will require 50,500

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Bill Zimmerman Mayor	Dean Deines Mayor Pro Tem District 4	Bob Karwin Councilmember District 1	Ricky Estrada Councilmember District 2	Les A. Sobek Councilmember District 3	Armando G. Villa City Manager
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cubic yards of soil import. The Project will connect to existing Eastern Municipal Water District (EMWD) facilities for domestic water and sewer. No recycled water lines exist adjacent to the Project site. However, the Project would include infrastructure to connect to future recycled water facilities. The Project would also provide a diesel-powered fire flow pump used to meet fire flow demands.

Proposed entitlements include General Plan Amendment (GPA) 22-05326, Zone Change (ZC) 22-05327; Tentative Parcel Map (TPM) 22-05328 (TPM 38600), Development Plan Review (DPR) 22-00030, and Final EIR SCH No. 2023090525.

The "Project" Still Uses Illusory Baseline Conditions to Ignore Residential Communities

An accurate project description "is the *sine qua non* of an informative and legally sufficient EIR." (*County of Inyo v. City of L.A.* (1977)71 Cal.App.3d 185, 193, 199 (hereafter *County of Inyo*.) When a proposed project is accompanied by an inaccurate or incomplete description, it undermines CEQA by drawing "a red herring across the path of public input." (*Id.* at pp. 193, 199.) A court will reject an EIR with an incomplete or inaccurate project description because, as the court stated in *County of Inyo*:

Only through an accurate view of the project may affected outsiders and public decisionmakers balance the proposal's benefit against its environmental cost, consider mitigation measures, assess the advantage of terminating the proposal (i.e., the "no project alternative") and weigh other alternatives in the balance.

(*Id.* at p. 198.)

Because CEQA defines "project" as "the whole of an action," an EIR must also describe the entire proposed project-not a piecemeal version. A project description must include future expansion or later phases of a project that will foreseeably result from project approval. (*Laurel Heights improvement Assn. v. Regents of Univ. of Cal.* (1988) 47 Cal.3d 376; 14 Cal. Code Regs., § 15126 [impact analysis must consider all phases of project].) Additionally, the EIR's project description must be internally consistent. If not, it cannot provide a vehicle for informed public participation in the decision-making process.

Here, the Project description is problematic insofar as it uses a false baseline to create illusory conditions that ignore existing residential communities, i.e., sensitive receptors or off-site locations where individuals may be exposed to emissions from Project activities, including individuals especially sensitive to air pollution that are given special consideration when evaluating air quality impacts from projects. These groups of individuals include children, the elderly, and individuals with pre-existing respiratory or cardiovascular illness. Structures that house these persons or places where they gather are defined as "sensitive receptors."

The EIR repeatedly refers to single-family residences located on Sherman Road adjacent to the warehouse project as "non-conforming" appearing to lessen their importance as sensitive receptors or to establish a false baseline that allows the Project to ignore impact on residential communities. An approach using hypothetical allowable conditions as the baseline, as here, results in "illusory"

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comparisons that "can only mislead the public as to the reality of the impacts and subvert full consideration of the actual environmental impacts," a result at direct odds with CEQA's intent. (*Communities for a Better Environment v. South Coast Air Quality Management Dist.* (2010) 48 Cal.4th 310, 320–322.) CEQA Guidelines section 15125, subdivision (a) provides as follows in full:

(a) An EIR must include a description of the physical environmental conditions in the vicinity of the project. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. The description of the environmental setting shall be no longer than is necessary to provide an understanding of the significant effects of the proposed project and its alternatives. The purpose of this requirement is to give the public and decision makers the most accurate and understandable picture practically possible of the project's likely near-term and long-term impacts.

(1) Generally, the lead agency should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. Where existing conditions change or fluctuate over time, and where necessary to provide the most accurate picture practically possible of the project's impacts, a lead agency may define existing conditions by referencing historic conditions, or conditions expected when the project becomes operational, or both, that are supported with substantial evidence. In addition, a lead agency may also use baselines consisting of both existing conditions and projected future conditions that are supported by reliable projections based on substantial evidence in the record.

(2) A lead agency may use projected future conditions (beyond the date of project operations) baseline as the sole baseline for analysis only if it demonstrates with substantial evidence that use of existing conditions would be either misleading or without informative value to decision-makers and the public. Use of projected future conditions as the only baseline must be supported by reliable projections based on substantial evidence in the record.

(3) 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.

(Cal. Code Regs., tit. 14, § 15125, subd. (a).)

A long line of Court of Appeal decisions holds, in similar terms, that the impacts of a proposed project are ordinarily to be compared to the actual environmental conditions ***existing at the time of CEQA analysis, rather than to allowable conditions defined by a plan or regulatory framework.***

The fact is that several families living in Menifee, reside directly across the street from where commercial big rig truck parking and loading is proposed to be located for the Project. Those people must be properly considered in the baseline conditions as actual, existing sensitive receptors near the Project site. Further, the Project's change in land use and zoning is incompatible with neighboring uses and conflicts with Perris's General Plan goals and policies and Good Neighbor Guidelines in violation of the State Planning and Zoning Law, as further detailed below:

The project is inconsistent with Environmental Justice Element policies under Goal 3.1:

- Continue to ensure new development is compatible with the surrounding uses by co-locating compatible uses and using physical barriers, geographic features, roadways, or other infrastructure to separate less compatible uses. When this is not possible, impacts may be mitigated using: noise barriers, building insulation, sound buffers, traffic diversion. As part of the development review process, require conditions that promote Good Neighbor Policies for Industrial Development for industrial buildings larger than 100,000 square feet. The conditions shall be aimed at protecting nearby homes, churches, parks, day-care centers, schools, and nursing homes from air pollution, noise lighting, and traffic associated with large warehouses, making them a "good neighbor."

The project is inconsistent with Good Neighbor Guidelines Goals including:

- Goal 1: Protect the neighborhood characteristics of the urban, rural, and suburban communities. The proposed land use change and project design does not protect the neighboring residences from impacts to the neighborhood characteristics associated a large warehouse facility and trucks.
- Goal 2: Minimize exposure of diesel emissions to neighbors that are situated in close proximity to the warehouse/distribution center. The proposed land use change and project design increases instead of minimizing exposure of diesel emissions.
- Goal 3: Eliminate diesel trucks from unnecessary traversing through residential neighborhoods. The proposed land use change and project design increases potential for trucks traversing through residential neighborhoods, instead of eliminating this potential by not supporting the proposed change in land use and maintaining the current land use.
- Goal 4: Provide buffers between warehouses and sensitive receptors. The proposed land use change and project design does not adequately buffer neighboring residences from warehouses, especially given the location truck loading and parking areas situated between the warehouse and sensitive receptors.

The Project Still Does Not Evaluate Aesthetic Impacts on Adjacent Sensitive Receptors

With respect to light and glare impacts, the EIR includes Mitigation Measure MM AES-1:

Prior to issuance of grading permits, the Project developer shall provide evidence to the City of Perris that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage by one foot candle to surrounding properties outside of the staging area or direct broadcast of security light into the sky.

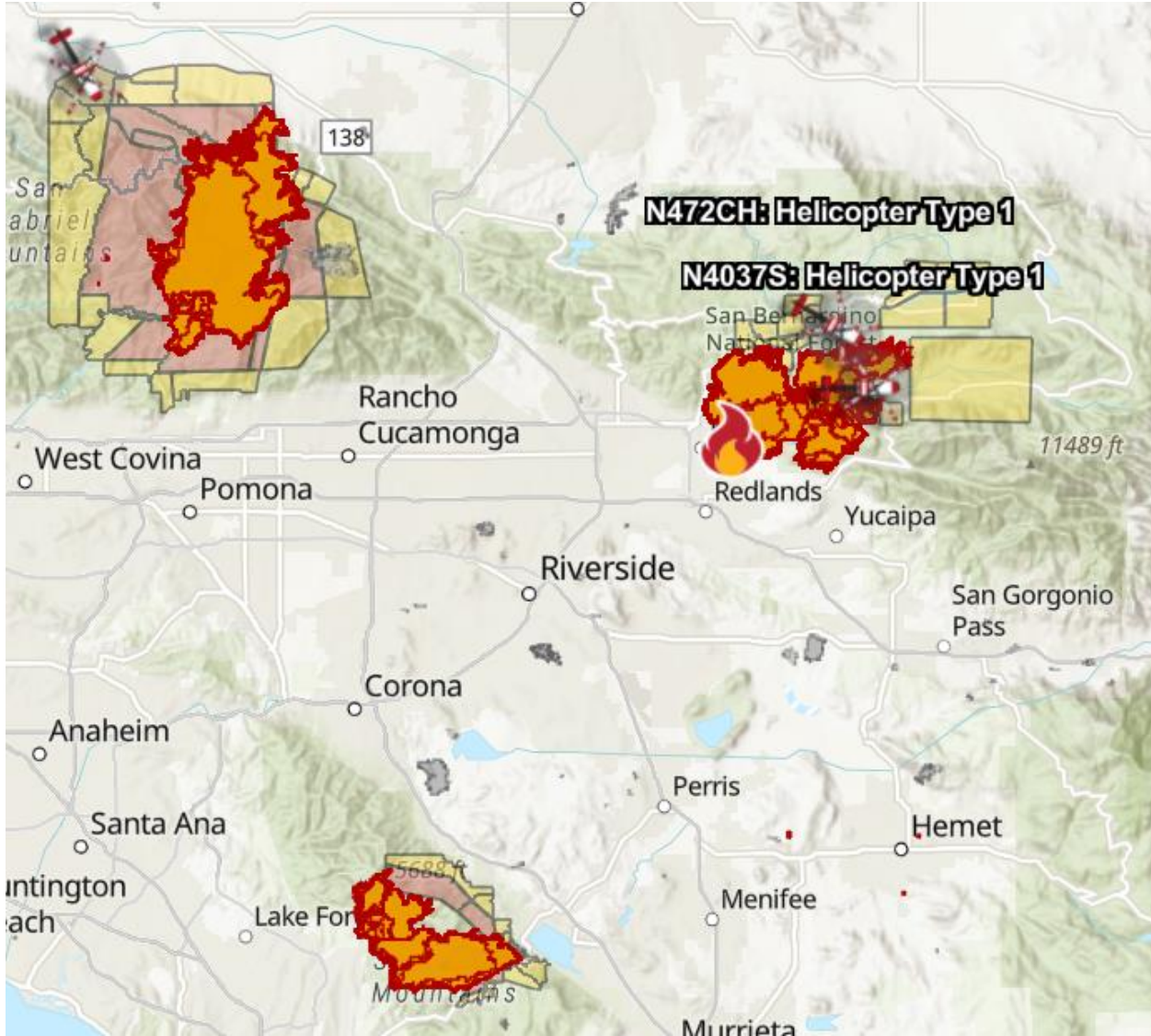
MM AES-1 addresses temporary lighting, but still makes no mention of permanent operational security lighting. The impacts of permanent operational nighttime lighting/security lighting for the truck loading area (located on the east side of the proposed warehouse building) onto adjacent residential properties is not discussed and no mitigation is provided to specifically address the permanent operational lighting impacts. As a result, significant lighting impacts have not been fully analyzed, mitigated or avoided.

The Project Still Fails to Properly Evaluate Impacts to Streets and Fire Safety

The City of Menifee's Engineering and Fire Departments have reviewed the proposed Project's potential impacts on Menifee streets and fire services, as well as the improvements necessary to address and minimize those impacts. This includes impacts to existing street improvements and fire services and utilities that, as demonstrated during the recent wildfire season, should be of acute concern to Perris and all cities and counties in the vicinity, including, most recently, the Airport Fire, which is only at 35% containment as shown in the image below:

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Please refer to attached March 14, 2024, City of Menifee Public Works/Engineering Department comments relating to the traffic analysis. The Project as proposed may result in direct and cumulative impacts to circulation and various sites and fails to evaluate the impact on fire access and utilities. A further analysis is included with this letter as **Attachment "A,"** for your ease of reference.

The Final EIR Still Fails to Meaningfully Address Major Environmental Issues

Failure to meaningfully respond to written comments, as here, independently renders the Final EIR legally inadequate. Here, the Final EIR includes responses to comments that are cursory, conclusory, self-serving, unsupported by facts, and, at times, wholly arbitrary.

For example, the Final EIR's response to Menifee's March 14, 2024, comments on the Draft EIR, states that:

[T]he Project was designed to minimize impacts to the surrounding area, including the non-conforming residential uses within the City of Menifee along Sherman Road, by designing truck driveways along Trumble Road only. Additionally, the Project incorporates Good Neighbor Guidelines recommended buffers by providing an approximately 300-foot separation between the dock doors and the property line of the nearest sensitive receptor as well as a landscape setback of at least 30 feet.

This response is conclusory, self-serving, and unsupported. It remains evident that the Project was *not* designed to minimize impacts consistent with Perris's Good Neighbor Guidelines because warehouse buildings, particularly large logistics distribution facilities of the size proposed by the Project, are not allowed under Perris's current General Plan and zoning designations for the Project site. The fact that Perris is supporting a legislative change in General Plan land use and zoning to allow a large warehouse location is contrary to goals of the Good Neighbor Guidelines to protect neighboring and adjacent uses and particularly sensitive receptors from potential impacts of a warehouse use. The current General Plan and zoning regulations provide greater protection to adjacent sensitive receptors from hazardous impacts of a high volume of large commercial trucks anticipated with the proposed project requiring a change in land use and zoning.

Further responses are similarly deficient:

Figure 3.0-6, Existing General Plan Land Use Designation and Figure 3.0-7, Existing Zoning Designations of the Draft EIR, the area directly east of the Project site located within the City of Menifee has a General Plan Land Use Designation of Business Park and is zoned Business Park/Light Industrial.

[. . .]

As indicated in Table 3.0-A, Surrounding Land Uses of the Draft EIR, the properties to the east of Sherman Road and south of Ethanac Road within the City of Menifee are developed with residential structures. Because these residential uses do not comply with the Menifee General Plan Land Use Designations and zoning, as stated by MDC Chapter 9.15, the existing

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residences are appropriately and correctly referred to as legal, non-conforming uses in the Draft EIR.

These are accurate statements; however, they do not acknowledge that, although the adjacent residential uses are non-conforming, they are a part of an existing established residential neighborhood consisting of over 100 residential dwellings/lots. Notwithstanding Menifee's existing Business Park General Plan land use designation and Business Park/Light Industrial zoning, the existing non-conforming residences will not be replaced with a business park or industrial use anytime in the foreseeable future, unlike what might occur if the adjacent area comprised only a few large vacant or underutilized non-vacant and/or non-conforming parcels. Furthermore, housing is a matter of statewide concern in California, and preservation, and protection of the exiting housing aligns with the State's housing goals and the goals Menifee's Housing Element, unlike removal or replacement of the existing housing.

In another response, Perris states as follows:

The Project has been designed to provide approximately 300 feet between the dock doors and the nearest sensitive receptor. (Consistent with Goal 1, Goal 2, and Goal 4)." and that "the project was designed to minimize impacts to the surrounding area, including the non-conforming residential uses within the City of Menifee along Sherman Road, by designing truck driveways along Trumble Road only.

However, while the dock doors may be located 300 feet from the nearest sensitive receptor, and truck driveways are located along Trumble Road only, the Project has been designed with a large truck loading and parking area situated between the dock doors and the sensitive receptors. The truck loading/parking area occupies nearly two thirds or 200 feet of the distance from the dock doors to the nearest sensitive receptors. Numerous trucks will be operating much closer to the sensitive receptors and could be parked as little as approximately 100 feet from the nearest sensitive receptor. The dock doors do not generate toxic diesel emissions and noise, the trucks do; particularly with respect to the transportation refrigeration capacity anticipated onsite, also not properly analyzed, assessed or mitigated.

We further note that Perris's Good Neighbor Guidelines contains additional policies that are inconsistent with the Project. For example, Policy 12, Goal No. 1 provides that "[w]arehouse/distribution facilities shall be designed to provide adequate on-site parking for commercial trucks and passenger vehicles and on-site queuing for trucks away from sensitive receptors. Commercial trucks shall not be parked in the public right of way or nearby residential areas, in accordance with the Perris Municipal Code and Specific Plans." The Project as designed is inconsistent with this Policy because commercial trucks will be parked nearby residential areas. Moreover, the Project remains inconsistent with Perris's Good Neighbor Guidelines, Policy 3, Goal No. 3, which provides that "truck traffic shall be routed to impact the least number of sensitive receptors." Again, the Project as designed is inconsistent with this Policy because commercial trucks will be routed within the project site towards a large truck loading area near sensitive receptors rather than away from sensitive receptors, and thus are not routed to impact the least number of sensitive receptors.

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Conclusion

Menifee has previously requested the Project developer and Perris to relocate the truck loading/parking area proposed on the east side of the warehouse building to another location/side of the building where trucks would be further away from and have less impact to adjacent residents, yet this change was not accommodated by the developer or Perris. Additionally, we note that Perris's Good Neighbor Guidelines Policy 9, Goal No. 5 provides that "applicants shall engage in a community outreach effort to determine issues of concern during the project entitlement process." It is unclear what efforts the applicant has made to engage in a community outreach effort as required per this policy, and what contact or meetings were held with the adjacent residents in Menifee. As a result, the analysis of the Final EIR, as the Draft EIR before it, does not adequately demonstrate consistency with the above policies and the Project, as proposed, is in conflict with the above General Plan and Good Neighbor Guideline policies, and impacts related to land use and planning are significant and have not been mitigated to a less than significant level.¹

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Again, we appreciate your consideration and look forward to providing further public comment.

Sincerely,

Cheryl Kitzerow

Cheryl Kitzerow
AICP Community Development Director, City of Menifee

- Cc: Stephanie Talavera, Counsel, City of Menifee
Doug Darnell, AICP, Principal Planner, City of Menifee
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Bryan Jones, City of Menifee Assistant City Manager
Clara Miramontes, City of Perris City Manager
Kenneth Phung, City of Perris Director of Development Services
Patricia Brenes, City of Perris Planning Manager

Attachments:

Comment Letter 1A - Addressed Separately below

- A. City of Menifee Public Works/Engineering Department Comments (see bubble mark-up items remaining to be addressed from Public Works/Engineering's March 14, 2024 DEIR comments).

¹ Menifee expressly reserves its right to submit supplemental information and evidence regarding the EIR up to the public hearing on the Project. (See, e.g., *Galante Vineyards v. Monterey Peninsula Water Mgmt.* (1997) 60 Cal.App.4th 1109, 1119–20 [applicant has right to present comments "prior to the close of the public hearing on the project."]; *Coal for Student Action v. City of Fullerton* (1984) 153 Cal.App.3d 1194, 1197 [same principle].)

Response to Comment Letter 1 – City of Menifee – Planning Department

The comments in this letter (Comment Letter 1) and the associated attachment (Comment Letter 1A) are similar to those comments submitted to the City of Perris on March 14, 2024. The March 14, 2024 comment letters (Comment Letter D and Comment Letter D1) were submitted to the City of Perris during the Project’s Draft EIR public review period. As such, responses to Comment Letter D and Comment Letter D1 were included in the Final EIR and mailed to the City of Menifee no less than ten (10) days prior to the Planning Commission Hearing meeting that occurred on September 18, 2024 in accordance with Public Resources Code Section 21092.5. Comment Letter 1 and Comment Letter 1A, do not raise any new environmental concerns; rather, they reiterate Comment Letter D and Comment Letter D1, to which the City has already responded.

Response to Comment 1-A:

This comment includes the City of Menifee’s general concerns about aesthetics, air quality, land use and planning, and noise impacts to neighboring properties within the City of Menifee. The City of Menifee urges the City of Perris Planning Commission to deny the approval of the Project. The Responses to Comment Letter D; specifically *Response to Comments D-1 through D-4*, delivered to the City of Menifee Planning Division on September 5, 2024, address the concerns regarding these topics.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. As such, no new environmental issues are raised by this comment and no further analysis or response is required.

Response to Comment 1-B:

This comment summarizes the proposed Project and reports that the Project uses illusionary baseline conditions to ignore residential communities by referring to the nearby single family residences as legal “non-conforming” residential uses. The City of Menifee’s claim that the Draft EIR downplays sensitive receptors is incorrect. *Response to Comment D-1*, delivered to the City of Menifee Planning Division on September 5, 2024, addresses nearby sensitive receptors. The Draft EIR identifies that areas near the Project site that are located within the City of Menifee have an existing General Plan Land Use Designation of Business Park and Commercial Retail and are zoned Business Park/Light Industrial and Commercial Retail but notes the presence of legal non-conforming residential uses. It is the City of Menifee that changed the land use and zoning designations for these properties from residential to non-residential uses. As such, they are legal, non-conforming residential uses. However, the Draft EIR does not in any way attempt to lessen the importance of these residential uses as sensitive receptors or to establish a false baseline that allows the Project to ignore impact on residential communities. The Draft EIR has classified and evaluated the existing residences as sensitive receptors. Sensitive receptors refer to off-site locations where vulnerable individuals, such as children and the elderly, may be exposed to emissions. The Draft EIR appropriately analyzed air quality, aesthetic, land use, and noise impacts upon these sensitive receptors and adheres to established guidelines and methodologies.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. Because this comment was already addressed in *Response to Comment D-1* and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-C:

This comment alleges that the Project's change in land use and zoning is incompatible with neighboring uses and conflicts with Perris's General Plan goals and policies and Good Neighbor Guidelines in violation of the State Planning and Zoning Law. Specifically, the comment proports that the Project is inconsistent with Environmental Justice Element policies under Goal 3.1 and Good Neighbor Guidelines goals, specifically Goal 1 through Goal 4. *Response to Comment D-4*, delivered to the City of Menifee Planning Division on September 5, 2024, addresses these incorrect allegations. This comment is unsubstantiated and the City of Menifee fails to identify the alleged inconsistency. This comment does not provide any substantive evidence or specific claims to support the allegation that the Project is not consistent with the City of Perris General Plan, the General Plan Environmental Justice Element, or Good Neighbor Guidelines.

As required by the State CEQA Guidelines and as stated in *Response to Comment D-4*, the Draft EIR analyzed the Project's consistency with the Perris General Plan policies that have been adopted for the purpose of avoiding or mitigating an environmental effect in *Section 5.7 – Land Use and Planning, Table 5.7-A, Project Consistency with Perris General Plan 2030 Polices*. This analysis includes applicable policies of Environmental Justice Element Goal 3.1 and concluded that the Project would be consistent with the General Plan policies that have been adopted for the purpose of avoiding or mitigating an environmental effect. (DEIR, pp 5-5.4 – 5.7-26).

Additionally, the Project incorporates applicable policies from the Good Neighbor Guidelines and, by doing so, the Project would protect the neighborhood characteristics (Goal 1), minimize diesel emissions (Goal 2), eliminate trucks from traversing residential neighborhoods (Goal 3), and contain buffers between sensitive receptors (Goal 4), provide diesel particulate matter education program and community outreach (Goal 5), provide construction practices to reduce noise (Goal 6), and comply with CEQA (Goal 7). (DEIR, pp.5.7-26 – 5.7-31).

A detailed summary of how the Project meets Goal 1 through Goal 4 can be found in *Response to Comment D-4*.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. Because this comment was already addressed in *Response to Comment D-4* and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-D:

The comment proports that the Project still does not evaluate aesthetics impacts on adjacent sensitive receptors. The comment alleges that potential operational nighttime lighting/security lighting for the truck loading area is not discussed and no mitigation is provided. *Response to Comment D-2*, delivered to the City of Menifee Planning Division on September 5, 2024, addresses these allegations. The Draft EIR includes an analysis of temporary and permanent lighting impacts. The Draft EIR concluded the temporary impacts would be reduced to less than significant levels with the incorporation of mitigation measure **MM AES-1**, which requires temporary nighttime lighting to be downward facing to avoid light spillage to surrounding properties. Permanent impacts would be less than significant because the Project would be required to be compliant with the Perris Municipal Code Section 19.02.110 – Lighting which requires all lighting, including security lighting, for commercial and industrial parking areas to be directed away from adjoining properties and the public right-of-way. As such, no mitigation is required to reduce operational lighting impacts.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. Because this comment was already addressed in *Response to Comment D-2* and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-E:

The comment proports that the Project still fails to properly evaluate impacts to streets and fire safety. The comment alleges that the City of Menifee's Engineering and Fire Departments reviewed the Project's potential impacts on local streets, fire services, and utilities, noting concerns about street improvements and fire access. Recent wildfires, such as the Airport Fire, highlight the importance of addressing these issues. The comment also proports that the Project may result in direct and cumulative impacts on circulation and fire access, which were not fully evaluated. Response to the City of Menifee's Plan Check comments are included in *Response to Comment Letter D1 and I1*. This comment does not provide any substantive evidence or specific claims to support the allegation that the EIR does not properly evaluate impacts to streets or fire safety.

Transportation

Section 5.9 – Transportation of the Draft EIR, provides the analysis required by CEQA to address the Project's compliance with program plans, ordinances, and policies addressing roadways. As stated in *Section 3.0 – Project Description* of the Draft EIR, "The Project would include improvements to roadways along Project frontage as well as an offsite area along Trumble Road (north of the Project site to Illinois Avenue), and potential offsite improvements to the intersection of Trumble Road and Ethanac Road. The Project site is adjacent to the City of Menifee. The centerlines of Sherman Road and Ethanac Road delineates the boundaries between the City of Perris and City of Menifee, with the City of Menifee limits located east of the centerline of Sherman Road and south of the general plan centerline of Ethanac Road. The centerline of Trumble Road, north of the Project site delineates the boundaries between the City of Perris and City of Menifee; with Perris limits located west of the centerline and Menifee limits located east of the centerline." (DEIR, p. 3.0-11)

The proposed Project would be required to provide improvements along its frontage to the roadway centerlines that demarcate the City limits so the improvements would occur within the City of Peris. As such, the Project would be required to comply with all City guidelines and policies. As further indicated, "Approvals and permits that may be required by other agencies include: City of Menifee – Encroachment permits and approval of construction related to roadway improvements along Sherman Road and Ethanac Road, as well as roadway improvements related to the connection of the Romoland MDP storm drain line for a portion of Trumble Road north of the Project site to Illinois Avenue." (DEIR, p. 3.0-40)

Because roadway improvements to the centerline may have the potential to slightly encroach upon the City of Menifee boundary, the Project would be required to obtain encroachment permits from the City of Menifee in the event they are necessary. *Section 7.1.11 – Transportation* of the Draft EIR, addresses cumulative transportation impacts. The commenter does not provide any substantive evidence or specific claims to support the allegation that the Draft EIR does not properly evaluate impacts to transportation.

Fire

The *Initial Study* included as *Attachment A* to the Draft EIR and *Section 4.0 – Environmental Effects Found Not to be Significant* of the Draft EIR, address the topics of both fire access and fire services. As stated in the *Initial Study* and *Section 4.1.14 – Transportation* of the Draft EIR, "The proposed Project would be required to comply with all applicable fire code and City Fire Department requirements and

standards for construction, access, water mains, fire flow, and fire hydrants. Prior to any site development or future project approvals, all plans would be required to be submitted to the fire marshal for review and verification that they conform to all pertinent fire standards and requirements. Thus, the Project would not result in inadequate emergency access because it would be required to comply with applicable fire codes. Thus, implementation of the proposed Project would not result in inadequate emergency access. Therefore, potential impacts would be less than significant.” (DEIR, p. 4.0-17)

As stated in the *Initial Study* and *Section 4.1.16 – Wildfires* of the Draft EIR, “The Project site is not located within or near a State Responsibility Area very high fire, high or moderate hazard severity zone and the Project site is generally flat with no steep slopes located onsite or adjacent to the affected lands that would exacerbate wildfire risk (i.e., from upslope winds). No other natural features are present onsite that would exacerbate wildfire risks. Therefore, no impact would occur.” (DEIR, p. 4.0-18)

A map was also provided as part of this comment to identify that status of containment of wildfires occurring at the time of the comment. However, comment does not identify how this map or fire relate to the Project.

As further stated in the *Initial Study* and *Section 3.4 - Environmental Effects Found Not to be Significant* of the Final EIR, “In response to a comment regarding existing fire station locations, fire response times and fire service impacts text within *Section 4.0 – Environmental Effects Found Not to be Significant* has been modified. Specifically, text within *Section 4.1.12 – Public Services* has been modified to include Fire Station 54 and clarify the address for Fire Station 9 as follows:

Substantial Adverse Physical Impacts to Fire Protection

Fire protection is provided to the City by the Riverside County Fire Department. The fire stations closest to the Project site are: 1) Fire Station 101- City of Perris Battalion 1 located approximately 3.7 miles northwest from the Project site at 105 S. “F” Street; 2) Fire Station 9 – Goodmeadow Battalion 1 located approximately 5.9 miles west from the Project site at 21565 Steele Peak Drive and 3) Fire Station 54 – located 3.17 miles east from the Project site at 25730 Sultanas Road. (GE, GP SE, p. 21). The Project would be required to comply with the City’s Perris Municipal Code (PMC) Section 19.68.020 which establishes a developer impact fee to mitigate the cost of public facilities needed to offset the impact of developing new facilities to support fire services. Thus, through payment of Developer Impact Fees (DIF), the Project would not result in substantial physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities; the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection. Therefore, potential impacts would be less than significant.” (DEIR, p. 4.0-15)

As identified in the *Initial Study*, “As demonstrated by the analysis in this IS, the Project would not result in any impacts that are individually limited, but cumulatively considerable with respect to aesthetics, agriculture and forestry resource, hazards and hazardous materials, mineral resources, population and housing, public services, recreation, and wildfires.” (DEIR Attachment A, p. IS-107).

As such, the Project’s cumulative impacts to public services and wildfires were analyzed and determined to be less than significant. The commenter does not provide any substantive evidence or specific claims to support the allegation that the EIR does not properly evaluate impacts to fire safety or fire access.

Utilities

The *Initial Study*, Section 4.1.15 – *Utilities and Service Systems* and 5.11 – *Utilities and Service Systems* of the Draft EIR, address potential impacts to utilities. Section 7.1.13 – *Utilities and Service Systems* of the Draft EIR addresses cumulative utility impacts. The commenter does not provide any substantive evidence or specific claims to support the allegation that the Draft EIR does not properly evaluate impacts to utilities.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. No new environmental issues are raised by this comment and no further analysis is required.

Response to Comment 1-F:

The comment reports that the Final EIR is legally inadequate due to its failure to meaningfully respond to written comments. It claims that the responses in the Final EIR are cursory, self-serving, and lack factual support. Specifically, the commenter cites *Response to Comment D-4* which identified that, “the Project was designed to minimize impacts on surrounding areas...by providing an approximately 300-foot separation between the dock doors and the property line of the nearest sensitive receptor as well as a landscape setback.” The comment contends that this response is unsupported and concludes that the Project is not compliant with Perris's Good Neighbor Guidelines. It highlights that large logistics facilities are not permitted under the current General Plan and zoning for the site, and that approving a general plan amendment and zone change contradicts the guidelines aimed at protecting adjacent sensitive receptors from the impacts of increased truck traffic associated with the proposed warehouse.

Response to Comment D-4, delivered to the City of Menifee Planning Division on September 5, 2024, identified that the Project includes design features that would limit trucks access to only the truck driveways along Trumble Road, away from the non-conforming residential uses located along Sherman Road within the City of Menifee. There is no driveway access (truck nor passenger) along Sherman Road. This design feature is consistent with the Good Neighbor Guidelines Goal # 3 which aims to eliminate diesel trucks from unnecessary traversing through residential neighborhoods. *Response to Comment D-4* also provides a detailed discussion addressing consistency with the Perris Good Neighbor Guidelines. With the approval of the General Plan Amendment and Change of Zone, the General Plan land use designation and Zoning designations would be consistent with one another and allow for the proposed industrial uses at the Project site. (DEIR, p. 5.7-5)

Additionally, as discussed in detail in **Table 5.7-A, Project Consistency with Perris General Plan 2030 Policies**, of the Draft EIR, the Project would be consistent with the General Plan policies that have been adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the Draft EIR concluded that with the implementation of the mitigation measures recommended thought the Draft EIR, potential impacts would be less than significant. (DEIR, p. 5.7-30). The commenter still fails to provide any substantive evidence or specific claims to support the allegation that the EIR does not properly evaluate these impacts.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. Because this comment was already addressed in *Response to Comment D-4* and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-G:

The comment reports that the Draft EIR fails to recognize that the adjacent non-conforming residential uses are part of an established neighborhood with over 100 homes and that despite Menifee's Business Park General Plan designation and Business Park/Light Industrial zoning, it is unlikely that the existing residences will be replaced with business or industrial uses in the near future, especially compared to areas with only a few large vacant or underutilized parcels. Additionally, preserving existing housing is crucial in California and aligns with the state's housing goals and Menifee's Housing Element, as opposed to removing or replacing the current homes.

Response to Comment D-1 through D-4, delivered to the City of Menifee Planning Division on September 5, 2024, detailed that the Draft EIR analyzed potential impacts to the existing legal non-conforming residential uses and considered these residences to be sensitive receptors. Future use or legal non-conforming status does not affect how these sensitive uses were analyzed. The Project does not propose replacing those sensitive receptors, so there would be no conflicts with the state's housing goals, or Menifee's Housing Element.

Further, the commenter indicates that, "Notwithstanding Menifee's existing Business Park General Plan land use designation and Business Park/Light Industrial zoning, the existing non-conforming residences will not be replaced with a business park or industrial anytime in the foreseeable future, unlike what might occur if the adjacent area comprised only a few large vacant or underutilized non-vacant and/or non-conforming parcels." While the Draft EIR identifies the general plan land uses and existing land uses located directly adjacent to the Project site, it does not identify the designations further south within the City of Menifee that are also located adjacent to the sensitive receptors identified by the City of Menifee. The Menifee North Specific Plan No 260, Amendment No. 5 approved by the City of Menifee on May 1, 2024, has slated approximately 220 acres just below the Project site, south of Ethanac extending east to McLaughlin Road, for Industrial development. These planned land uses are adjacent to the existing sensitive receptors south of Ethanac located in the City of Menifee. Further, there are entitlement approvals for warehouse development in this same area for which the commenter is citing concern for sensitive receptors.

This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR. Because this comment was already addressed in *Response to Comment D-1 through D-4* and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-H:

The comment reports that while the dock doors are positioned 300 feet from the nearest sensitive receptor, the Project features a large truck loading and parking area located between the dock doors and the sensitive receptors. This area occupies nearly two-thirds, or 200 feet, of the distance to the receptors. As a result, numerous trucks will operate much closer, potentially parking as little as 100 feet away. While the dock doors themselves do not produce toxic diesel emissions and noise, the trucks do, particularly concerning the anticipated transportation refrigeration capacity, which has not been adequately analyzed, assessed, or mitigated.

Response to Comment D-4, delivered to the City of Menifee Planning Division on September 5, 2024, detailed that the Project would be consistent with Perris Good Neighbor Guidelines Goal # 2 which aims to minimize exposure of diesel emission to neighbors restricting diesel engines idling to 5 minutes or less. As part of the Draft EIR, an air quality impact analysis was prepared that concluded that operational

source diesel particulate matter emissions would be less than the South Coast AQMDs thresholds of significance and potential impacts to sensitive uses would be less than significant and no mitigation was required. Additionally, the Health Risk Assessment prepared for the Project evaluated the potential concentration of trucks on the east side of the Project site and determined that potential health risks impact would be less than significant, and no mitigation was required.

In response to a South Coast AQMD comment on the Draft EIR, additional sensitive receptors were modeled and included within a supplemental analysis included as *Attachments G.2 – AERMOD HRA Modeling Outputs* to the Final EIR. As stated in *Response to Comment G-3* to address the South Coast AQMD comment and included within the Final EIR, “As described in the Draft EIR, the *Health Risk Assessment (HRA)* analysis was performed using a total of 12 discrete receptors, which were placed at the locations of the nearest residences, schools, and workplaces. The six receptor locations that experienced the highest pollutant concentrations are shown in **Figure 5.1-1, Project HRA Receptor Locations** (DEIR, pp. 5.1-7- 5.1-8). Because receptors were placed at the nearest residences, schools, and workplaces, the maximally exposed resident, worker, and school child is accounted for in the analysis. (DEIR, pp. 5.1-40 - 5.1-41). Nonetheless, the analysis has been supplemented to include additional receptors, including sensitive receptors placed at residences to the east and north of the Project site, for a total of 33 receptors. As shown in the supplemental air dispersion modeling results provided in *Attachment G.2 – AERMOD HRA Modeling Outputs*, below, with the addition of these receptors, the maximum risk and the locations of the maximally exposed individual sensitive receptors, workers, and school children would remain unchanged. All attachments are presented in *Section 2.3 – Response to Comments Attachments.*” (FEIR, p. 2-61)

Further, the Final EIR states, “The results of the supplemental air dispersion modeling results, which amplified the original *HRA* (Draft EIR, Appendix B.2) by modeling additional sensitive receptors as recommended by the Commenter, confirmed the less than significant conclusion disclosed in the Draft EIR. Hence, this comment does not constitute significant new information that would require recirculation of the Draft EIR pursuant to State CEQA Guidelines Section 15088.5, because there are no new or significant impacts identified.” (FEIR, p. 2-61)

The commenter fails to provide any substantive evidence or specific claims to support the allegation that the EIR does not properly evaluate these impacts. This comment does not provide information that changes the environmental analysis or conclusions of the Draft and Final EIRs. Because this comment was already addressed in *Response to Comment D-4* and the Final EIR and does not raise any new environmental issues, no further analysis or response is required.

Response to Comment 1-I:

This comment indicates that the City of Menifee has previously requested to relocate the truck loading/parking on the east side of the Project site to be moved elsewhere and that this request was not accommodated. Additionally, the City of Menifee is not clear what community outreach efforts were conducted as required by Perris Good Neighbor Guidelines Goal #5. Therefore, the City of Menifee proports that the analysis of the EIR does not adequately demonstrate consistency with General Plan and the Good Neighbor Guideline policies, and impacts related to land use and planning are significant and have not been mitigated to a less than significant level. This comment is incorrect.

Response to Comment D-4, delivered to the City of Menifee Planning Division on September 5, 2024, further detailed that the City acknowledged the City of Menifee’s request but ultimately determined that moving the truck loading/parking areas from the eastern side elsewhere was infeasible; but that does not

mean the Project is not consistent with the General Plan and Perris Good Neighbor Guideline policies and no evidence has been offered to support this claim. Further the Draft EIR appropriately concluded that the Project would be consistent with both the General Plan policies that have been adopted for the purpose of avoiding or mitigating an environmental effect and Good Neighbor Guidelines policies.

With respect to community outreach, on February 23, 2024, the applicant team conducted a community outreach event to inform residents and local businesses in the Cities of Perris and Menifee about the proposed Project. Information packets, available in both English and Spanish, were distributed to 78 homes and businesses. A bilingual speaker was present to facilitate discussions. The outreach efforts encompassed both residential and commercial properties within and beyond the standard 300-foot notification radius. For those who were unavailable for discussion, project packets containing contact information was provided. Additionally, a follow-up community outreach effort was conducted September 6, 2024, to ensure residents had ample opportunity to express potential concerns and support.

The commenter fails to provide any substantive evidence or specific claims to support the allegation that the EIR does not properly evaluate these impacts. This comment does not provide information that changes the environmental analysis or conclusions of the Draft EIR so no further analysis or response is required.

Comment Letter 1A – City of Menifee Public Works/Engineering Department

Comment Letter 1A commences on the next page.



CITY OF MENIFEE
MEMORANDUM

PUBLIC WORKS/ENGINEERING DEPARTMENT

DATE: September 9, 2024
TO: Doug Darnell, AICP, Principal Planner
FROM: Haile Ford, PE, Senior Engineer
CC: Steven Strapac, PE, PLS, QSD, Assistant City Engineer
RE: City of Perris' Ethanac Logistics Center – TPM 22-05328 38600 – PC2 Engineering Comments

The PC2 comments noted herein are for review of the following:

- Ethanac Logistics Center Environmental Documents

Public Works / Engineering has reviewed the referenced documents and has the following comments:

Preliminary Drainage Study dated January 2023, prepared by Albert A. Webb Associates:

1. Based on the information presented in this report, all drainage drains to the west to drainage facilities that are owned and maintained by the City of Perris and the Riverside County Flood Control District. Therefore, Engineering has no further comments on this submittal.

1A-1

Traffic Analysis dated December 15, 2023, prepared by Urban Crossroads:

1. The following locations were analyzed in this report:
 - Trumble Road and Driveway 1.
 - Trumble Road and Driveway 2.
 - Trumble Road and Ethanac Road.
 - Driveway 3 and Ethanac Road.
 - Driveway 4 and Ethanac Road.
 - Sherman Road and Ethanac Road.

1A-2

Other locations should also be analyzed. For example, the Ethanac Road / I-215 interchange should be analyzed, and various locations within the City of Meniffee's jurisdiction should be analyzed to determine the traffic impacts to the City of Meniffee. Such locations would include, but not be limited to, the following:

- The segment of Trumble Road that runs south of Ethanac Road.



- The segment of Sherman Road that runs south of Ethanac Road.
- The intersection of Ethanac Road and Antelope Road.

2. The following recommended off-site improvements would encroach into the City of Menifee's jurisdiction:

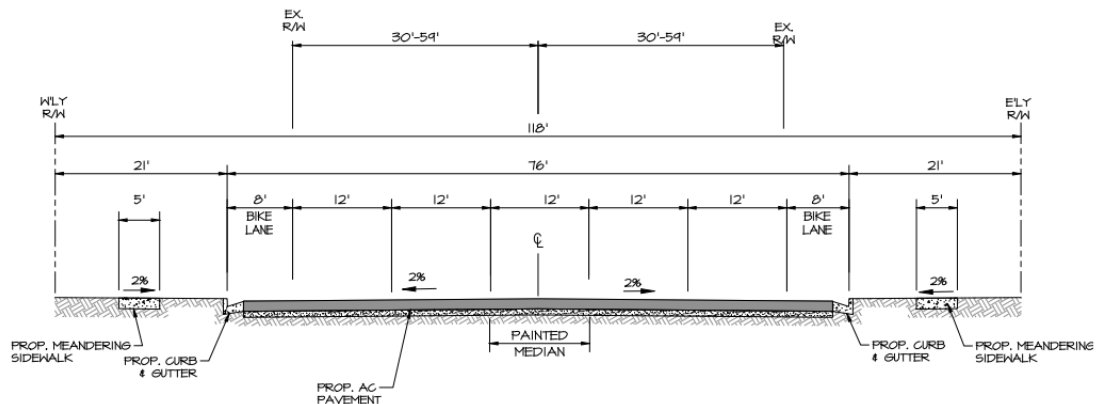
- Adding a second eastbound through lane at the intersection of Ethanac Road and Trumble Road. (The project is recommended to pay TUMF fees for this improvement.)
- Adding a second eastbound through lane at the intersection of Driveway 3 and Ethanac Road and Trumble Road. (The project is recommended to pay TUMF fees for this improvement.)
- Adding a third eastbound through lane at the intersection of Driveway 3 and Ethanac Road and Trumble Road. (The project is recommended to pay "Fair Share" fees for this improvement.)
- Adding a second eastbound through lane at the intersection of Driveway 4 and Ethanac Road and Trumble Road. (The project is recommended to pay TUMF fees for this improvement.)
- Adding a third eastbound through lane at the intersection of Driveway 4 and Ethanac Road and Trumble Road. (The project is recommended to pay "Fair Share" fees for this improvement.)
- Installing a traffic signal at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay "Fair Share" fees for this improvement.)
- Installing a northbound left-turn lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay "Fair Share" fees for this improvement.)
- Installing an eastbound left-turn lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to construct this improvement.)
- Installing a second northbound left-turn lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay "Fair Share" fees for this improvement.)
- Installing a second eastbound through lane and an eastbound right-turn lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay TUMF and "Fair Share" fees for these improvements.)

- Installing a northbound right-turn lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay “Fair Share” fees for this improvement)
- Installing a third eastbound through lane at the intersection of Sherman Road and Ethanac Road. (The project is recommended to pay “Fair Share” fees for this improvement.)

Please coordinate with the City of Menifee’s Engineering Department regarding these recommended improvements.

Regarding the future traffic signal at the intersection of Sherman Road and Ethanac Road, please note that the City of Menifee has conditioned the developer of the Menifee Commerce Center (City of Menifee Planning Case No. PLN21-0305 / Tentative Parcel Map 38156 / Plot Plan 2019-005) to install a traffic signal at this intersection. This project is currently in final engineering. The specific improvements to be constructed as part of this project at the intersection of Sherman Road and Ethanac Road are as follows:

- Install a new traffic signal with north / south protected left-turn phasing, eastbound right-turn overlap phasing, and the following intersection improvements:
 - Northbound: one shared through / right-turn lane, and two left-turn lanes.
 - Southbound: one through lane, one right-turn lane, and one left-turn lane.
 - Westbound: one shared through / right-turn lane, and one left-turn lane.
 - Eastbound: two through lanes, one right-turn lane, and one left-turn lane.
 - Traffic signal poles for the northbound and southbound lanes at the intersection of Sherman Road and Ethanac Road to be placed at the ultimate location as feasible.
 - Sherman Road will be constructed as a modified Major roadway, which will be a 4-lane divided roadway with Class II Community On-Street bike lanes along the project frontage, as shown in the typical section roadway below:



1A-3
 Cont.

It is recommended that the City of Perris require the developer of the Ethanac Logistics Center to construct the ultimate half-width improvements along the project's Sherman Road frontage.

General Comments:

1. The following projects in the City of Menifee's jurisdiction are in the vicinity of the City of Perris' Ethanac Logistics Center project:

- The Trumble / Watson industrial warehouse project (City of Menifee Planning Case No. DEV2022-019).

- The Menifee Commerce Center (City of Menifee Planning Case No. PLN21-0305 / Tentative Parcel Map 38156 / Plot Plan 2019-005).

- Ethanac Business Park (City of Menifee Planning Case No. PLN23-0171).

Coordinate in advance with the City of Menifee regarding these projects, to ensure that the recommendations in the Traffic Analysis do not conflict with the traffic recommendations for these City of Menifee projects. For example:

- The Menifee Commerce Center project requires the developer to construct the following improvements:
 - Sherman Road to be constructed as a modified Major roadway, which will be a 4-lane divided roadway with Class II Community On-Street bike lanes along the project frontage. (See Traffic Analysis Comment No. 2 above)
 - Trumble Road to be constructed as a modified Collector roadway, which will be a 2-lane roadway with a Class III bike route along the project frontage to centerline plus 12 feet.
 - Modify the existing traffic signal near the northbound on-ramp of the Ethanac Road / I-215 interchange.
 - Modify the existing traffic signal at the intersection of Ethanac Road and Trumble Road.

The Trumble / Watson and Ethanac Business Park projects will also require that offsite road improvements be made, and as such, it is important that the applicant / developer of the City of Perris' Ethanac Logistics Center coordinate closely with these projects that are located within the City of Menifee's jurisdiction.

As you coordinate with the City of Menifee, keep in mind the following City of Menifee Level of Service (LOS) Guidelines:

- The traffic study / analysis area, at a minimum, shall generally include streets on which the proposed project will add 50 or more peak-hour trips, up to a 5-mile radius from the project location. The limits of this area may be extended if the project has a regional impact on the regional transportation system.
- Additional intersections of concern, which may include but not be limited to project driveways, may also require analysis.
- For projects located in the vicinity of schools, traffic counts may be required during the school season as determined by the Community Development Department or Public Works / Engineering Department.
 - A Roadway Segment Analysis shall be required for roadway segments where 500 or more daily trips are added along the City of Menifee's Circulation Element roadway network, up to a 5-mile radius from the project location.
 - Additional intersections and roadway segments may be required to be analyzed at the discretion of the City of Menifee's Traffic Engineer.
 - The City of Menifee has identified LOS D as the standard for acceptable operating conditions for intersections, except at constrained intersections and roadway segments in close proximity to I-215, where LOS E is acceptable during peak hours.
 - The traffic study / analysis shall address whether or not the required LOS will be achieved after the proposed project is constructed. Intersections or roadway segments not meeting the required LOS may be conditioned for improvements toward meeting the LOS standard. Specifically, a project would not meet the LOS standard if: (1) The pre-project condition at an intersection or roadway segment is at or better than the minimum acceptable LOS, and the addition of project trips results in an unacceptable LOS. (2) The pre-project condition is at LOS E or F, and the project adds 50 or more peak-hour trips to the intersection or roadway segment. This type of impact would be considered a "cumulative" project impact, in which the project would be required to contribute a fair-share payment toward reducing the impact.
 - Fair-share contributions may be recommended to improve LOS conditions under the "Existing Plus Project" scenario if the existing condition is at an unacceptable LOS. All fair-share contributions shall be calculated using the following equation:

1A-4
Cont.

$$d = \frac{c}{(b - a)}$$

Where:

a = Existing Traffic Volume

b = Opening Year Cumulative With Project Volume

c = Proposed Project Trips

d = Fair Share Percentage

2. The applicant / developer and the City of Perris should coordinate with Caltrans for the necessary right-of-way required for future interchange widening and improvements.
3. The applicant / developer should provide appropriate right-of-way dedication for the ultimate improvements along Ethanac Road. It should be noted that Ethanac Road is designated as a 6 to 8-Lane Divided Expressway in the Circulation Element of the City of Menifee's General Plan.
4. Check the Caltrans Highway Design Manual for appropriate distances.

5. Provide an exhibit that shows proposed improvements on the south side of Ethanac Road.

The applicant / developer is advised to prepare a response letter in the next submittal, responding back to each comment in this Memo. Any questions can be directed to Haile Ford at (951) 723-1774 (office), (213) 215-6772 (cell), or by email at hford@cityofmenifee.us.

1A-4
Cont.

1A-5

1A-6

1A-7

1A-8

1A-9

Response to Comment Letter 1A– City of Menifee Public Works/Engineering Department

The following comments are not in direct response to the Draft EIR; but are instead, responses to plan check comments related to the Preliminary Drainage Study and Traffic Analysis utilized by the Draft EIR. Comments contained within Comment Letter 1A were previously provided in a memo dated March 14, 2024 (Comment Letter D1) that was attached to the City of Menifee Planning Department’s comments to the Draft EIR (Letter D). The comments within Letter I1 are verbatim to the comments received in that separate memo dated March 14, 2024 (Letter D1). This comment letter contains bubble mark-ups around certain comments but does not include any new comments. Response to Comments Letters D and D1 were included in the Final EIR and were mailed to the City of Menifee – Planning Division no less than ten (10) days prior to the Planning Commission hearing that occurred on September 18, 2024 in accordance with Public Resources Code Section 21092.5, An additional copy of Response to Comment Letter D1 was delivered directly to the Public Works/Engineering Department on September 9, 2024.

As previously stated in Response to Comment Letter D1, these are plan check comments that are not associated with comments on the adequacy of the EIR. Regardless, they have been previously addressed and were included as part of the Final EIR Response to Comments.

Response to Comment 1A-1:

As previously stated in *Response to Letter D1*; specifically *Response to Comment D1-1* delivered to the City of Menifee on September 5, 2024:

Comment noted that the City of Menifee has no further comments related to the *Preliminary Drainage Study*.

Response to Comment 1A-2:

As previously stated in *Response to Comment D1-2* delivered to the City of Menifee on September 5, 2024:

Based on the Project Only traffic volumes, no Project traffic is anticipated to utilize Trumble Road or Sherman Road, south of Ethanac Road as reflected in *Exhibit 4-1: Project (Passenger Car) Trip Distribution* and *Exhibit 4-2: Project (Truck) Trip Distribution* of the *Traffic Analysis* on pages 47 and 48, respectively. The Project is anticipated to contribute 27 AM peak hour trips and 30 PM peak hour trips to the intersection of Antelope Road & Ethanac Road. Per the City of Menifee *LOS Traffic Analysis Guidelines*, dated October 2020, a study area is to consist of intersections where the Project is anticipated to contribute 50 or more peak hour trips or 500 or more daily trips. Since the Project is anticipated to contribute less than 50 peak hour trips and 500 daily trips to the locations identified above, they were not required to be evaluated in the *Traffic Analysis* nor did the City of Menifee previously request that these locations be included.

Response to Comment 1A-3:

As previously stated in *Response to Comment D1-3* delivered to the City of Menifee on September 5, 2024:

The *Traffic Analysis* for the proposed Project has been reviewed by the City of Menifee. As part of those reviews, the City provided comments on the identified improvements in the *Traffic Analysis*, for both off-site and site adjacent/site access locations. The *Traffic Analysis* was updated to address the City's comments and response letters were sent to the City on July 3, 2023 and December 15, 2023. The City of Menifee Public Works/Engineering Department approved the *Traffic Analysis* on January 4, 2024. On January 9, 2024, the City of Menifee Planning Department also approved the *Traffic Analysis*.

Therefore, the Project has coordinated improvements with the City of Menifee. Final engineering plans will be coordinated with the City of Menifee's engineering department for review and approval.

Response to Comment 1A-4:

As previously stated in *Response to Comment D1-4* delivered to the City of Menifee on September 5, 2024:

The identified development projects were included as part of the cumulative development projects list utilized in *Table 4-3: Cumulative Development Land Use Summary* on page 55 of the *Traffic Analysis*. The improvements as part of the nearby and adjacent cumulative projects (i.e., Menifee Commerce Center) have been reviewed to ensure consistency between the projects' identified intersection and roadway improvements.

The ultimate half-width improvements along the Project's frontage will be constructed per City of Perris roadway cross-sections and as conditioned by the City of Perris. The on-site site access and site adjacent roadway improvements for the proposed Project's frontage are included in the *Traffic Analysis* on page 1, along with concept striping exhibits reflected as *Exhibit 1-6: Concept Striping Recommendations* on pages 17 and 18 of the *Traffic Analysis*. On December 12, 2023, the City of Menifee Public Works/Engineering Department provided a second round of comments on the *Traffic Analysis*. These comments were addressed by Urban Crossroads in a response letter dated December 15, 2023. *Attachment D1.1 – Ethanac Road and Sherman Road North Leg Concept Striping* below, was provided as part of that response letter; specifically in response to comment number 1. All attachments are presented in *Section 2.3 – Response to Comments Attachments*.

The *Traffic Analysis* has been prepared in accordance with the City of Menifee *LOS Traffic Analysis Guidelines*, including the target LOS and the fair share calculations. The *Traffic Analysis* methodologies and assumptions, consistent with both City of Perris' Guidelines and City of Menifee's *LOS Traffic Analysis Guidelines*, are discussed in detail in *Section 2 - Methodologies of the Traffic Analysis*.

Ultimately, the City of Menifee Public Works/Engineering Department reviewed and approved the *Traffic Analysis* on January 4, 2024. On January 9, 2024, the City of Menifee Planning Department also provided approval of the *Traffic Analysis*.

Response to Comment 1A-5:

As previously stated in *Response to Comment D1-5* delivered to the City of Menifee on September 5, 2024:

The Interstate-215 (I-215)/Ethanac Road interchange is not included as part of the Project's study area. As such, no intersection or roadway improvements have been identified for the I-215/Ethanac Road interchange as part of this *Traffic Analysis*.

Response to Comment 1A-6:

As previously stated in *Response to Comment D1-6* delivered to the City of Menifee on September 5, 2024:

The Project is dedicating the adequate right-of-way for Ethanac Road, based on the City of Perris' General Plan and conditions of approval. As indicated in *Response to Comment D1-4* above, the City of Menifee Public Works/Engineering Department provided comments related to the concept striping plan for Ethanac Road. The Project updated the concept plan and provided clarification to address these comments. The City of Menifee Public Works/Engineering Department ultimately approved the *Traffic Analysis* on January 4, 2024. On January 9, 2024, the City of Menifee Planning Department also provided their approval of the study.

Response to Comment 1A-7:

As previously stated in *Response to Comment D1-7* delivered to the City of Menifee on September 5, 2024:

The concept plans included in the *Traffic Analysis* have been prepared in accordance with the Caltrans Highway Design Manual.

Response to Comment 1A-8:

As previously stated in *Response to Comment D1-8* delivered to the City of Menifee on September 5, 2024:

As indicated in *Response to Comment D1-4* above, concept striping exhibits are included in the *Traffic Analysis* which has been reviewed and approved by the City of Menifee.

Response to Comment 1A-9:

As previously stated in *Response to Comment D1-9* delivered to the City of Menifee on September 5, 2024:

Responses have been provided. However, as noted in *Response to Comments D1-3, D1-4, and D1-6* above, both the City of Menifee Planning and Public Works/Engineering Departments have previously provided approval of the *Traffic Analysis*.

Comment Letter 2 – Individual Comment 1

Comment Letter J commences on the next page.

From: Yesenia Contreras <yesenia.contreras26@yahoo.com>
Sent: Tuesday, September 17, 2024 6:23 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

Dear Mr. Perez,

As a Perris resident, I am writing to oppose the rezone that would allow for a 400,000 square foot warehouse to be built along Ethanac and Sherman Road.

Thank you,
Yesenia Contreras



2-A

Response to Comment Letter 2 – Individual Comment 1

Response to Comment 2-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 3 – Individual Comment 2

Comment Letter 3 commences on the next page.

From: Guadalupe Lara <glarasandoval@gmail.com>
Sent: Wednesday, September 18, 2024 8:36 AM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda item 6C, planning commission meeting 9/18/2024

My name is Guadalupe Lara, I am a resident of Perris and I'm sending this email to oppose the rezone to build a 400,000 square foot warehouse on Ethanac and Sherman Road. Please leave this zone for what's it meant to. Please don't rezone. Please no more warehouses. Thank you.
Guadalupe Lara

3-A

Response to Comment Letter 3 – Individual Comment 2

Response to Comment 3-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 4 – Individual Comment 3

Comment Letter 4 commences on the next page.

From: Norma Garcia <garcia.norma18@yahoo.com>
Sent: Wednesday, September 18, 2024 10:56 AM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

Dear Mr. Perez,

My name is Norma Garcia and I am a resident of Perris. I am writing to oppose the rezone to build an 400,000 square foot warehouse on Ethanac and Sherman Road.

Our elderly, our children, our pets, our community as a whole deserve better quality air. We deserve the city of Perris to feel like a community we are proud to live in and not a city full of warehouses affecting our health and well being.

Thank-you for your time and consideration!

Warmly,
Norma

4-A

Response to Comment Letter 4 – Individual Comment 3

Response to Comment 4-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 5 – Individual Comment 4

Comment Letter 5 commences on the next page.

From: Nohemi ayala <nayalabo@gmail.com>
Sent: Wednesday, September 18, 2024 2:55 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

My name is Nohemi and I am a resident of Perris. I am writing to **oppose** the rezone to build a 400,000 square foot warehouse on Ethanac and Sherman Road.

My entire family, including my parents and 6 siblings have lived in Perris since 2003. We have seen this city grow tremendously over the years. I am a Perris homeowner and future parent and want my children and their children to have clean air in the city they live in.

Thank you for your consideration.

Sincerely,
Nohemi Ayala

5-A

Response to Comment Letter 5 – Individual Comment 4

Response to Comment 5-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 6 – Individual Comment 5

Comment Letter 6 commences on the next page.

From: Ashley Williamson <piscespolarity@gmail.com>
Sent: Wednesday, September 18, 2024 4:06 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Opposition to Agenda item 6C for planning commision 9/18/24

Dear Mr. Perez,

My name is Ashley Barton (nee Williamson) and I firmly oppose changing the zoning on Ethanac to allow a 400k sq ft warehouse. The air pollution is already at unacceptable level and this will directly detract from resident quality of life. Please say no.

Thank you,
Ashley Barton

6-A

Response to Comment Letter 6 – Individual Comment 5

Response to Comment 6-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 7 – Individual Comment 6

Comment Letter 7 commences on the next page.

From: Jill Menez <jillmenez99@gmail.com>
Sent: Wednesday, September 18, 2024 4:54 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: 9/18 Planning Commission Meeting Agenda Item 6C Public Comment

Dear Mr. Perez,

On behalf of Perris Neighbors in Action, we oppose this project and the rezone.

Our opposition is on the basis of: inadequate, environmental review, inadequate community outreach, and the cumulative negative detriment that this project will have on our health and well-being.

We are unfortunately unable to attend this meeting in person today, however, we want to make perfectly clear that we oppose this project.

Thank you,
Jillian Menez
Perris Neighbors in Action

7-A

Response to Comment Letter 7 – Individual Comment 6

Response to Comment 7-A:

This letter expresses the commenter’s opposition to the proposed Project on the basis of purported inadequate environmental review, inadequate community outreach, and the cumulative negative detriment that the Project will have upon residents’ health and well-being.

The EIR was prepared in accordance with State CEQA Guidelines. On February 23, 2024, the applicant team conducted a community outreach event to inform residents and local businesses in the Cities of Perris and Menifee about the proposed Project. Information packets, available in both English and Spanish, were distributed to 78 homes and businesses. A bilingual speaker was present to facilitate discussions. The outreach efforts encompassed both residential and commercial properties within and beyond the standard 300-foot notification radius. For those who were unavailable for discussion, project packets containing contact information was provided. Additionally, a follow-up community outreach effort was conducted September 6, 2024, to ensure residents had ample opportunity to express potential concerns and support.

The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter’s opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 8 – Individual Comment 7

Comment Letter 8 commences on the next page.

From: Jairo <jcarbs99@gmail.com>
Sent: Wednesday, September 18, 2024 4:58 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6c. Opposition

Dear Mr.Perez,

My name is Jairo Carbajal and I am a resident of Perris. I am in opposition of this of the 19.9 acre rezone Item 6c.

Sincerely,
Jairo Carbajal
92570



8-A

Response to Comment Letter 8 – Individual Comment 7

Response to Comment 8-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 9 – Individual Comment 8

Comment Letter 9 commences on the next page.

From: Cassandra Chavez <chavezcassandra15@gmail.com>
Sent: Wednesday, September 18, 2024 5:16 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

Dear Mr. Perez,

My name is Cassandra Chavez and I am a member of the community. I am writing to oppose the rezone to build a 400,000 square foot warehouse on Ethanac and Sherman Road.

Sincerely,
Cassandra Chavez (she/her/hers)

9-A

Response to Comment Letter 9 – Individual Comment 8

Response to Comment 9-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 10 – Individual Comment 9

Comment Letter 10 commences on the next page.

From: Liz Sanchez <ucliz2017@gmail.com>
Sent: Wednesday, September 18, 2024 5:34 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

Hello,

My name is Lizeth Sanchez and I am a resident of Perris. I am emailing to OPPOSE the rezone to build a 400,000 sqft warehouse on Sherman and Ethanac. This will devastate nearby communities and the city as a whole with excess traffic, air and noise pollution, and an eyesore. We just give our community better options!

Thank you,
Lizeth

10-A

Response to Comment Letter 10 – Individual Comment 9

Response to Comment 10-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 11 – Individual Comment 10

Comment Letter 11 commences on the next page.

From: Jazmine Hernandez <hernanjaz@icloud.com>
Sent: Wednesday, September 18, 2024 6:06 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Agenda Item 6C, Planning Commission Meeting 9/18/24

Hello,

My name is Jazmine Hernandez and I am a resident of Perris. I am emailing to OPPOSE the rezone to build a 400,000 sqft warehouse on Sherman and Ethanac. This will devastate nearby communities and the city as a whole with excess traffic, air and noise pollution, and an eyesore. We just give our community better options!

Thank you,

Jazmine

11-A

Response to Comment Letter 11 – Individual Comment 10

Response to Comment 11-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 12 – Individual Comment 11

Comment Letter 12 commences on the next page.

From: Jose Quintero JR <quintero.jr@hotmail.com>
Sent: Wednesday, September 18, 2024 6:08 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: Objection to rezoning

Hello I am Jose Quintero Jr a Perris resident for over 20 years. I writing due to the fact that I am unable to attend to voice my concerns in regards to the re zone of commercial land to industrial. We have empty warehouses we do not need any more, that needs to be taken into account.

Thank you.

12-A

Response to Comment Letter 12 – Individual Comment 11

Response to Comment 12-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.

Comment Letter 13 – Individual Comment 12

Comment Letter 13 commences on the next page.

From: Angela Garcia <angelajgarcia24@outlook.com>
Sent: Wednesday, September 18, 2024 6:29 PM
To: Nathan Perez <NPerez@cityofperris.org>
Subject: AGENDA ITEM 6C, PLANNING COMMISSION MEETING 9/18/24

Hello,

My name is Angela Garcia, and I am a resident of Perris. I am emailing to OPPOSE the rezone to build a 400,000 sqft warehouse on Sherman and Ethanac. This will devastate nearby communities and the city as a whole with access traffic, air and noise pollution, and an eyesore. We just give our community better options.

Thank you, Angela Garcia

13-A

Response to Comment Letter 13 – Individual Comment 12

Response to Comment 13-A:

This letter expresses the commenter's opposition to the proposed Project. The letter does not question the content or conclusions of the Draft or Final EIRs. The commenter's opposition to the proposed Project will be considered by the City of Perris City Council when it elects to approve or deny the Project.