FINAL ENVIRONMENTAL IMPACT REPORT
DUKE WAREHOUSE AT
PATTERSON AVENUE & MARKHAM STREET
SCH NO. 2017101009

PREPARED FOR
CITY OF PEORIA INC. 1911
NOVEMBER 2018
FINAL ENVIRONMENTAL IMPACT REPORT

Duke Warehouse at
Patterson Avenue and Markham Street
Perris, California

SCH No. 2017101009

Project Applicant:
Duke Realty Limited Partnership
300 Spectrum Center Drive, Suite 1450
Irvine, CA 92618

Lead Agency:
City of Perris
Planning Division
135 N. “D” Street
Perris, CA 92570
Kenneth Phung, Planning Manager
(951) 943-5003

Prepared By:
ALBERT A. WEBB ASSOCIATES
3788 McCray Street
Riverside, CA 92506
(951) 686-1070

November 2018
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3.1 Introduction

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Section 1 – Introduction

The Final Environmental Impact Report (FEIR), as required pursuant to State CEQA Guidelines Sections 15089 and 15132, includes the Draft Environmental Impact Report (DEIR) or a revision thereof, comments and recommendations received on the DEIR, a list of persons, organizations, and public agencies commenting on the DEIR, and the responses of the lead agency, which is the City of Perris (City) for this Project, to significant environmental points raised in the review and consultation process. A Mitigation Monitoring and Reporting Program (MMRP) is also included to ensure compliance during Project implementation (Public Resources Code Section 21081.6, CEQA Guidelines Section 15097).

1.1 Information Added Following Distribution of the Draft EIR

The information added following distribution of the DEIR does not constitute “significant new information” pursuant to CEQA Guidelines Section 15088.5 because this information does not change the Project impacts and/or mitigation measures such that new or more severe environmental impacts result from the Project. The information is added as a result of comments received from responsible agencies and/or minor corrections or clarifications. The additional information merely “clarifies or amplifies or makes insignificant modifications” in the already adequate DEIR, as is permitted by State CEQA Guidelines Section 15088.5(b).

1.2 Relationship to the Draft EIR

Minor changes that clarify or correct minor inaccuracies in the DEIR appear as revised pages in the Corrections, Errata, and Changes from DEIR to FEIR section which follows herein. The DEIR considered by the City, as lead agency, has been edited to reflect corrections and responses to comments raised.

1.3 Public Review Summary

The EIR process for this Project consisted of three parts: the Notice of Preparation (NOP), public review of the DEIR, and preparation of the FEIR. The City distributed the NOP on October 4, 2017 to agencies, local governments, and interested parties of the general public. Pursuant to State CEQA Guidelines Section 15082, recipients of the NOP were requested to provide responses within 30 days upon receipt. Copies of the NOP and comments received are included in Appendix A to the DEIR.

The City circulated the DEIR for the Project for a 45-day public review period from June 29, 2018 through August 13, 2018 to the State Clearinghouse, Responsible Agencies, and interested parties for review and comment.

General public Notice of Availability (NOA) of the DEIR was also provided by publication in The Perris Progress newspaper on June 29, 2018. As required by Public Resources Code Section 21092.3, a copy of the NOA was posted with the Riverside County Clerk on June 29, 2018.

As provided in the public notice and in accordance with State CEQA Guidelines Section 21091(d), the City accepted written comments through August 14, 2018. During the public review period for the Project, the City received three comment letters from agencies, community members, and other organizations. One comment letters was received subsequent to the close of the public review period. All comments are listed below.

The Responses to Comments, along with the comment letters, are included in Section 2 of this FEIR. In accordance with the provisions of Public Resources Code Section 21092.5, the City has provided a
written response to each commenting public agency no less than 10 days prior to the proposed certification date.

1.4  List of Persons, Organizations, and Agencies that Commented on the DEIR

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Section 2 – Responses to Comments

Pursuant to CEQA Guidelines Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the submitted comment letters.

All of the comment letters are included in this section. Each comment letter is followed by the responses to each of its comments. Each comment letter is identified by the letter designated in Section 1.4 of this FEIR, and identifying information for each commenter is provided at the beginning of the corresponding responses. Specific comments are delineated and lettered as well. Corrections and additions resulting from comments on the DEIR are summarized in Section 3.1 of this FEIR.
Comment Letter A – County of Riverside Transportation Department, August 9, 2018

Comment letter A commences on the next page.
August 9, 2018

Kenneth Phung
City of Perris Planning Division 135 N. “D” Street,
Perris, CA 92570-2200

RE: Notice of Availability of a Draft Environmental Impact Report for the Duke Warehouse at Paterson Avenue and Markham Street.
SCH No. 2017101009.

Dear Mr. Phung,

Thank you for the opportunity to review the Notice of Availability of a Draft Environmental Impact Report (DEIR) for the Duke Warehouse at Paterson Avenue and Markham Street.

The project is generally situated south of Markham Street, east of Patterson Avenue, north of Ramona Expressway and west of Webster Avenue in the City of Perris, California. The project proposes construction and operation of approximately 811,620 square feet of high-cube warehouse building which includes approximately 37,000 square feet of office space.

The Riverside County Transportation Department (County) has reviewed the DEIR and offers the following comments.

1. In the project traffic study, Section 3-2 states that no project truck trips are directed to Ramona Expressway or the I-215/Ramona Expressway Ramp intersections; however, it is unclear where the regulatory signage will be placed and the DEIR contains no discussion regarding enforcement of this restriction. It should be noted that Markham Street, Webster Avenue, and Ramona Expressway are designated roads in the City and County
General Plan. The feasibility of placing truck restrictions on these roadways needs to be explained.

2. If restricting project truck traffic on Markham Street, Webster Avenue, and Ramona Expressway is infeasible, the County requests that the project traffic study be revised to include the I-215/Ramona Expressway interchange ramps in its study area to identify potential impacts and any necessary mitigation measures.

3. For the identified off-site improvements at the I-215/Harley Knox Boulevard interchanges, please address the following:

Given the existing striping at the interchange, the identified improvements require westbound through traffic to shift over an entire lane within the intersection. A conceptual striping plan is needed to demonstrate the lane alignments and required transition are adequate and feasible in order to provide safe travel for motorists.

Thank you for the opportunity to review the DIER. We look forward to receiving the revised traffic analysis for the proposed development. Please contact me at (951) 955-2016 with questions or comments.

Sincerely,

[Signature]

Russell Williams
Development Review Manager

RUW:KKT:TT

cc: Juan C. Perez, Director of Transportation and Land Management
Patricia Romo, Director of Transportation
Richard Lantis, Deputy Director of Transportation
Response to Comment Letter A – County of Riverside Transportation Department, August 9, 2018

Response to Comment A-1:
This comment notes the Project location and acknowledges that the County of Riverside Transportation Department reviewed the Draft EIR. No environmental issues are raised in this comment.

Response to Comment A-2:
This comment is in regard to the Project’s truck trip distribution and signage; these topics are discussed throughout Section 5.10 of the Draft EIR. On page 5.10-26 of the Draft EIR, it states that the Project will comply with the PVCCSP Design Standards and Guidelines 3.2.2 – Truck Circulation and on page 5.10-44 and 5.10-45, the Draft EIR explains the PVCCSP designated truck routes and this Project’s mitigation measures related to truck movements. Specifically, the Draft EIR explains that signage will be posted on site, which will be coordinated between the City’s planning and engineering departments as described in MM TRANS 1, shown here:

MM TRANS 1: Project truck traffic shall be restricted to take Harley Knox Boulevard as the one and only truck route. Signage shall be posted on-site directing direct truck drivers to use existing City truck route on Harley Knox Boulevard. The information on the signage will be coordinated with City Planning and the City’s Traffic Engineer during the plan check process.

The Draft EIR also includes a discussion of offsite physical controls that the City is researching, as shown on page 5.10-46 and included here:

Additionally, the City is looking into the possibility of applying physical controls at the southwest corner of the intersection between Markham Street and Webster Avenue which is not part of the proposed Project. Optional physical controls at the Markham Street and Webster Avenue intersection include modifying the eastbound Markham Street right-turn movement at this intersection (via some type of modified curbing/median/pork chop, etc.) such that fire trucks and passenger vehicles can readily pass through and make the right-turn, but not allow trucks to make the right-turn.

Truck routes are identified through the PVCCSP and the proposed project complies with those identified routes as mentioned above. No new environmental issues are raised in this comment.

Response to Comment A-3:
This comment is in regard to limiting truck traffic on streets that are not designated as truck routes. As explained in Response to Comment A-2 above, the Project is including onsite signage as described in Mitigation Measure MM TRANS 1 to restrict trucks to the designated truck route in the PVCCSP, Harley Knox Blvd. The shortest route to the freeway from the Project site is shown on Figure 5.10-9 – Project AM Peak Hour Intersection Volumes (in PCE) that shows trucks can turn right from intersection 7 or 8 north onto Patterson Avenue, then left onto Harley Knox Blvd. Trucks traveling on Markham Street to Webster Avenue would not be anticipated as this is a circuitous route to Harley Knox Blvd. As noted on
Draft EIR page 5.10-2 street designations within the PVCCSP are governed by the Specific Plan Circulation Plan. No new environmental issues are raised in this comment.

Response to Comment A-4:

This comment relates to the off-site improvements as part of the cumulative conditions. The Draft EIR shows on page 5.10-50 that per mitigation measure MM TRANS 2, the Project is required to pay its fair share mitigation fees into TUMF (Transportation Uniform Mitigation Fee) for the restriping of the Harley Knox and I-215 onramps.

**MM TRANS 2:** The Project applicant shall participate in the phased construction of off-site traffic signals through payment of that project’s fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include TUMF (Transportation Uniform Mitigation Fee), DIF (Development Impact Fee) and the NPRBBD (North Perris Road and Bridge Benefit District). The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level (PVCCSP MM Trans 3).

In Section 7.0 of the Draft EIR, MM TRANS Cumulative 1 shows that the Project’s cumulative condition would require restriping of the Harley Knox and I-215 intersections, shown here:

**MM TRANS Cumulative 1:**

- Restriping to remove one westbound through lane at the intersection of I-215 Southbound Ramps and Harley Knox Boulevard to include the following geometrics*:
  - Northbound: Not Applicable.
  - Southbound: One right-turn lane. One shared left-through lane.
  - Eastbound: One through lane. One shared through and right-turn lane.
  - Westbound: One left-turn lane. One through lane.

  *The intersection of I-215 Southbound Ramps and Harley Knox Boulevard geometrics would require striping modifications as a result of improvements recommended at the intersection of I-215 Northbound Ramps and Harley Knox Boulevard.

- Provide two westbound right-turn lanes by the restriping of one existing through lane as a right-turn lane and construction of one additional right-turn lane at the intersection of I-215 Northbound Ramps and Harley Knox Boulevard to include the following geometrics:
  - Northbound: One shared left-and-through lane. One right-turn lane.
  - Southbound: Not Applicable.
  - Eastbound: One left-turn lane. Two through lanes.
  - Westbound: One through lane. Two right-turn lanes.

The Draft EIR and Traffic Impact Analysis did not include a striping plan because the ultimate striping design will be prepared under the jurisdiction of Caltrans as the owner and operator of the interchange. Mitigation Measure **MM TRANS Cumulative 1** provides striping geometrics that are feasible within the existing right-of-way, including the construction of two right turn lanes, and would bring this intersection to an acceptable level of service per Caltrans guidelines. This will provide two right turn lanes for...
westbound Harley Knox Blvd to the I-215 Northbound ramp. The striping geometrics were done per roadway standards of Caltrans, County of Riverside and the City of Perris. Ultimately, a striping plan will be designed by Caltrans as part of an interchange modification project since this intersection is under its jurisdiction; the striping plan would be routed to the County of Riverside and City of Perris for their review and approval. Since this is a cumulative condition, this Project developer is not restriping the intersection for its opening year; rather, the Project developer is paying TUMF fees for Caltrans to construct a modified interchange once funding is secured through the TUMF program. No new environmental issues are raised in this comment.

Response to Comment A-5:

This comment acknowledges the County of Riverside’s Transportation Department review of the Draft EIR. No environmental issues are raised in this comment.
Comment Letter B – California Clean Energy Committee (CCEC), August 13, 2018

Comment letter B commences on the next page.
VIA EMAIL AND FIRST-CLASS

Mr. Kenneth Phung
City of Perris Planning Division
135 North "D" Street
Perris, California 92570-2200

Re: Comments on Draft Environmental Impact Report
Duke Warehouse at Patterson Avenue & Markham Street
SCH No. 2017101009

Dear Mr. Phung:

This letter will constitute comments by the California Clean Energy Committee (CCEC) on the Draft Environmental Impact Report for the Duke Warehouse at Patterson Avenue & Markham Street (EIR), which the City of Perris released on June 29, 2018, for a 45-day public comment period.

The California Clean Energy Committee (CCEC) is a California non-profit corporation located in Davis, California, which advocates on behalf of the general public throughout California for energy conservation, reduction of greenhouse gas emissions, sustainable transportation, the development of clean-energy resources, and the conservation of natural resources. CCEC actively supports the application of the California Environmental Quality Act (CEQA) to energy conservation and related environmental impacts. Since 2008 the Committee has supported communities across California seeking to protect and conserve valuable resources.

The project discussed in the EIR consists of the construction and operation of an 811,620 square foot high-cube warehouse at the southeast corner of Patterson Avenue and Markham Street in the City of Perris. The project site consists of approximately 37.5 acres of vacant land. The EIR does not disclose the previous use of the land which
should be identified as part of the project setting. The site is located at 1,491 MSL and is designated as farmland of local importance and rural residential land by the California Department of Conservation.

The project site is within the geographic area of the Perris Valley Commerce Center Specific Plan (PVCCSP), which designates the site as light industrial. The PVCCSP, which was approved by the Perris City Council in January, 2012, specifies various industrial and commercial uses over approximately 5 square miles in North Perris and includes an infrastructure plan and design regulations.

The proposed project would allocate approximately 774,620 of the proposed square footage to warehousing or distribution center uses and about 37,000 to supporting office uses. 117 warehouse dock doors would be divided between the west and the east sides of the building. Parking for the facility would include 362 automobile parking stalls and 246 trailer parking stalls according to the draft EIR.

Sewer service will be provided by a new sewer line running 2400 feet to a sewer main in Webster Avenue. A recycled water line will be constructed to tie into an existing line adjacent to the site.

The EIR is unclear as to the storm drainage system that will be implemented. It describes an on-site pipe that will run south along the site and then east where it is to tie into the city's master planned storm drain facility. The diagram in Figure 1-7 shows the on-site pipe running to detention basin on the west side.

The project's stated objectives are to provide jobs and improve the economy. The discretionary approvals required include development plan review and approval of a tentative parcel map merging the two legal parcels that comprise the project site. The City of Perris is the lead agency.

While CCEC supports many of the goals of the proposed project, it does not support the project as designed because, among other things, it fails to take advantage of the many opportunities to replace natural gas generation, to reduce transportation impacts and to mitigate the impacts on natural resources.

The degree to which the identified project alternatives do not meet the project goals is artificial. The alternatives analysis should be revised.

All notices regarding this project should be sent to 503 Del Oro Avenue, Davis, California 95616-7531. Please feel free to contact the undersigned for additional information.
We urge the City Council to reject the project as designed. As noted below, there remain a number of areas where the environmental impacts should be more carefully evaluated and feasible mitigation measures should be adopted. The EIR should be revised and recirculated for the reasons discussed below.

1. **Implement Net-Zero On-Site Energy**

A net-zero building is one that generates as much energy as it uses over a year. The proposed project should be evaluated to determine whether it is feasible to implement a net-zero design for a typical occupant or alternatively how close to net-zero energy the building can feasibly be. Initially this requires consideration of the energy consumption of a typical warehouse building with attention to the level of hourly energy demand over a typical year. The types of equipment that produce this load and their efficiency must be considered along with the technologies that can reduce load.

Once optimal building energy performance has been determined, a renewable energy strategy is formulated. This consists of determining the renewable electrical energy resources that are available and the cost of those resources depending when and in what amount they are needed to serve building load. In this case the question obviously is to determine the quantity and timing of the renewable energy production that would be expected if the warehouse roof and parking lot were optimized for solar generation. Typically a net-zero building remains connected to the larger utility grid for purposes of balancing the quantity of electrical energy generated on site to the current load and of providing back-up for on-site generation although, as discussed below, there are a variety of on-site technologies for these purposes.

Mitigation for GHG impacts should be adopted which requires that prior to the issuance of building permits the project applicant submit a zero net energy report prepared by a qualified building energy consultant to the City of Perris for review and approval demonstrating that the project has been designed and shall be constructed to achieve zero net energy as defined by the California Energy Commission or achieve as close to that standard as has been determined to be feasible through the energy analysis done in the City's final EIR for this project.

2. **Warehouse Location**

The city should evaluate how the proposed location of the warehouse affects the extent of public resource depletion and environmental contamination that will result from the project. Such an evaluation should be informed by discussion with the Southern California Association of Governments (SCAG) and the Riverside County Transportation Commission (RCTC). The most significant impacts of the project are the result of the
transportation services that it requires and the magnitude of those services varies consid- 
erably depending on the geographic location of the project within the existing logis-
tics model. The transportation impacts of a warehouse cannot be understood without 
understanding how well it has been located within logistics networks. For example, a 
project that is closer to customers or closer to inbound ports will have considerably 
different transportation- impacts and costs than one that is built at a remote location. 
Freight transportation cannot be looked at through the same lens as automobile traffic 
because the trips serve different locations. Modeling tools can calculate a company's 
supply chain emissions. Decisions concerning the siting and construction of large ware-
house facilities in the Los Angeles Basin should not be made without considering which 
locations result in worse transportation-related impacts. Redeveloping existing vacant 
buildings should be considered before peripheral sites are dedicated to new warehouse 
development.

The city should model the freight and vehicle miles expected to be generated by this site 
and compare them with the truck and vehicle miles travelled that would be generated by 
alternative warehouse sites. The analysis that the city has provided fails to consider 
whether the choice of the site where the project warehouse would be located significant-
ly affects the number of miles that must be travelled by trucks using the site. In other 
words, the city should determine whether the kinds of businesses that may potentially 
locate at this site would have to ship goods for relatively shorter distances or relatively 
longer distances based on the location of the project.

3. **Fund EV Charger Program**

The City should require that air quality and GHG emissions be mitigated to the extent 
feasible by requiring the project to fund a program to install EV charging stations at off-
site locations either within or outside of the City of Perris. Such a measure could, for 
example, require the project applicant to install electric vehicle charging stations at 20 
off-site parking spaces. The charging stations could be located at parking spaces near 
retail centers, employment centers, recreational facilities, and public buildings. It would 
be useful to create a program that facilitates the installation of EV charging facilities at 
multi-unit residential dwellings.

4. **EV Charging On-Site**

The project mitigation for air quality and GHG impacts should include providing free, 
on-site EV charging to anyone who travels to the site. Free EV charging can reduce the 
cost of operating an EV to commute to work and thus operates as an incentive to com-
muting employees who will see that using an EV is encouraged at the site and is also 
more economical thereby reducing air quality and GHG impacts. The mitigation should
also require that the facility maintain directional signage at all parking lot entrances indicating that free EV charging is provided.

As proposed, the project would provide up to two electric vehicle charging facilities and at least 6% of the total parking spaces would facilitate the future installation of charging equipment. The mitigation should include a commitment to install charging equipment for 5 percent of the total parking spaces.

California has about 350,000 electric vehicles on the road today, which amounts to about 5 percent of California's auto fleet, and that number is growing. California has established a goal of having 5,000,000 electric vehicles on the road by 2030.

The site is being designed to provide 362 automobile parking stalls. Assuming that the lot were fully occupied, providing charging equipment to 5 percent of the parked vehicles would require about 18 electric vehicle charging stations.

The project should also ensure that the charging equipment is under contract for ongoing monitoring and to ensure that it is promptly repaired in the event of equipment failure or damage and provide signage showing a phone number to report a failed unit.

5. **Commitment to Future Installation of Hydrogen Fueling**

Hydrogen-powered trucks that produce zero emissions in operation are now becoming available. For example, Nikola Motor Corporation has recently received an order for up to 800 semi-trucks powered by hydrogen. Nikola sells fueling networks along with its trucks resulting in zero emission trucking and 100% renewable energy trucking.

The project's air quality, energy, and GHG emissions mitigation should include a commitment by the developer to design the site so that it accommodates a publicly-available alternative fuel station including hydrogen fueling. The design for hydrogen fueling and the project commitment to lease space for hydrogen fueling should be confirmed before project permits are issued.
The project operator should provide evidence that covenants have been recorded that the site will implement such a facility when hydrogen trucking is available to serve the project site. The developer's commitment should include providing a standard commercial lease at market rates for the hydrogen equipment and directional signage.

This can be accomplished through a re-design of the truck parking so that one or more spaces can readily be converted for use for hydrogen or other alternative fueling. The lack of hydrogen truck fueling facilities in the area impedes the adoption of emission-free trucking. The California State Legislature has implemented funding for automobile station hydrogen refilling under AB 8.

6. **Include Workforce Housing in Project Design**

The city should require constructing a portion of the project site with a specified number of multifamily housing units that provide workforce dwellings within a short distance of employment opportunities to reduce the amount of commuting travel that is required for employees. Employees at the site or within one-half mile of it would be offered first option to purchase or rent vacant units on the project site.

Such a mixed-use design would reduce or offset the number of vehicle miles travelled commuting to and from the project. Such housing opportunities could be an attractive incentive to employees who would secure desirable housing and avoid the time and expense of commuting.

The developer could reduce the overall amount of land that would need to be dedicated to parking by reducing the number of commuters. The resulting reduction in VMT can be quantified using internal capture analysis as documented by the Institute of Transportation Engineers (ITE) and others. The city would be required to amend the applicable land use regulations.

7. **Provide for an On-Site Cafeteria**

Similarly, there are few restaurants in the immediate vicinity of the project so it is likely that employees and truck drivers will frequently find it necessary to drive some distance to a restaurant for lunch, thus adding to vehicle miles travelled and increasing all the transportation-related costs and resource impacts already entailed in a project of this type. The city should mitigate these impacts by requiring the developer to ensure the operation of an on-site cafeteria of a specified minimum size suitable to the number of employees working on site. Many workplaces do this. Vending machines would not qualify for internal capture under ITE protocols.
8. **Incorporate Recycled Construction Materials**

The city should evaluate the use of cast concrete and steel with a high recycled content to mitigate GHG impacts.

9. **Purchase Carbon Offsets**

A carbon offset is a reduction in emissions of carbon dioxide or other greenhouse gases made in order to compensate for or offset an emission made elsewhere. The city should require carbon offsets as a mitigation measure for the project’s GHG emissions to the extent that it is economically feasible. For this purpose the project applicant would be required to obtain and retire carbon credits that have been issued by a recognized and reputable carbon registry in an amount sufficient to offset the GHG emissions of the project.

10. **Establish a Mitigation Fund to Protect Public Resources**

Prior to the issuance of building permits, the project applicant or its designee should be required to establish and fund a dedicated account for the provision of subsidies for the purchase of zero-emission vehicles. The designated account should be incrementally funded in an amount that equals $1000 subsidy for each employee on a first-come-first-serve basis up to 50 percent of the total employees.

Alternatively, the project applicant could make available a fund in a specified amount that would pay the company operating on the project site for mitigating the total GHG emissions and air quality emissions connected with the site including emissions resulting from transportation.

11. **Evaluate Nearby, Energy-Efficient Freight Rail**

Freight rail is more energy efficient and produces fewer GHG emissions per ton mile for freight. A freight rail line parallels the I-215 on the west side of the freeway. There are freight sidings which can be accessed from the project site by going north on Patterson and crossing the freeway at Harley Knox Blvd. Also there is a major container cargo facility in San Bernardino. The EIR should identify and discuss whether or not it will be possible to ship carload or container cargo via freight rail from the project site and how that might or might not be accomplished, discuss what the incentives and disincentives to using freight rail will be for a company located on the project site, and discuss how those incentives could be addressed or altered to facilitate greater use of freight rail by the project occupant and to reduce project impacts on congestion, air quality, and GHG emissions.
12. **Implement SmartWay**

As mitigation, the project should be required to participate in the U.S. EPA SmartWay program which helps companies advance supply chain sustainability by measuring, benchmarking, and improving freight transportation efficiency.

13. **Design for Greater Use of Freight Rail**

The cumulative impact of the proposed project will cause the Harley Knox/I-215 north-bound ramps to operate at a level of service E which conflicts with Caltrans standards. Caltrans has no plans to improve the intersection and the impacts therefore represent a significant conflict with designated standards for the I-215.

The project should provide funding to establish a plan for rail-oriented industrial development and access to the freight rail line (San Jacinto Branch Line) adjacent to and west of the I-215 to off-set the transportation-related impacts of the proposed project. Shifting freight from trucks to rail would result in a significant reduction in freight truck miles travelled and a consequent reduction in emissions and a reduction in northbound trips at Harley Knox.

14. **Evaluate for Consistency with SB 32 and SB 375 and the SCAG RTP**

The project is not consistent with the GHG targets set by SB 32 or with the Southern California Association of Governments Regional Transportation Plan and the associated sustainable communities plan. The city should evaluate the consistency of the project with future GHG goals.

15. **TUMF Insufficient to Address Project Impacts**

The transportation analysis concludes that payment of the Transportation Uniform Mitigation Fee (TUMF) and the North Perris Road and Bridge Benefit District (NPRBBD) assessment is sufficient to construct improvements to maintain the required level of service (LOS).

Nothing supports the conclusion that these payments are sufficient to mitigate the project’s significant traffic impacts. The city cannot assume that the TUMF fee resolves the project’s transportation impacts.

TUMF fees are allocated based upon specific assumptions, with 48.7% of the funds generated in each zone going back to that zone to be programmed for projects, and 48.7% of the funds allocated to regional inter-zone projects programmed by the River-
side County Transportation Commission ("RCTC"). Thus 48.7% of the fees will be distributed regionally.

Additionally, fee revenues are split between the backbone network, or facilities of regional significance, and the secondary network, or facilities of zonal significance. The split of fee revenues between the backbone and secondary highway networks is related to the proportion of highway vehicle travel that is local, i.e., between adjacent communities, and regional, i.e., between more distant communities within western Riverside County. A future travel forecast estimate was conducted to determine the appropriate distribution of fees between networks.

These estimates do not comport with the travel distribution assumptions in the draft EIR. For example, many of the project's truck trips would be to the west on one or more freeways, and a substantial portion of these trips would be destined for the Ports of Long Beach and Los Angeles. As a result, the traffic distribution assumptions used for the TUMF fee are inconsistent with the traffic distribution assumed in the draft EIR. This inconsistency means that the payment of TUMF fees, which are specifically allocated between zones, as well as the backbone and secondary network, is inadequate to mitigate the significant traffic impacts of the project.

16. **Evaluate Sustainable Transportation Connections**

The EIR should identify the geographic areas where the most commuters to the site can be expected to be travelling from and the transit, rail and bike connections from those areas to the project site. Further it should report the quality of service along those routes including the frequency of service, how direct the service is, and how long the service takes. This information should be evaluated to determine whether there are worthwhile opportunities to improve the quality of sustainable transportation alternatives and to reduce project impacts.

17. **Adopt a Transit Subsidy to Reduce Transportation-Related Impacts**

The EIR should be amended to include a transit subsidy to mitigate transportation, air quality and climate impacts. Transit funding can be used to increased transit ridership by lowering or eliminating transit fares, by funding programs that promote transit, by improving transit waiting areas, by integrating different transit systems to provide smoother transit connections, by making transit ticketing more convenient, or by making other improvements to transit systems that increase ridership such as more frequent service or shorter headways. The city should engage with the Riverside Transit Agency directly to determine how resources could be most effectively applied to increase transit
mode share in the region and thereby offset the transportation, energy, air quality, and GHG impacts of the proposed project.

18. Health Impacts

As the City is aware, the South Coast Air Basin is in "Extreme Nonattainment" for O₃ and "Serious Nonattainment" for PM10 under Federal Standards and in Nonattainment under State Standards for Ozone, PM10, PM2.5, NO2. The Draft EIR concludes that the proposed project would have significant and unavoidable impacts to air quality and would be inconsistent with the Air Quality Management Plan. These significant impacts will result in health effects to the public, including the potential to result in respiratory illnesses, pulmonary dysfunction, cardiovascular disease, and premature death. Consequently, CCEC would like to see the Project's air quality impacts mitigated to the greatest extent feasible, and offers the recommendations provided herein.

19. Cash-Out Parking and Parking Reduction

The amount of commuter vehicle parking that the project requires should be reduced by providing employees with a parking cash-out option. Parking cash out allows employees the option of cashing-out their subsidized parking space and taking transit, biking, walking or carpooling to work. While parking cash-out does constitute a successful program without a commitment to reduce the amount of land dedicated to parking, the program is more effective from an environmental and from an economic standpoint if it entails a reduction in parking requirements.

The city should evaluate all the types of mitigation referenced in this letter that reduce vehicle commuting, e.g., workforce housing, transit subsidy, cash-out parking, etc., and credit the mitigation with the value of the land, construction costs and recurring maintenance saved by reducing the required amount of parking.

20. Energy Usage

The EIR reports that the site's electrical consumption was estimated to be approximately 1,915,450 kWh of electricity per year and natural gas consumption was estimated at 1,647,610 kBTUs. The city should provide a meaningful discussion of energy consumption which would include a distribution of electrical and gas usage over the typical kinds of energy-consuming activities in a warehouse as well as a discussion of whether such a use of electricity would be efficient given the availability of energy-efficient technologies.

The energy analysis fails to construct a project baseline or to identify any quantitative measure that would inform a determination as to whether the energy impacts are signif-
The city simply concludes that a project that complies with regulatory requirements has no energy impacts. This does not constitute a sufficient analysis of energy impacts. Regulatory guidelines do not constitute the baseline for the project.

21. HVAC

With respect to HVAC systems, the city should provide typical data for energy consumption by such systems. There are many optional designs for HVAC systems including typical roof-mounted package units, heat-pumps which can be operated on renewable energy, ground-source heat pumps which utilize loops of underground piping to more efficiently dissipate excess heat, and hydronic systems which can be powered by renewable energy. The city needs to include an evaluation of the energy efficiency of the various HVAC systems that would typically be used for such a project.

22. Lighting

A large percentage of the electrical energy used in a warehouse is typically dedicated to lighting. The energy analysis should include a discussion of the types of lighting typically used in such a warehouse application and their relative energy efficiencies. The discussion should include the potential for day-lighting which is the use natural light for illumination of the building interior. The potential to use such a strategy needs to be integrated into the project as mitigation.

23. Renewable Energy

The EIR does not contain an adequate discussion of the energy setting of the project. The EIR should discuss the renewable energy resources available on the site, either by way of import to the site or by way of on-site generation, which would primarily be the solar radiation and the potential solar energy generation that could be accommodated if the rooftop and parking areas were utilized for solar.

The EIR should evaluate the expected level of renewable energy as opposed to fossil fuel energy that the project is expected to rely on as designed. The EIR should discuss the programs and incentives available through SCE and other agencies to incent renewable energy generation and energy conservation. The city should determine whether there is an adverse impact on renewable energy by evaluating the renewable resources available to the project and comparing them with the proposed project.

The Draft EIR provides for solar ready buildings for possible PV facilities on project roofs. The proposed Project should be required to install electricity-generating photovoltaic panels on the roofs and parking lots as well as solar panels on roofs to provide
hot water, rather than just making the project "solar ready." Installation of PV panels in parking lots would also have the benefit of reducing radiation (heat) absorption, which is also a cause of climate change. Similarly, the project should be required to install low radiation absorption pavement for the parking lots and other paved areas with specific performance standards.

24. Peak Load

The city's energy analysis should include information on the peak daily load that the project would be expected to have for electrical energy based on the available data for similar projects in similar climates. In California peak load typically occurs in the late afternoon on warm summer days. Peak load is very expensive to serve because it requires the construction of generating equipment that is rarely used, and impacts on peak load are an important energy issue. There are various systems now available that can profitably shift the time when a commercial or industrial facility reaches peak load so that it is not coincident with other facilities peak load. These systems have proven cost-effective because they reduce the peak demand charge that commercial customers pay, which is calculated based on the highest load incurred over a month's time.

Load can be shifted by simply running equipment at off-peak times, such as charging an EV late at night. Another example is the Ice Bear system which creates ice using cheap electrical energy at times of low electric demand and then meets air cooling demand using the ice at times of high electric demand. Battery systems can serve the same purpose. Similarly, water can be chilled at times of low overall demand, stored, and then used in a hydronic HVAC system for cooling during times of peak demand.

It is feasible for the developer to implement ice storage air conditioning. This is one of the measures suggested by the California Attorney General's office and which is being implemented in large projects such as Los Angeles World Airport's Central Utility Plant which includes a 1.6 million gallon thermal energy storage tank. Ice storage systems would allow the proposed project to generate and store ice at night with off-peak electricity that would otherwise have gone to waste, thereby reducing peak hour electricity demand and its associated GHG and Air Quality emissions.

The city needs to estimate peak load for a typical user of this type of facility and determine whether there is a significant impact by evaluating whether that peak load could be avoided or reduced by cost-effective load-shifting equipment.
25. **Cumulative Analysis**

The energy impacts of the project should be evaluated on a cumulative impact basis.

Respectfully submitted,

Eugene S. Wilson  
California Clean Energy Committee
Response to Comment Letter B – California Clean Energy Committee (CCEC), August 13, 2018

Response to Comment B-1:

This comment, which identifies the organization and purpose of the California Clean Energy Committee (CECC) and does not identify any specific environmental issues, is noted. No new environmental issues are raised in this comment.

Response to Comment B-2:

The commenter provides an accurate summary of the location, building size, and elevation of the proposed Project. However, the commenter’s statement that the EIR does not disclose the previous land use of the Project site is incorrect.

The DEIR discloses that the Project site was disturbed by past agricultural activities and weed abatement. (DEIR, pp. 5.3-22, 5.7-1.)

Additionally, the Phase I Environmental Site Assessment (Phase I ESA) prepared for the Project site, which is included in Project’s Initial Study (Appendix A) of the DEIR, describes historical use of the project site as follows:

According to available historical sources, the subject property was formerly developed for agricultural purposes as early as 1901; developed with residential and agricultural land between 1938 and circa 1973; and vacant land in 1978. (DEIR Appendix B of Appendix A, pp. i, 7)

In addition to the above narrative description of past uses on the Project site, The Phase I ESA also includes historical information based on a review of aerial photographs from 1938 to 2012, City Directory searches, and historical topographic maps from 1901 through 2012, (DEIR Appendix B of Appendix A, pp. 7–10.) Thus, the DEIR includes a complete disclosure of the Project site’s previous uses and no revisions to the DEIR are required. No new environmental issues are raised in this comment.

Response to Comment B-3:

This comment is in regard to the PVCCSP and utilities related to the Project. The portion of the comment with regard to the PVCCSP, the use of the Project, parking, and sewer service is accurate.

The commenter’s assertion that the EIR is unclear with regard to the drainage system is incorrect. The comment quotes a portion of the paragraph from the Executive Summary of the DEIR (specifically DEIR Section 1.4.2) that summarizes the proposed Project's on-and off-site storm drain and drainage improvements. The entire paragraph states (emphasis added):

The proposed Project site will involve construction of an on-site underground storm drain pipe that will originate at the west side of the property, run south along the property line, and then east to tie into the City’s master planned storm drain facility, Line F as shown on Figure 1-7 – Proposed Condition. An interceptor channel will be constructed along the western side of the Project site. It will be trapezoidal in shape with a concrete bed and partially concrete side slopes. The interceptor channel will convey...
the off-site flows to a proposed connection to the storm drain that is proposed within Patterson Avenue, which will convey offsite runoff directly into Line F. (DEIR, p. 1-12.)

As discussed in the DEIR, the proposed Project includes two storm drain catch basins (refer to DEIR Figure 5.6-5 – Proposed Condition) that will capture and convey a portion of the off-site run-on coming from the large drainage area to the west, which will be conveyed to a trapezoidal interceptor channel (described in the preceding paragraph) and conveyed directly to Line F. (DEIR, p. 5.6-18.)

Stormwater and nuisance runoff generated on the Project site will be collected by the proposed onsite catch basins and conveyed to the water quality basin located along the easterly boundary of the site. In addition to the underground storm drain system, curb cuts are to be provided in the automobile parking area located in the northeast corner of the site, in order to channel runoff from this area directly into the proposed water quality basin. (DEIR p. 3-11)

The Project includes a 1.5 acre on-site detention/water quality basin along the eastern edge of the Project site that accomplishes two goals: water quality treatment and water quality volume attenuation. The basin is considered a “bioretention” basin and is designed according to the current Riverside County Flood Control and Water Quality District (RCFC&WCD) guidelines for low impact development best management practices (LID BMPs). As required by RCFC&WCD design guidelines, the basin is designed to have a maximum ponding depth of six inches. Under the vegetation and soil media layers, an underdrain will convey the treated flows to the basin outlet and into Line F. The basin also has an overflow route that connects to Line F, which will be located on the south side of the Project site within the vacated Perry Street right-of-way as shown on DEIR Figure 3-11 – Perris Valley MDP Facilities and Figure 5.6-2 – Perris Valley MDP Facilities. Line F will be constructed as part of the Optimus Logistic Center project currently under construction to the immediate south of the Project site. Line F runs from Patterson Avenue to the east toward Webster Avenue and then south within Webster Avenue eventually connecting to Line E that runs adjacent to Ramona Expressway. Line F will discharge in to Line E as shown on DEIR Figures 3-11 and 5.6-2. Line E will also be constructed as part of the Optimus Logistic Center project. (DEIR, pp. 3-11, 5.6-18–5.6-20 and DEIR Figure 3-8 – Development Plan Review No. 17-00001, DEIR Figure 3-11 – Perris Valley MDP Facilities, DEIR Figure 5.6-2 – Perris Valley MDP Facilities, DEIR Figure 5.6-5 – Proposed Condition.)

In addition to the above described facilities, the Project applicant proposes to widen Markham Street and add curb, gutter, and sidewalk along the Project site frontage; widen Patterson Avenue along the Project site frontage and add curb, gutter, and sidewalk along the east side of the street; and add curb and gutter along the west side of Patterson Avenue. These road improvements will direct stormwater flows from the improved streets into both on- and off-site storm drain features. (DEIR, p. 5.6-20.)

Thus, the DEIR includes a complete and clear discussion, including figures, of how the Project’s proposed storm drainage system will be implemented. No new environmental issues were raised by this comment.

**Response to Comment B-4:**

This comment, which does not raise an environmental issue and instead repeats information provided in the EIR, is noted. No new environmental issues were raised by this comment.
Response to Comment B-5:

CCEC’s comments with regard to its support of Project goals, its lack of support regarding the Project as designed, and the address to which notices should be sent are noted.

The commenter’s assertion that the alternatives analysis should be revised represents an opinion, but does not provide any explanation, information, specific examples, or other support for the comment. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

Response to Comment B-6:

This comment is in regard to the City Council’s review of the Project. CCEC’s request to the City Council is noted. With regard to recirculation, the recirculation of an EIR prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the DEIR for public review and comment, but before the FEIR is certified by the lead agency. (CEQA Guidelines, § 15088.5.) As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation of a DEIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5 (a), (b).)

This comment, along with the subsequent comments in this letter, provides no evidence, substantial or otherwise, that the DEIR is inadequate or requires significant new information. The DEIR was prepared in accordance with the requirements of the State CEQA Guidelines and contains a thorough analysis of the Project’s potential environmental impacts.

This comment, along with the subsequent comments in this letter, does not identify any significant new environmental issues or impacts that were not already addressed in the DEIR.

Response to Comment B-7:

This comment offers numerous ideas from the Commenter of things that should have been evaluated in the DEIR. The commenter provides numerous measures which appear as a means to reduce the operational threshold exceedances of NOx identified within the DEIR, along with greenhouse gas (GHG) emissions, which are not a significant and unavoidable impact. However, no indication as to the efficacy of the proposed measures in reducing Project impacts is provided, nor is nexus provided between the
proposed measures and their implied environmental benefit vis-à-vis Project impacts. Certain other suggested measures proposed by the commenter are outside the scope and control of the Project applicant or outside the jurisdiction of the City of Perris. The NO\textsubscript{X} exceedances are primarily derived from tailpipe exhausts from trucks.

In Santa Clarita Organization for Planning the Environment v. City of Santa Clarita ("SCOPE") (2011) 197 Cal.App.4th 1042, opponents challenged an EIR, which concluded that the increased GHG emissions associated with Project vehicles and transportation sources would be significant, and that there were no feasible mitigation measures to reduce the impact to a less-than-significant level. The opponents challenged this latter claim, citing a comprehensive list of suggested mitigation measures for GHG emissions prepared by the California Attorney General’s office.

In response, the court ruled that the city was not required to address the feasibility of each of the numerous measures recommended by the Attorney General, distinguishing cases where courts faulted an agency for not considering specific, potentially feasible measures (see, e.g., 197 Cal.App.4th at 1055 ("Considering the large number of possible mitigation measures . . . as well as the [opponent’s admission] that not all measures would be appropriate for every project, it is unreasonable to impose on the city an obligation to explore each and every one."). Furthermore, the Court noted that emissions from vehicle exhaust are controlled by the state and federal government, and were therefore outside the control of the project.

The Court’s holding in SCOPE is analogous to the Project at issue, where the Project building would be constructed in compliance with California Code of Regulations Title 24. However, the greatest emissions associated with the proposed Project are generated by motor vehicles. As a warehouse/distribution center, there are no feasible measures to reduce or restrict the number of vehicles traveling to and from the site to a level where the net increase in operational emissions would not exceed the thresholds of significance recommended by the SCAQMD for NO\textsubscript{X}. Any such measures would be beyond the control of the City and the Project.

Additionally, a comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under the California Environmental Quality Act (CEQA), the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, §15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].)

In sum, this comment does not appear to identify any substantive inadequacy within the EIR, and merely suggests that “something could be done” to reduce emissions. Particularly in light of the court’s ruling in SCOPE, these potential other mitigation measures were not required to be discussed in the DEIR or in this response to comment. No new environmental issues were raised by this comment.

**Response to Comment B-8:**

This comment is in regard to the location of the Project. Contrary to the comment, Section 8.0 of the DEIR did include a discussion of alternatives to the proposed Project, including an alternative location. Pursuant to CEQA Guidelines Section 15126.6, the DEIR selected and evaluated a range of reasonable
alternatives to the Project which would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant environmental effects of the Project. An EIR is not required to consider alternatives which are infeasible; feasibility factors include site suitability, economic viability, availability of infrastructure, general plan consistency, other plans or regulatory limitations, jurisdictional boundaries, and whether the proponent can reasonably acquire, control, or otherwise have access to an alternative. (DEIR, p. 8-2)

Consequently, a lead agency may eliminate an alternative from detailed consideration in an EIR if it fails to meet the basic Project objectives, is infeasible, or does not avoid significant environmental impacts. An alternative location for the Project was considered, but rejected from further consideration for the following reasons. Any location outside of the City and PVCCSP would not meet most the basic Project objectives in DEIR Section 8.1, listed below:

- Develop and operate a logistics center that takes advantage of existing City infrastructure and is adjacent to similar industrial logistics and distribution center uses.
- Develop and operate a logistics center that is in close proximity to March Inland Port, Interstate 215/State Route 60 and Interstate 10, to support the distribution of goods throughout the region and that also limits traffic truck disruption to residential areas within the City and neighboring jurisdictions.
- Implement the Perris Valley Commerce Center Specific Plan through development of a land use allowed by the Industrial land use designation and consistent with the development standards and criteria relevant to the site and proposed use.
- Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities, including opportunities for highly trained workers, and expansion of the tax base.
- Provide local employment for residents of the City to improve jobs-housing balance within the City.

An alternative Project location would also not avoid or substantially lessen the Project’s significant and unavoidable impacts to air quality and traffic because the Project would still generate significant NOx emissions, and may result in worse air quality and traffic impacts if the alternative site were to be located further from the freeway system or closer to existing or planned residences. For these reasons, an alternative site was rejected from further consideration. (DEIR, p. 8-3.)

The proposed Project is also consistent with the existing land use designation for the site. The area surrounding the site in the northern area of Perris is also developed and developing with other warehouse distribution centers. This demonstrates that this location works within the logistics network for distribution companies. No modeling for this specific project is required beyond the analyses that are presented in the DEIR, which do consider the trip distances from the Ports of Los Angeles and Long Beach to the Project site.

No new environmental issues were raised by this comment.

Response to Comment B-9

The comment is in regard to potential air quality mitigation strategies. The commenter provides numerous measures which appear as a means to reduce the operational threshold exceedances of NOx identified within the DEIR, along with greenhouse gas (GHG) emissions, which are not a significant and unavoidable impact. The recommendations with regard to housing are not feasible at this location in the PVCCSP due to the proximity of the March Air Reserve Base/Inland Port Airport (MARB/IPA) and noise.
generated by airport operations. With regard to the commenter’s recommendations, refer to Response to Comment B-7. No new environmental issues were raised by this comment.

**Response to Comment B-10**

This comment is in regard to transportation modes to the Project site, including rail. As stated in the comment, rail lines are located west of Interstate-215 (I-215). The Project site is east of I-215 and there are no rail lines in this area of the City of Perris. The Project is a speculative warehouse building and does not yet have a tenant or user identified (DEIR, p. 3-10). Thus, it is speculative to evaluate such a specific operation because existing rail connections are not readily accessible and it is unknown where the goods would be coming from or going to. Regarding the U.S. EPA Smartway program, SmartWay is a voluntary program at the federal level; however, SmartWay certification is a requirement under the approved California Air Resources Board (CARB) Heavy-Duty (Tractor Trailer) GHG Regulation which is applicable to heavy-duty tractors that pull 53-foot or longer box-type trailers. The tractors and trailers subject to this regulation must use U.S. EPA SmartWay certified tractors and trailers or retrofit their existing fleet with SmartWay verified technologies. Therefore, this recommended measure is already being implemented to the extent applicable. No new environmental issues were raised by this comment.

**Response to Comment B-11**

This comment is in regard to the City’s consistency with GHG targets set by SB 32 or other regional plans. The DEIR evaluated the Project’s consistency with GHG goals through the analysis of Greenhouse Gas Emissions in DEIR Section 5.4.5 under Threshold B. Threshold B asks if the Project conflicts with applicable plans, policies, or regulations regarding greenhouse gas emissions. (DEIR, p. 5.4-45.)

Under Threshold B, the DEIR describes the various regulatory programs in place to reduce greenhouse gas emissions and how the Project complies with these programs. (DEIR, pp. 5.4-45.) The analysis under Threshold B demonstrates how the Project is subject to and will not conflict with specific measures that aim to reduce greenhouse gas emissions. These measures included, but were not limited to, those within the AB 32 Scoping Plans described under the headings “Applicable State Measures” such as the Low Carbon Fuel Standard, Advanced Clean Cars and the 2016 RTP/SCS (prepared pursuant to SB 375) and City CAP described under the “Applicable Regional and Local Measures” headings that include such measures as freeway truck climbing lanes and bicycle infrastructure improvements. The regulations in place do result in reductions and to the extent they apply to the Project, the Project is subject to them. Thus, the Project complies with the applicable GHG reductions measures in the plans, and so the impacts are less than significant. (DEIR, p. 5.4-5.2.) Moreover, the City’s CAP also explains that the City meets and exceeds post-2020 GHG reductions targets with continued implementation of its local measures and state measures. (CAP, pp. 3-45–3-48.) At the State level, SB 32 codified 2030 GHG reduction goals and CARB 2017 Scoping Plan builds upon earlier Scoping Plans to achieve the 2030 goal. Like previous Scoping Plans, the GHG reduction measures are statewide measures; the Project would not conflict with any of the 2017 Scoping Plan measures because the Project would be subject to any applicable regulations. Further, research has shown that the State’s existing and proposed regulatory framework will allow the State to reduce its GHG emissions

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1 https://www.arb.ca.gov/cc/hdghg/hdghg.htm
2 https://www.arb.ca.gov/cc/scopingplan/scoping_plan_2017.pdf
level to 40 percent below 1990 levels by 2030. Therefore, the Project is not inconsistent with future GHG goals. No new environmental issues were raised by this comment.

**Response to Comment B-12**

This comment is in regard to whether the use of TUMF fees is sufficient mitigation to reduce impacts to level of service to an acceptable level. The Commenter correctly summarizes the percentage allocation of TUMF fees that are returned to the TUMF Zone from which the fee was collected and the percentage of TUMF fees that are allocated for regional facilities programmed by the Riverside County Transportation Commission. The Commenter also correctly states that the TUMF Nexus Study includes a regional trip distribution; however, the Commenter incorrectly concludes that because the regional trip distribution from the TUMF Nexus study is inconsistent with the Project-specific trip distribution used in the DEIR’s traffic analysis, TUMF fees are inadequate to mitigate the Project’s traffic impacts.

The Regional Trip Distribution included in Appendix I of the TUMF Nexus Study was prepared to ensure an equitable regional/zonal distribution of potential TUMF revenues by determining the distribution between local (intra-zonal) and regional (inter-zonal) trips. This distribution is intended to serve as a guide in the distribution of potential revenues and is not intended to serve as the basis for quantifying the relative magnitude of the impacts of new development on the TUMF Network. The _Traffic Impact Analysis for Duke Realty- Patterson Avenue and Markham Street High-Cube Warehouse Project (PLN 17-00001)_ (hereinafter referred to as the TIA), which is included as Appendix G to the DEIR, was prepared to quantify the Project’s impacts with regard to traffic and transportation facilities. Thus, the trip distribution in the TIA is appropriately used for the analysis in the DEIR.

The TIA and DEIR evaluated traffic impacts under the following scenarios:

- Existing (baseline) plus Project (E+P) (2017); and
- Existing plus traffic from 3 percent ambient growth (ambient) plus Project (E+A+P) (2019) with and without improvements; and
- Existing plus ambient plus Project plus traffic from cumulative development projects (E+A+P+C).

Based on the analysis in the TIA, the DEIR concluded that the only intersections that would operate at an unacceptable LOS would be the Harley Knox Boulevard/I-215 Northbound Ramps in the E+A+P+C condition and incorporated mitigation measure **MM TRANS Cumulative 1**, which states: (DEIR, pp. 5.10-38–5.10-44:

- Restriping to remove one westbound through lane at the intersection of I-215 Southbound Ramps and Harley Knox Boulevard to include the following geometrics*:
  - Northbound: Not Applicable.
  - Southbound: One right-turn lane. One shared left-through lane.
  - Eastbound: One through lane. One shared through and right-turn lane.
  - Westbound: One left-turn lane. One through lane.

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The intersection of I-215 Southbound Ramps and Harley Knox Boulevard geometrics would require striping modifications as a result of improvements recommended at the intersection of I-215 Northbound Ramps and Harley Knox Boulevard.

- Provide two westbound right-turn lanes by the restriping of one existing through lane as a right-turn lane and construction of one additional right-turn lane at the intersection of I-215 Northbound Ramps and Harley Knox Boulevard to include the following geometrics:
  - Northbound: One shared left-and-through lane. One right-turn lane.
  - Southbound: Not Applicable.
  - Eastbound: One left-turn lane. Two through lanes.
  - Westbound: One through lane. Two right-turn lanes.

However, Caltrans does not have any plans to improve this impacted intersection that would be operational by the Project’s opening year, and the City of Perris has no control or jurisdiction over the implementation of this mitigation measure. For this reason, although MM TRANS Cumulative 1 has been identified as a potential mitigation measure, the DEIR concluded that cumulative project impacts to traffic are considered significant and unavoidable with regard to the I-215 Northbound Ramps at Harley Knox Boulevard and a Statement of Overriding Considerations will be required should the City choose to approve the Project. (DEIR, pp. 5.10-50–5.10-51, 7-13.) Thus, the City is not relying on the payment of TUMF fees to reduce the only significant traffic impact to a less than significant level. No new environmental issues were raised by this comment.

**Response to Comment B-13**

This comment is in regard to transportation connections for commuters to the Project site. The DEIR included a discussion of currently available public transportation, which is provided by the Riverside Transit Agency in the City of Perris. As noted in the DEIR on p. 5.10-16, there is a bus route east of the site at the intersection of Perris Blvd and Markham Streets; the PVCCSP also notes the mass transit routes in the SP (PVCCSP p. 3.0-9). While the City of Perris encourages the use of public transportation, siting of bus stops and expansion of that network is beyond the scope of this DEIR. The Project includes Class II bike lanes at the Project frontage on Patterson Avenue and Markham Streets in addition to a sidewalk on the Markham Street frontage (DEIR, p. 3-17). In addition to Class II bike lanes, there will be bicycle parking available on site (DIER p. 3-19) The Project site is equidistant between the Moreno Valley/March Field and Downtown Perris Metrolink stations; each station is approximately 4.5 miles away. No new environmental issues were raised by this comment.

**Response to Comment B-14**

This comment is in regard to providing subsidies for transportation. The City coordinates with RTA to determine the roadway designs for roads that are planned to have a bus route and bus stops. The PVCCSP contains MM Air 18 that addresses the City of Perris working in collaboration with the RTA on future bus routes.

**MM Air 18:** Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing within any street that is adjacent to the implementing development project that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the implementing development
project, road improvements adjacent to the Project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the Project. (DEIR, p. 5.1-24.)

In addition, the Project’s Design Features include dedicated carpool spaces as well as spaces for EVs as shown here (DEIR, p. 3-19):

- The Project site will include 37 clean air/vanpool designated parking spots, which will encourage use of these kinds of vehicles to reduce greenhouse gas emissions.
- Provide up to two electric vehicle charging facilities to encourage the use of low or zero-emission vehicles.
- Provide at least 6 percent of the total parking spaces to facilitate future installation of electric vehicle supply equipment in accordance with Section 5.106.5.3.2, Multiple Charging Space Requirements, of the California Green Building Standards Code Part 11.

No new environmental issues were raised by this comment.

**Response to Comment B-15**

This comment is general in nature, regarding mitigation for air quality impacts. The Commenter notes the Project is significant and unavoidable for impacts to air quality; however, contrary to the Commenter’s assertion, the DEIR concludes that the Project was consistent with the AQMP. Furthermore, the DEIR included a robust discussion of substantial criteria pollutant emissions. (DEIR, pp. 5.1-13, 5.1-27 – 31.) The Project will also implement mitigation measures from the PVCCSP DEIR, including PVCCSP DEIR MM Air 6, MM Air 7, and MM Air 15.

**MM Air 6:** The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or US EPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNOx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris’ Building Division prior to issuance of a grading permit. (DEIR, p. 5.1-22. 5.1-23.)

**MM Air 7:** During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers’ specifications to the
satisfaction of the City of Perris’ Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris’ Building Division. (DEIR, p. 5.1-23.)

MM Air 15: To identify potential implementing development project-specific impacts resulting from the use of diesel trucks, proposed implementing development projects that include an excess of 10 dock doors for a single building, a minimum of 100 truck trips per day, 40 truck trips with TRUs per day, or TRU operations exceeding 300 hours per week, and that are subject to CEQA and are located adjacent to sensitive land uses; shall have a facility-specific Health Risk Assessment performed to assess the diesel particulate matter impacts from mobile-source traffic generated by that implementing development project. The results of the Health Risk Assessment shall be included in the CEQA documentation for each implementing development project. (DEIR, p. 5.1-24.)

The DEIR includes a HRA prepared in accordance with the SCAQMD’s Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions. Cancer and non-cancer risks were calculated using the 2015 risk assessment guidelines established by SCAQMD and the Office of Environmental Health Hazard Assessment (OEHHA). SCAQMD thresholds of significance to toxic air contaminants (TAC) are a maximum incremental cancer risk of 10 in one million and a non-cancer hazard index of 1.0 or greater. The results of the HRA indicate the maximum unmitigated cancer risks to sensitive receptors within the Project site vicinity due to diesel particulate matter (DPM) emissions from Project-related diesel truck traffic was found to be at a level of 5.5 excess cancer cases in one million at the residence immediately east of the Project site, which is less than the SCAQMD threshold of the 10 excess cancer cases per one million people. The reported maximum modeled DPM concentration is located on-site near the southwest loading area and would result in an excess cancer risk of 2.5 in one million. However, it is important to note that the SCAMQD threshold only applies to off-site receptors. With regard to non-cancer risks, project implementation would result in a maximum DPM concentration of 0.07665 $\mu g/m^3$, which is less than the two percent of the allowable threshold of 1.0. Therefore, the Project’s excess cancer risks to both worker and sensitive receptors are considered less than significant and no mitigation is required. (DEIR, pp. 5.1-35–5.1-40.)

No new environmental issues were raised by this comment.

**Response to Comment B-16**

This comment is in regard to providing parking free of charge to employees, or “cash-out” parking. This measure is not applicable to the Project. Additionally, the City does not charge parking fees for private property or elsewhere in the City and the City doesn’t have the available resources to collect parking fees on streets and in private lots; therefore this measure is not applicable to the Project. Further, Riverside County employees of private development typically do not pay to park as they would in other counties or cities like Los Angeles – where housing is co-located with job opportunities. Thus, instituting this measure here would make this Project non-competitive. No new environmental issues were raised by this comment.
Response to Comment B-17

This comment is in regard to the anticipated energy use of the Project. The DEIR analyzed energy conservation (DEIR Section 6.0 – Energy Conservation) in the context of existing energy demand for respective energy sources and how the Project’s design, mitigation and the compliance with existing regulatory programs demonstrated energy efficiency. The DEIR evaluated the energy implications against the potential impacts listed in Appendix F of the CEQA Guidelines, which do necessitate quantitative thresholds to determine if a project uses energy efficiently. As the Project site is currently vacant, no existing energy usage occurs. The Project’s DEIR concluded that the Project’s compliance with regulations and design features demonstrated that the Project is energy efficient. Thus, no additional mitigation measures were required. MM AQ 1 was listed as applicable mitigation related to Energy, however it is from another section of the DEIR (Air Quality), and is not needed to reduce impacts, as impacts to energy conservation were found to be less than significant (DEIR, p. 6-25). No new environmental issues were raised by this comment.

Response to Comment B-18

This comment is in regard to energy-using stationary sources such as HVAC and lighting. The Project is already required to incorporate building design that would be required in order to achieve LEED certification in its Project Design Features. (DEIR, pp. 5.1-25.): “Design buildings to achieve U.S. Green Building Council’s LEED features for potential certification. This includes design considerations related to the building envelope, HVAC, lighting, and power systems. Additionally, the architectural expression such as roofs and windows in the buildings will relate to conserving energy.” It’s important to note that the design of the Project building, including lighting, while contributing towards energy efficiency, would not substantially reduce greenhouse gas emissions given that transportation emissions are the vast majority of total Project greenhouse gas emissions, as shown in DEIR Table 5.4-D. (DEIR, p. 5.4-45). No new environmental issues were raised by this comment.

Response to Comment B-19

This comment is in regard to renewable energy. See Response to Comment B-17, above, for discussion of the energy analysis and setting. The Project design features include creating solar ready roofs, but do not require installing solar itself. (DEIR, p. 5.1-25.) If future tenants install renewable energy systems, feasibility or including energy storage would be considered at that time. Peak energy use would also depend on the currently unknown Project tenants.

The recommended mitigation measure has been implemented to the fullest extent feasible through the Project’s design. As previously discussed, the Project already includes design features that address energy efficiency and renewable energy use. These include (but are not limited to): meeting all California’s Green Building Code (CalGreen) and Title 24, Part 6, of the California Building Code (CBC) requirements (DEIR, pp. 1-14, 3-17); designing LEED certification-worthy buildings; buildings will be designed to have solar ready roofs that will structurally accommodate later installation of rooftop solar panels (DEIR, p. 5.1-25 – 5.1-27). Finally, requiring renewable energy usage would not avoid or substantially lessen the Project’s significant impact from operational NO\textsubscript{X} emissions that are attributable to the mobile sources nor would it change the GHG impacts because the Project’s GHG emissions impact were found to be less than significant. (DEIR, pp. 5.1-5.1929, 5.4-45.) No new environmental issues were raised by this comment.
Response to Comment B-20

This comment is in regard to the peak load energy analysis. See Response to Comment B-18 above. In addition, DEIR Section 6.0 – Energy Conservation discussed peak loads, which includes reducing energy consumption during peak demand periods; this section states that the Project supports these efforts through Design Features (DEIR, p. 6-23) such as turning off heavy-duty equipment when not in use, increasing efficiency between offices spaces (air conditioned) and warehouse areas (unconditioned) (DEIR, p. 6-18). No new environmental issues were raised by this comment.

Response to Comment B-21

This comment is in regard to the Project’s cumulative analysis. As stated in the State CEQA Guidelines, an EIR “shall discuss cumulative impacts of a project when the project’s incremental effect is cumulatively considerable (§ 15130(a)). “Cumulatively considerable” means that “the incremental effects of an individual project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects as defined in Section 15130” (§ 15065(c)). (DEIR, p. 7-1.)

As stated in Section 6.0 of the DEIR, the Energy Conservation analysis is based on Appendix F of the State CEQA Guidelines (hereinafter Appendix F). Pursuant to the impact possibilities identified in Appendix F, an impact with regard to energy consumption and conservation will occur if implementation of the proposed Project will result in the wasteful, inefficient, or unnecessary consumption of energy. Appendix F, section II, C, items 1 through 6 states that environmental impacts may include:

1. The Project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal;
2. The effects of the Project on local and regional energy supplies and on requirements for additional capacity;
3. The effects of the Project on peak and base period demands for electricity and other forms of energy;
4. The degree to which the Project complies with existing energy standards;
5. The effects of the Project on energy resources;
6. The Project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Inherent in the impacts identified as items 2, 3, and 5 is the concept of whether the Project’s incremental effect on energy is cumulatively considerable. Items 1 through 6 above are the basis for the analysis in DEIR Section 6.5. (DEIR, p. 6-19–6-20.)

With regard to diesel fuel and gasoline, the DEIR states that a total of 81,652 gallons of diesel fuel, and 76,469 gallons of gasoline, is estimated to be consumed during Project construction and a total of 124,562,819 gallons of diesel fuel, and 303,464,599 gallons of gasoline per year during Project operation. For comparison, the State of California consumed 15.1 billion gallons of gasoline and 4.2 billion gallons of diesel fuel in 2015. Thus, fuel usage during Project construction, would account for a negligible percent of the existing gasoline and diesel fuel related energy consumption in the State of California.
California and as such does not represent a cumulatively considerable contribution to fuel consumption. (DEIR, pp. 6-6, 6-22–6-23.)

With regard to electrical usage, Section 6.0 of the DEIR discloses the total electrical usage within the Southern California Edison (SCE) service area was approximately 85.4 billion kilo-watt hours (kWh) in 2016 and the Project’s annual electrical consumption was estimated to be approximately 1.9 million kWh of electricity per year and electricity used associated with the Project site’s water consumption was estimated to be approximately 72,153 kWh per year. When compared to SCE’s 20016 production of approximately 85.4 billion kWh the Project’s total estimated electrical usage would be a negligible. Because the Project’s electrical consumption is anticipated to be minimal in comparison to SCE’s supply and the Project will comply with applicable state, SCE, and Perris General Plan policies that require energy conservation to reduce electrical demand within the Project site, there will be adequate capacity to serve the proposed Project. For these reasons, the Project does not represent a cumulatively considerable contribution to electrical consumption, electrical demand, or electrical supplies in SCE’s service area. (DEIR pp. 6-3–6-4, 6-21–6-23.)

With regard to natural gas, Section 6.0 of the DEIR also discloses that the total natural gas consumption in the Southern California Gas Company (SCG) service area was 5.1 billion therms in 2016 and the Project’s natural gas consumption is estimated to be 19,154 therms. At full build-out, the Project’s natural gas demand would be a negligible percent of the existing natural gas use in SCG’s service area. As the proposed Project’s overall consumption of natural gas use is comparatively insignificant to existing SCG-wide use and as SCG continuously expands its network, as needed, to meet the need in Southern California, there will be adequate capacity to serve the proposed Project. Further, towards this same end, it should also be noted that SCG projects total gas demand to decline at an annual rate of 0.33 percent from 2013 to 2035 as a result of modest economic growth, CPUC-mandated energy efficiency standards and programs, renewable electricity goals, decline in commercial and industrial demand, and conservation savings linked to Advanced Metering Infrastructure. For these reasons, the Project does not represent a cumulatively considerable contribution to natural gas or natural gas supplies use in SCG’s service area. (DEIR, pp. 6-4–6-6, 6-21–6-23.)

Thus, as indicated in the above discussion, the DEIR has adequately evaluated and disclosed the Project’s cumulative impacts with regard to energy. No new environmental issues were raised by this comment.
Comment Letter C – Wittwer Parkin, August 13, 2018

Comment letter C commences on the next page.
August 13, 2018

VIA EMAIL

Mr. Kenneth Phung, Planner Manager
135 N. “D” Street
Perris, CA 92507
kphung@cityofperris.org

Re: DEIR Comments for Duke Warehouse at Patterson Avenue and Markham Street

Dear Mr. Phung:

This law firm submits the following comments on the above referenced Draft Environmental Impact Report (DEIR) for Duke Warehouse at Patterson Avenue and Markham Street (Project) on behalf of the Southwest Regional Council of Carpenters (Southwest Carpenters). For the reasons stated below, the DEIR is inadequate, deficient, and the document must be revised. After the appropriate revisions are made the City of Perris (City) must recirculate the DEIR for public comment once the deficiencies are cured.

1) Lack of CEQA Significance Thresholds

The City has not adopted local CEQA significance thresholds. The DEIR currently lacks a discussion of the significance thresholds that are relied upon for each environmental impact. The EIR states that the City “defers to the thresholds of significance identified in Appendix G of the State CEQA Guidelines.” However, Appendix G is a CEQA Checklist Form and in no way establishes thresholds of significance for this proposed Project. “A threshold of significance is an identifiable quantitative, qualitative or performance level of a particular environmental effect, non-compliance with which means the effect will normally be determined to be significant by the agency and compliance with which means the effect normally will be determined to be less than significant.” (14 Cal. Code Regs. § 15064.7.) In addition, each public agency “is encouraged to develop and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects.” (14 Cal. Code Regs. § 15064.7.) The DEIR currently lacks such an identifiable performance level of a particular environmental effect for all of its environmental analysis since it perfunctorily relies on Appendix G, which in no way establishes thresholds of significance. The DEIR must be corrected for without thresholds of significance it is impossible to assess whether an impact is indeed significant.

2) Confirmation that City has Adopted Local CEQA Guidelines
In addition, “All public agencies shall adopt by ordinance, resolution, rule, or regulation, objectives, criteria, and procedures for evaluation of projects and the preparation of environmental impact reports and negative declarations pursuant to [Division 13 of the Public Resources Code.]” (Pub. Resources Code § 21082.) Please confirm that the City has adopted procedures for the evaluation of projects and the preparation of environmental impact reports pursuant to the requirements set forth under Section 21082 of the Public Resources Code.

3) Mitigation Measures and Discussion of Impacts

It is unclear which PVCCSP Mitigation Measures are required pursuant to the PVCCSP EIR and which mitigation measures are proposed to effectively mitigate impacts to less than significant. Please clarify which mitigation measures are required pursuant to PVCCSP. In addition, because the DEIR is styled in a way where it simply concludes that impacts are reduced to less than significant with implementation of mitigation measures without first identifying the impact being address by mitigation measures, the DEIR must be corrected and recirculated by first identifying which impact is being addressed by the mitigation measures. This is applicable for all category of impacts that are found to be “less than significant after mitigation” such as Energy Conservation, Transportation and Traffic, Noise, Hazards and Hazardous Materials, Greenhouse Gas Emissions, Cultural Resources/Tribal Cultural Resources, and Biological Resources. Under the column for impact in the DEIR Impact Summary Matrix, there is no explanation of impact, there is only a discussion of the leading question regarding potential impact.

4) The DEIR Lacks a Reasonable Range of Alternatives

The DEIR only presents one alternative in addition to the mandatory “no project” alternative. This is an insufficient range of alternatives, especially since the Project will have significant and unavoidable adverse impacts.

An EIR must “describe a range of reasonable alternatives to the project or to the location of the project . . . and evaluate comparative merits of the alternatives.” (14 Cal. Code Regs. § 15126.6(a).) The “EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” (14 Cal. Code Regs. § 15126.6(d).) “Without meaningful analysis of alternatives in the EIR, neither the courts nor the public can fulfill their proper roles in the CEQA process.” Laurel Heights Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 404; Preservation Action Council v. City of San Jose (2006) 141 Cal.App.4th 1336, 1350.
The lead agency should describe reasonable alternative “which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project” even if these alternatives “would be more costly.” (14 Cal. Code Regs. § 15126.6(a) & (b).) The lead agency is “not required to consider alternatives which are infeasible,” however it must publicly disclose the reason why certain alternatives were considered but rejected as infeasible. (14 Cal. Code Regs. § 15126.6.) CEQA requires that an agency have the ability to make a reasoned choice among the alternatives. (San Bernardino Valley Audubon Society, Inc. v. County of San Bernardino (1984) 155 Cal.App.3d 738, 750-751.)

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decisionmaking and public participation. An EIR is not required to consider alternatives which are infeasible. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason. (CEQA Guidelines, § 15126.6, subd. (a).)


The California Supreme Court has stated that CEQA requires agencies to adopt feasible alternatives when there are unavoidable impacts of a proposed project.

CEQA does not authorize an agency to proceed with a project that will have significant, unmitigated effects on the environment, based simply on a weighing of those effects against the project’s benefits, unless the measures necessary to mitigate those effects are truly infeasible. Such a rule, even were it not wholly inconsistent with the relevant statute (id., § 21081, subd. (b)), would tend to displace the fundamental obligation of “[e]ach public agency [to] mitigate or avoid the significant effects on the environment of projects that it carries out or approves whenever it is feasible to do so” (id., § 21002.1, subd. (b)).

alternatives are substantive mandates, not mere perfunctory information requirements which the City can ignore by simply finding that the benefits outweigh the harm. *City of Marina* was followed by another appellate decision that echoed the holding of the Supreme Court:

Further, the Legislature has also declared it to be the policy of the state “that public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of such projects . . . .” (§ 21002.) “Our Supreme Court has described the alternatives and mitigation sections as ‘the core’ of an EIR.” (*Los Angeles Unified School Dist. v. City of Los Angeles* (1997) 58 Cal.App.4th 1019, 1029.) In furtherance of this policy, section 21081, subdivision (a), “constraints a ‘substantive mandate’ requiring public agencies to refrain from approving projects with significant environmental effects if ‘there are feasible alternatives or mitigation measures’ that can substantially lessen or avoid those effects” (*County of San Diego v. Grossmont-Cuyamaca Community College Dist.* (2006) 141 Cal.App.4th 86, 98, italics omitted; *Mountain Lion Foundation v. Fish & Game Com.* (1997) 16 Cal.4th 105, 134.)


5) The City has Not Sufficiently Investigated Mitigation Measures or Alternatives to Warrant a Statement of Overriding Consideration as to the Project’s Significant and Unavoidable Impact to Air Quality

The proposed Project is located within the South Coast Air Basin, under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The Basin is in nonattainment for 1-hour ozone, 8-hour ozone, PM-10, and PM-2.5. The proposed Project’s impact to air quality will be significant and unavoidable, even with the implementation of mitigation measures. The daily construction emissions will result in an exceedance of VOC thresholds established by the SCAQMD regional daily thresholds. It is unclear if implementation of MM Air 9 will reduce the Project’s short-term construction-related emissions of VOC to a less than significant level. The EIR only states that “Implementation of PVCCSP EIR mitigation measure MM Air 9 will reduce the Project’s short-term construction-related emissions of VOC.” (EIR p. 5.1-40.) Please clarify whether MM Air 9 will reduce the short-term emissions of VOC to a less than significant level.
The Project’s contribution to daily NOx levels will also exceed the daily regional threshold set by SCAQMD for NOx, even with the incorporation of mitigation measures, requiring a statement of overriding considerations. But the problem regarding daily regional threshold exceedances of NOx extend beyond this Project alone. The EIR discloses that there are twenty (20) reasonably foreseeable high cube warehouses proposed within the City of Perris alone. CEQA requires “A reasonable analysis of the cumulative impacts of the relevant projects. An EIR shall examine reasonable, feasible options for mitigating or avoiding the project’s contribution to any significant cumulative effects.” (14 Cal. Code Regs. § 15130(b)(5).) The EIR’s cumulative impacts analysis fails to comport with the requirements of CEQA because it (1) erroneously assumes that thresholds for project-specific impacts and cumulative impacts to be the same and (2) fails to examine reasonable, feasible options for mitigation or avoiding the project’s contribution to any significant cumulative effects. The reason why thresholds for project-specific impacts and cumulative impacts cannot be the same under CEQA is because “cumulatively considerable” means that “the incremental effects of an individual project are considerable when viewed in connection with the…effects of other current projects, and the effects of probably future projects….” (14 Cal. Code Regs. 15065(a)(3).) Therefore, a project may have individual incremental effects that do not trigger a significant impact until the cumulative impacts analysis is employed.

The City cannot simply move forward with a statement of overriding considerations for Air Quality impacts without first considering reasonable and feasible options for mitigating or avoiding the project’s contribution to significant cumulative air quality effects. The Basin’s air quality is in nonattainment status for several criteria pollutants. Before the City moves forward with approving a Project that will exacerbate the air quality in the Basin to the detriment of the health and safety of the community and workers, the City as the lead agency is obligated to consider feasible options for mitigating the project’s contribution including consideration of alternatives which will result in less air quality impacts. Please provide further analysis of possible mitigations for air quality as well as a reasonable range of alternatives that will address air quality impacts.

6) The Project Lacks an Adequate Analysis Regarding Greenhouse Gas Emissions

The City does not provide a baseline for current greenhouse gas emissions at the Project site. Please provide a baseline greenhouse gas inventory of the Project site, pursuant to 14 Cal. Code Regs. § 15125(a). The EIR establishes that the CAP’s 2020 reduction target is 15% below 2010 levels, and the 2035 reduction target is 47.5% below 2010 levels. The EIR provides a conclusory statement that the City is “expected to meet these reduction targets through implementation of statewide and local measures.” (EIR, p. 5.4-39.) Please explain the City’s
current status in terms of meeting these reduction targets with data and not just a conclusory statement. Without an adequate baseline, the EIR’s conclusion that the Project’s GHG impacts will be less than significant is not supported by evidence.

The City has elected to use the SCAQMD’s significance threshold of 10,000 metric tons of CO₂ equivalent (MTCO₂e) per year of greenhouse gas emissions. This threshold was designed to determine the significance of stationary source emissions. However, the City uses this threshold indiscriminately for both mobile and stationary sources. Please provide evidence that would support a finding that this threshold of significance is suitable to determine the significance of joint mobile and stationary greenhouse gas emissions. In addition, the City has adopted its own Climate Action Plan. Please explain why the City is relying on SCAQMD’s significance threshold as opposed to the City’s own thresholds pursuant to the Climate Action Plan.

Further, the City does not specify whether it has officially adopted this 10,000 MTCO₂e threshold as its threshold of significance. “Thresholds of significance to be adopted for general use of the lead agency’s environmental review process must be adopted by ordinance, resolution, or regulation, and developed through a public review process and be supported by substantial evidence.” 14 Cal. Code Regs. § 15064.7(c). Please disclose whether the City has officially adopted this threshold of significance through the required procedure.

The City’s cumulative impacts analysis pertaining to GHG emission is also untenable. As described above, the EIR discloses twenty (20) additional foreseeable high cube warehouse projects within the City limits. The EIR states that “Additional cumulative development projects within the City will also be subject to consistency analysis with the City’s cap as well as state and sub regional policies that restrict greenhouse gas production.” (EIR, p. 7-7.) The EIR reasons: “As these buildings, roads, or other cumulative developments are updated or replaced over time, they will be subject to the ten-existing requirements for GHG emissions reductions….Therefore, cumulative impacts to greenhouse gas emissions will be less than significant without mitigation from the proposed Project and other cumulative development projects within the City of Perris.” (EIR, p. 7-7.) But this discussion does nothing to disclose how the foreseeable twenty (20) additional high cube warehouses will cumulatively impact GHG emissions or otherwise ensure that the City can meet its GHG reduction goals as set forth under the City’s CAP.

7) The DEIR’s Analysis Regarding Hazards Associated with Locating the Project in Near Proximity to the Airport is Insufficient
The EIR states that the Project is consistent with the MARB/IPA LUCP and that the Project is not required to go through ALUC review. However, the DEIR then recommends several mitigation measures. It is unclear if the EIR is disclosing that there will be significant impacts to safety hazards that will be mitigated to a less than significant level with the implementation of the mitigation measures, or if the mitigation measures are conditions of approval required pursuant to the PVCCSP. In the instance that the proposed mitigation measures are required to mitigate the impacts to safety to a less than significant level, please disclose what the significant impacts to hazards/hazard materials would be without the mitigation measures. The DEIR lacks analysis that ties the proposed mitigation measures to the supposed reduction of significant impacts because it is unclear what significant impacts the mitigation measures are addressing. Further, according to the MARB/IPA Compatibility Criteria, development in Zone C1, such as the Project at issue discourages aboveground bulk storage of hazardous materials. (EIR, p. 5.5-3). The MARB/IPA Compatibility Criteria notes that such uses should generally not be permitted unless no feasible alternative is available. The Project currently is a “spec” warehouse as no tenant has been identified. The City should ensure that no storage of hazardous materials be allowed in this Project to protect worker and community safety, consistent with the MARB/IPA Compatibility Criteria.

Pursuant to Section 21092.2 of the Public Resources Code and Section 65092 of the Government Code, the Southwest Carpenters request notification of all CEQA actions and notices of any public hearings concerning this Project, including any action taken pursuant to California Planning and Zoning Law. In addition, pursuant to Public Resources Code section 21167(f), please provide a copy of each Notice of Determination issued by the City in connection with this Project and please add Southwest Carpenters to the list of interested parties in connection with this Project and direct all notices to my attention. Please send all notices by email, or if email is unavailable, by U.S. Mail to:

Pearl Kan  
Wittwer Parkin LLP  
147 S. River St., Ste. 221  
Santa Cruz, CA 95060  
pkan@wittwerparkin.com

Thank you for your consideration of these comments.

Very truly yours,  
WITTWER PARKIN LLP

Pearl Kan
Response to Comment Letter C – Wittwer Parkin, August 13, 2018

Response to Comment C-1:

This letter is in regard to the veracity of the Draft EIR. Recirculation of an Environmental Impact Report (EIR) prior to certification by the lead agency is required when significant new information is added to the EIR after public notice is given of the availability of the Draft EIR (DEIR) for public review and comment, but before the Final EIR (FEIR) is certified by the lead agency. (CEQA Guidelines, § 15088.5.) As used in this section, the term “information” can include changes in the project or environmental setting as well as additional data or other information. New information added to an EIR is not “significant” unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement. Recirculation of a DEIR is not required where the new information added to the EIR merely clarifies or amplifies or makes insignificant modifications in an adequate EIR. (CEQA Guidelines, § 15088.5 (a), (b).)

With regard to the commenter’s assertion that recirculation of the DEIR is required, the responses to the remainder of the comments in this letter establish that no further analysis or mitigation is warranted and as such, recirculation of the DEIR is not required. No new environmental issues are raised in this comment.

Response to Comment C-2:

This response is in regard to the City of Perris’s adoption of California Environmental Quality Act (CEQA) Guidelines. As stated in the comment, each public agency is ENCOURAGED to developed and publish thresholds of significance that the agency uses in the determination of the significance of environmental effects. CEQA does not require agencies to do so. The City, as with most lead agencies, utilizes the questions set forth in Appendix G of the CEQA Guidelines as a starting point for impact analysis. The topical analysis in DEIR Sections 5.1 through 5.10 identifies each of these questions, which are then expanded upon by the addition of substance, data, and quantifiable thresholds, where appropriate. For example, the DEIR’s discussion of Air Quality impacts (DEIR Section 5.1.5) includes (as Threshold A) the Appendix G standard Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation? The DEIR’s analysis under this threshold quantifies the Project’s air quality impacts, compares those impacts to quantitative thresholds for determining significance under CEQA sanctioned by the South Coast Air Quality Management District (SCAQMD), and makes a determination as that because long-term operation of the Project will exceed an SCAQMD threshold, impacts are significant and unavoidable after implementation of mitigation. (DEIR, pp. 5.1-28–5.1-34.) Thus, Air Quality Threshold A (Would the project violate any air quality standard or contribute substantially to an existing or projected air quality violation?) meets the requirements of CEQA Guidelines section 15064.7 as a threshold of significance in that it is an identifiable quantitative, qualitative, or performance level air quality effect.

Similarly, for the reasons discussed above, all of the Appendix G questions are appropriately used as thresholds of significance in Sections 5.1 through 5.10 of the DEIR in that there is an identifiable, quantitative, qualitative, or performance level environmental effect associated with each question. No

1 California Code of Regulations, Title 14, Division 6, Chapter 3
new environmental issues are raised in this comment. Likewise, by incorporating these questions and analyses, the City has developed and published the thresholds of significance that is using to evaluate the impacts of the proposed Project.

**Response to Comment C-3:**

This response is in regard to the City of Perris’s adoption of CEQA Guidelines. Section 19.01.070 of the Perris Municipal Code states that all projects subject to the provisions of CEQA shall be reviewed in accordance with the provisions of this code, and CEQA (Public Resources Code 21000 et seq.). The City adopted the Zoning Ordinance - including this section - by Ordinance No. 800 on March 12, 1973. As such, the City uses CEQA and CEQA Guidelines for the evaluation of projects and the preparation of environmental impact reports for projects under its jurisdiction. No new environmental issues are raised in this comment.

**Response to Comment C-4:**

This response is in regard to the applicable PVCCSP mitigation measures in the Draft EIR. The DEIR clearly identifies which PVCCSP EIR mitigation measures are applicable to the Project for each impact threshold addressed in the DEIR. This is done in several locations in the DEIR, in the Executive Summary in Table 1-B – DEIR Impact Summary Matrix, which identifies the impact and the applicable PVCCSP mitigation measures, and in each of the DEIR’s topical analysis section (DEIR Sections 5.1 through 5.10). It should be noted that the identified PVCCSP EIR mitigation measures are applicable to the proposed Project whether or not the associated impact is significant or not.

The following table summarizes the impacts that were determined to be less than significant with mitigation, the applicable PVCCSP mitigation measures, and the location in the DEIR where the mitigation measure is identified.

<table>
<thead>
<tr>
<th>Environmental Issue/Impact</th>
<th>Applicable PVCCSP Mitigation Measure(s)</th>
<th>Where identified in the DEIR (page numbers)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biological Resources</td>
<td>MM Bio 1</td>
<td>1-24, 5.2-11, 5.2-13</td>
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<td>Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S Fish and Wildlife Service</td>
<td>MM Bio 1, MM Bio 3, MM Bio 4</td>
<td>1-27–1-28, 5.2-11, 5.2-13–5.2-14</td>
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<td>Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game [Wildlife] or U.S. Fish and Wildlife Service</td>
<td>MM Bio 3, MM Bio 4</td>
<td>1-27–1-28, 5.2-11, 5.2-13–5.2-14</td>
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<td>Environmental Issue/Impact</td>
<td>Applicable PVCCSP Mitigation Measure(s)</td>
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<td>Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan</td>
<td>MM Bio 3</td>
<td>1-27–1-28</td>
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<td>MM Bio 4</td>
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<td>5.2-15–5.2–16</td>
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<td><strong>Cultural Resources\Tribal Cultural Resources</strong></td>
<td>MM Cult 1</td>
<td>1-32</td>
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<td>5.3-19–5.3-21</td>
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<td>Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases</td>
<td>MM Air 2</td>
<td>1-39</td>
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<td>MM Air 4</td>
<td>5.4-37–5.4-39</td>
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<td>MM Air 20</td>
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<td><strong>Greenhouse Gas Emissions</strong></td>
<td>MM Haz 2</td>
<td>1-40–1-42</td>
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<td>MM Haz 3</td>
<td>5.5-11–5.5-12</td>
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<td>For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area</td>
<td>MM Haz 2</td>
<td>1-40–1-42</td>
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<td><strong>Noise</strong></td>
<td>MM Haz 4</td>
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<td>5.8-28–5.8-29</td>
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<td><strong>Transportation and Traffic</strong></td>
<td>MM Trans 1</td>
<td>1-45</td>
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<td>MM Trans 2</td>
<td>5.10-27–5.10-29</td>
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### Environmental Issue/Impact

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<th>Environmental Issue/Impact</th>
<th>Applicable PVCCSP Mitigation Measure(s)</th>
<th>Where identified in the DEIR (page numbers)</th>
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<td>into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit</td>
<td>MM Trans 4, MM Trans 5, MM Trans 6, MM Trans 7, MM Trans 8</td>
<td>5.10-49, 5.10-51</td>
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<td>Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)</td>
<td>MM Trans 1</td>
<td>1-50, 5.10-27</td>
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### Energy Conservation

Pursuant to impact possibilities listed in CEQA Appendix F, an impact with regard to energy consumption and conservation will occur if implementation of the proposed Project will:

- Result in the wasteful, inefficient, or unnecessary consumption of energy.

Impacts may include:

- The project’s energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal;
- The effects of the project on local and regional energy supplies and on requirements for additional capacity;
- The effects of the project on peak and base period demands for electricity and other forms of energy;
- The degree to which the project complies with existing energy standards;
- The effects of the project on energy resources;
- The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

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<tr>
<th>Energy Conservation</th>
<th>Applicable PVCCSP Mitigation Measure(s)</th>
<th>Where identified in the DEIR (page numbers)</th>
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</table>
The commenter’s assertion that the DEIR “…is styled in such a way where it simply concludes that impacts are reduced to less than significant with implementation of mitigation measures without first identifying the impact being address (sic) by mitigation measures…” is an opinion for which no explanation, information, specific examples or other support is provided. A comment which draws a conclusion without elaborating on the reasoning behind, or the factual support for, those conclusions does not require a response. Under CEQA, the lead agency is obligated to respond to timely comments with “good faith, reasoned analysis.” (CEQA Guidelines, section15088(c).) These responses “shall describe the disposition of the significant environmental issues raised . . . [and] giv[e] reasons why specific comments and suggestions were not accepted. (CEQA Guidelines, §15088(c).) To the extent that specific comments and suggestions are not made, specific responses cannot be provided and, indeed, are not required. (Browning-Ferris Industries of California, Inc. v. City Council of the City of San Jose (1986) 181 Cal.App.3d 852 [where a general comment is made, a general response is sufficient].) The DEIR clearly identifies the Project’s impacts and which mitigation measures will reduce said impacts to a less than significant level.

With regard to the need to recirculate the DEIR, refer to Response to Comment C-1. None of the conditions set forth in CEQA Guidelines section 15088.5 are present; therefore, recirculation of the DEIR is not required.

With regard to the appropriateness of the thresholds of significance used in the DEIR, refer to Response to Comment C-2. No new environmental issues are raised in this comment.

**Response to Comment C-5:**

This comment is in regard to the Alternatives presented in the Draft EIR. The commenter provides no support for the opinion that there is an insufficient range of alternatives evaluated in the EIR nor does the commenter identify specific alternatives that, in their opinion, should been evaluated. Rather, the comment includes quotes from the CEQA Guidelines and case law that provides direction to lead agencies with regard to the selection and adoption of feasible alternatives. With regard to the need to respond to comments that express an opinion refer to Response to Comment C-4.

The comment’s assertion that the DEIR presents only one alternative in addition to the no project alternative is incorrect. The DEIR presents a total of four alternatives, a business park alternative, alternative location, the No Project/No Build alternative (identified as Alternative 1 in the DEIR) and the Reduced Project Size alternative (identified as Alternative 2 in the DEIR). In determining the selection of alternatives, the significant effects to be avoided or substantially lessened are related to air quality and traffic.

Per Section 15126.6(c) of the State CEQA Guidelines, the business park alternative and the alternative location were eliminated from detailed consideration in the DEIR because both of these alternatives either fail to meet the basic Project objectives, are infeasible, or do not avoid significant environmental impacts. (DEIR, p. 8.2.)

As discussed in DEIR Section 8.4.1, the business park alternative was considered because it would lessen the number of truck trips anticipated. However, the number of automobile trips to the Project site would likely be much greater than the propose Project since business park uses tend to have more passenger vehicle trips compared to industrial uses. This alternative was rejected from further consideration in the DEIR for because a business park uses has the same or greater air quality and traffic impacts as the Project and would not avoid or substantially lessen the significant air quality and
traffic impacts. Further, a business park use would not be consistent with the land use for the Project site identified in the PVCCSP. (DEIR, p. 8.2–8.3.)

As discussed in DEIR Section 8.4.2, an alternative location was rejected from further consideration because there are no site-specific significant and unavoidable impacts that would be lessened if a different site was selected. Moving the proposed Project to another site would still generate the same level of NO\textsubscript{X} emissions, and may result in worse air quality and traffic impacts if the alternative site were to be located further from the freeway system or closer to existing or planned residences. Because the proposed Project site is within the PVCCSP, which is an area that is intended to be developed with a variety of industrial uses, the potential for an alternative site was rejected from further consideration. (DEIR, p. 8-3.) To amplify the discussion in the DEIR, an alternative site outside of the PVCCSP is not considered feasible because in addition to not reducing the level of NO\textsubscript{X} emissions, it would not achieve the Project objective to “Implement the Perris Valley Commerce Center Specific Plan through development of a land use allowed by the Industrial land use designation and consistent with the development standards and criteria relevant to the site and proposed use.” An alternative site outside of the City was not considered feasible because in addition to not reducing the level of NO\textsubscript{X} emissions it would not achieve the Project objectives to “Positively contribute to the economy of the City through new capital investment, creation of new employment opportunities, including opportunities for highly trained workers, and expansion of the tax base” and “Provide local employment for residents of the City to improve jobs-housing balance within the City.”

As discussed in DEIR Section 8.5.2, the Reduced Project Size alternative (Alternative 2) was considered with the intent of reducing potential environmental impacts from the proposed Project by reducing overall development on the Project site by 25 percent. (DEIR, p. 8-7.) The DEIR concluded that although the Reduced Project Size alternative would reduce development of the Project site by 25 percent in comparison to the proposed Project site and would have reduced impacts to air quality because it would generate fewer trucks which would in turn reduce NO\textsubscript{X}. It is expected that NO\textsubscript{X} from this alternative could still exceed standards. The Reduced Project Size Alternative would have the same traffic impacts as the Project because the exceedance of Caltrans LOS E would still occur. (DEIR, p. 8-12.)

The DEIR rejected that the Reduced Project Size Alternative as infeasible because a reasonable developer would not take the risk to develop the Reduced Project Size Alternative. In support of this conclusion, the DEIR states that this alternative reduces site coverage to 25 percent. Unless site coverage (the percentage of the site that is covered with buildings) reaches at least 45 percent, the demand for sites of this size, attendant land costs and the low Inland Empire market lease rates for product of this type, this alternative would result in a return on investment too low to justify the cost and risk of investment. The DEIR also stated that the feasibility of the Reduced Project Size alternative is further impacted by the loss of economies of scale in the construction of smaller buildings, which would drive the rate of return on the investment to below zero. Finally, a survey of industrial buildings in the Inland Empire submarket shows very low availability of buildings in the 1,000,000-square-foot size range and greater and a high availability of buildings in the 700,000-square-foot size range, and the 300,000-square-foot size range, respectively. These are the reasons the reduced size Alternative is rejected as infeasible. (DEIR, p. 8-12.)

As evidenced by the preceding paragraphs, the DEIR evaluated a reasonable range of alternatives, publicly disclosed the rationale used in the selection of the alternatives discussed in the DEIR, and provided the rationale for determining the alternatives evaluated were infeasible. No revisions to the DEIR are required. No new environmental issues are raised in this comment.
Response to Comment C-6:

This comment is in regard to air quality impacts related to construction. Implementation of PVCCSP mitigation measure MM Air 9 will reduce the Project’s short-term, construction-related emissions of volatile organic compounds (VOC) to a less than significant level. As shown in DEIR Table 5.1-J – Mitigated Estimated Daily Construction Emissions, with implementation of PVCCSP MM Air 9, VOC emissions from Project construction will be reduced to approximately 26.24 lbs/day, which is less than the SCAQMD daily construction threshold of 75 lbs/day. Therefore, impacts from the Project to short-term, construction-related VOC emissions with PVCCSP MM Air 9 are less than significant (DEIR, pp. 5.1-40–5.1-41). No new environmental issues are raised in this comment.

Response to Comment C-7:

This comment is in regard to Project and Cumulative air quality impacts. The Draft EIR does not erroneously assume the thresholds for Project-specific impacts and cumulative impacts to be the same – the DEIR bases its definition of thresholds on SCAQMD’s definition and use of air quality thresholds, which defines Project-specific and cumulative contribution thresholds as the same. (DEIR, p. 5.1-35.) SCAQMD air quality thresholds were developed by SCAQMD, and are standard for determining significance under CEQA sanctioned by SCAQMD. (DEIR, p. 5.1-28.) Projects that exceed project-specific significance thresholds are also considered by SCAQMD to be cumulatively considerable. Therefore, impacts of oxides of nitrogen (NO\textsubscript{X}) operational emissions, which are significant on a Project-specific level, are also significant on a cumulative level. (DEIR, p. 5.1-35.)

However, even with implementation of PVCCSP EIR mitigation measures MM Air 11 through MM Air 14 and MM Air 18 through MM Air 20 and Project-specific mitigation measures MM AQ 1 and MM AQ 2 operational NO\textsubscript{X} emissions will still exceed the SCAQMD long-term regional significance threshold. Because long-term operation of the Project site will create NO\textsubscript{X} emissions in excess of the SCAQMD long-term regional significance threshold, this impact is considered significant and unavoidable. (DEIR, p. 5.1-41.)

The feasibility of additional mitigation was considered in the DEIR in order to further reduce the impact of Project operational NO\textsubscript{X} emissions, as follows:

The City considered the feasibility implementing 2010 or newer haul trucks or alternative fueled trucks, but considers this type of mitigation beyond the scope of a Project-level EIR, and not feasible, because fleet-related requirements such as these must be, and are being, achieved on a statewide basis as a result of statewide regulations (e.g., California Air Resources Board regulations). Further, the Project does not yet have a tenant identified and it is unknown if future tenants would own their own truck fleet or would have any control over the trucks servicing the site. Nevertheless, the EIR includes PVCCSP EIR mitigation measure MM Air 13, which requires tenants “to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP [Onroad Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-in for NO\textsubscript{X}] funding programs, as identified on SCAQMD’s website.”

Consideration was given to measures limiting the daily number of trucks allowed at the Project site those analyzed in the DEIR; however, the City determined this to be infeasible because the
Project does not yet have a tenant identified and it is unknown if future tenants would own their own truck fleet or have any control over the trucks accessing the site. Although this measure was deemed infeasible, subsequent environmental review would be required for any tenant proposing uses outside the scope of this DEIR.

Requirements to establish overnight parking within the Project site or establishing areas for repair needs were considered, but determined to be infeasible because the Project does not yet have a tenant identified and it is unknown if future tenants can implement such measures. These measures also do not measurably reduce the Project's significant NO\textsubscript{X} emissions.

The City also considered the feasibility of implementing electric vehicle charging stations on-site for both passenger vehicles and heavy-duty trucks serving the site. The Project has implemented this type of mitigation to the greatest extent feasible at this time, which includes up to two electric vehicle charging stations and additional designated parking stalls and infrastructure facilitating more charging stations when they become feasible. The Project is also providing 37 clean air/vanpool designated parking stalls (See Section 5.1.3).

Moreover, consistent with CALGreen section 5.106.5.3, the Project is required to provide electric vehicle supply equipment (EVSE) to facilitate future installation of electric vehicle charging spaces (See Section 5.1.2). For projects providing a total number of 201 or more parking spaces, EVSE is required for six percent of the total number of parking spaces. The Project proposes 362 parking stalls and therefore, will be required to install EVSE for six percent of parking stalls. The availability of electrically powered heavy duty trucks may occur during the life of the Project, but it is not reasonably foreseeable at this time. As evidence of feasibility becomes available in the future, charging facilities could be added by tenants as demand warrants. However, the Project will implement PVCCSP EIR MM Air 12, which requires electrical hookups be installed at the loading bays. Thus, electrical infrastructure will be in place at the loading bays for trucks to plug-in.

Additional mitigation measures related to Project design has also already been incorporated to the extent feasible, which include: locating the site at least 300 meters from land uses designated as residential; designing the warehouse such that truck do not queue outside the facility, traverse past sensitive land uses, or operate on site in proximity to sensitive land use types.

Beyond those already presented, there are no feasible measures to reduce operational emissions for NO\textsubscript{X} that would reduce impacts to less than significant levels. Possible mitigation was considered, and implemented to the extent feasible as listed above. Thus, the impact of Project operational emissions for NO\textsubscript{X} is significant and unavoidable. A Statement of Overriding Considerations will be required should the City choose to approve the Project (DEIR, pp. 5.1-41–5.1-42).

Alternatives to the Project were also considered in Section 8.0 of the DEIR, per CEQA Guideline Section 15126.6, based on those that would feasibly attain most of the basic objectives of the Project but would avoid or substantially lessen any of the significant effects of the Project (DEIR, p. 8-1). The conclusion of comparing the alternatives is that, while Alternative 2 (the Reduced Project Size Alternative) is the environmentally superior alternative, it is not feasible for the economic, social, technological, and other factors and thus is not being further considered for development in lieu of the proposed Project. Development of a reduced intensity project would also increase the demand for development at other sites in the area. (DEIR, p. 8-15.) No new environmental issues are raised in this comment.
Response to Comment C-8:

This comment is in regard to the established greenhouse gas (GHG) baseline in the Draft EIR. Baseline conditions on the Project site are defined in Section 3.0 Project Description of the DEIR. The Project site is currently vacant, and as such no greenhouse gas emissions are currently generated by the Project site, and therefore there is no need to provide a baseline for GHG emissions. (DEIR, p. 3-1.)

The information in the DEIR about the City meeting greenhouse gas reduction targets was sourced from the City of Perris’ Climate Action Plan (CAP). The CAP explains that, the City’s reduction target for 2020 is 111,467 metric tons of carbon dioxide equivalent (MTCO₂E), which the City achieves with reduction measures that reduce the 2020 emissions to 105,527 MTCO₂E. This is a reduction of 20% below 2010 levels, which exceeds the City’s goal of 15% reduction by year 2020. The City’s reduction target for 2035 is 68,847 MTCO₂E, which the City achieves with reduction measures (it is assumed that the City would continue implementation of its local measures and state measures) that reduce the 2035 emissions to 67,110 MTCO₂E. This is a 49% reduction from 2010 emissions, which exceeds the City’s 47.5% reduction target by 2035. (CAP, pp. 3-45–3-48.)

As stated in the DEIR (p., 5.4-42), the City of Perris does not have an adopted threshold of significance for GHG emissions. The City has discretion to select an appropriate significance criterion for CEQA purposes using substantial evidence. The SCAQMD’s adopted numerical threshold of 10,000 MTCO₂E per year for industrial stationary source emissions was selected as the significance criterion for the analysis under Threshold A in Section 5.4 the DEIR. The City also appropriately analyzed the Project’s consistency with the City CAP under Threshold B in Section 5.4 the DEIR. The SCAQMD-adopted industrial threshold was selected by the City under Threshold A because the proposed Project is analogous to an industrial use, much closer to an industrial use than any other land use such as commercial or residential in terms of its expected operating characteristics. The Project applicant proposes a high-cube warehouse use that functions in the goods movement process between manufacturers and consumers, characteristic of an industrial operation. Further, analysis of the Project’s traffic generation is based on the Institute of Transportation Engineers (ITE) High-Cube Warehouse Vehicle Trip Generation Analysis, 2016 (which was subsequently incorporated into the latest iteration of the Trip Generation Manual in 2017), for warehouse and industrial land use categories. Also, 10,000 MTCO₂E has been used as the significance threshold by an increasing amount of local government lead agencies such the City of Moreno Valley and City of Rialto for logistics projects throughout the Southern California Association of Governments (SCAG) region since the SCAQMD adopted this threshold for its own use. Further, to ensure that the threshold is conservative in its application, although the SCAQMD uses their adopted 10,000 MTCO₂E threshold to determine the significance of stationary source emissions for industrial projects, the 10,000 MTCO₂E threshold used by the City for this Project is applied to all sources of Project-related GHG emissions whether stationary source, mobile source, area source, or other.

Use of this threshold is also consistent with guidance provided in the CAPCOA’s 2008 CEQA and Climate Change white paper, which is summarized in SCAQMD guidance described on page 5.4-33 of the DEIR. The City utilized a non-zero threshold approach based on Approach 2 of the white paper.

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Specifically, Threshold 2.5 (Unit-Based Thresholds Based on Market Capture) establishes a numerical threshold based on capture of approximately 90 percent of emissions from future development. The threshold developed by SCAQMD using this approach is 10,000 MTCO\textsubscript{2}E.

Lastly, the City’s cumulative GHG analysis was valid. The DEIR identified that GHG emissions are, by nature, a cumulative impact. (DEIR, pp. 5.4-1, 5.4-23, 7-6.) The Project will result in approximately 8,462 MTCO\textsubscript{2}E per year. As such, the Project would not exceed the SCAQMD’s threshold of 10,000 MTCO\textsubscript{2}E. (DEIR, p. 7-7.) Thus, the Project would not have the potential to result in a cumulatively considerable impact with respect to GHG emissions. Additionally, as also stated in the DEIR, the City has adopted a CAP to ensure that projects within the City will comply with all necessary policies to ensure the GHG reduction targets are met; thus, the cumulative development projects will be subject to the same requirements. No new environmental issues are raised in this comment.

**Response to Comment C-9:**

This comment is in regard to the Project’s location relative to the March Air Reserve Base and its associated land use zones. The mitigation measures identified in the DEIR are mitigation measures from the PVCCSP EIR that are applicable to and will be implemented by the Project. (DEIR, pp. 5.5-11, 5.5-14.) The PVCCSP EIR mitigation measures are associated with Threshold A, which is: For a project located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area. (DEIR, p. 5.5-13.) As discussed in the DEIR, the Project site is within Zone C1 of the MARB/IPA LUCP. The potential impact that is being reduced to a less than significant level by implementation of PVCCSP EIR mitigation measures MM Haz 2, MM Haz 3, MM Haz 4, and MM Haz 5 is that of exposing potential employees and visitors to the Project’s proposed high-cube warehouse to hazards resulting from the Project site’s proximity to MARB. (DEIR, pp. 5.5-1, 5.5-13; DEIR Figure 5.5-1 – March Air Reserve Base Influence Areas.)

With regard to the potential for the aboveground bulk storage of hazardous materials, as the comment correctly states, this use is discouraged, not prohibited. The Project site is designated Light Industrial (LI) in the PVCCSP. The LI zone provides for light industrial uses and related activities including manufacturing, research, warehouse and distribution, assembly of non-hazardous materials and retail related to manufacturing.\textsuperscript{4} Nonetheless, prior to occupancy of any building constructed on the Project site, the future tenant will be required to obtain an occupancy permit from the City, at which time the specific use and user will be reviewed by City staff. If a proposed use is inconsistent with the MARB/IPA LUCP the City will not issue an occupancy permit for such use. No new environmental issues are raised in this comment.

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\textsuperscript{4} *Perris Valley Commerce Center Specific Plan Amendment No. 9*, May 2018 (approved by the City Council on August 28, 2018), Section 2.0-1. (Available at [http://www.cityofperris.org/departments/development/duke-markham/Perris_Valley_Commerce_Center_Specific_Plan_Amendment_No9.pdf](http://www.cityofperris.org/departments/development/duke-markham/Perris_Valley_Commerce_Center_Specific_Plan_Amendment_No9.pdf), accessed September 4, 2018.)
Response to Comment C-10:

This comment is in regard to notification during the CEQA process. The request to be notified of CEQA actions, public hearings, and provided a copy of each Notice of Determination issued by the City in per Public Resources Code section 21167(f) is noted. No new environmental issues are raised in this comment.
Comment Letter D – South Coast Air Quality Management (SCAQMD), August 21, 2018

Comment letter D commences on the next page.
Draft Environmental Impact Report (Draft EIR) for the Proposed
Duke Warehouse at Patterson Avenue and Markham Street Project (SCH No.: 2017101009)

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into the final EIR.

SCAQMD Staff’s Summary of Project Description
The lead agency proposes the construction and operation of approximately 811,620 square feet (SF) of high-cube non-refrigerated warehouse/distribution uses, on a 37.5-acre portion (proposed project) of the 3,500-acre Perris Valley Commerce Center Specific Plan (PVCCSP). The Project site is located in the northern portion of the City of Perris, on the southeastern corner of Patterson Avenue and Markham Street. Construction is expected to occur over a period of approximately one year, beginning no earlier than October 2018.

SCAQMD Staff’s Summary of Air Quality
The lead agency determined that the project’s operational emissions will exceed SCAQMD’s significance thresholds for criteria pollutant NOx, emitting 94.36 lbs/day. Based on Figure 1-2 of the Draft EIR the proposed project is located in close proximity to residences. The nearest residence is less than 25 feet east of the proposed project site.

General Comments
CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate the proposed project’s impacts. Therefore, SCAQMD staff recommends that the lead agency incorporate additional mitigation measures in the final EIR, to further reduce the project’s significant regional NOx emissions. Please see the enclosed attachment for detailed comments on the Draft EIR.

Conclusion
Pursuant to California Public Resources Code Section 21092.5(a) and CEQA Guidelines Section 15088(b), SCAQMD staff requests that the lead agency provide SCAQMD staff with written responses to all comments contained herein prior to the certification of the final EIR. In addition, issues raised in the comments should be addressed in detail giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information will not suffice (CEQA Guidelines Section 15088(c)). Conclusory statements do

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1 Draft EIR. Section 1.4.1, Executive Summary. Page 1-5.
2 Draft EIR. Section 5.1.5, Air Quality, Page 5.1-28.
3 Draft EIR. Section 5.1.5, Air Quality, Page 5.1-30, Table 5.1-G
4 Draft EIR. Section 1.3, Executive Summary, Page 1-4, Table 1-A.
not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful or useful to
decision makers and the public who are interested in the proposed project.

SCAQMD staff is available to work with the lead agency to address these issues and any other questions
that may arise. Please contact Robert Dalbeck, Assistant Air Quality Specialist - CEQA IGR Section, at
rdalbeck@aqmd.gov, if you have any questions regarding these comments.

Sincerely,

Daniel Garcia

Daniel Garcia
Program Supervisor
Planning, Rule Development & Area Sources

Attachment
DG/RD
RVC180703-03
Control Number
ATTACHMENT

Comment on Air Quality Analysis Methodology

1. The lead agency quantified the proposed project’s regional and localized operational emissions based on high-cube non-refrigerated warehouse/distribution building uses. However, given that the future tenants of the warehouse are undetermined at this time and that the Draft EIR includes mitigation measures for transportation refrigeration units (TRUs), it is reasonably foreseeable that the proposed project could be used as a cold storage facility. Therefore, SCAQMD staff recommends that the lead agency disclose potential operational emissions from NOx and diesel particulate matter from TRUs in the final EIR, unless the lead agency expressly restricts the use of the proposed project to a non-cold storage warehouse.

2. CalEEMod generates default values for the number of construction equipment units needed to facilitate each construction phase of a project. For a project that is the size of the proposed project, CalEEMod generates a default value of two units per each type of paving equipment for the 19.18 acres of paving required for the proposed project. However, the lead agency used an adjusted value of one unit per paving equipment. In the final EIR, SCAQMD staff recommends the lead agency use the default values to estimate emissions resulting from paving activities or justify the use of non-default values.

Recommended Mitigation Measures

1. SCAQMD staff recommends that the lead agency include the mitigation measures listed below in the final EIR to further reduce the proposed project’s significant regional NOx emissions during operation and further minimize localized air quality impacts.

- Require all diesel-fueled trucks accessing the proposed project to meet the U.S. Environmental Protection Agency/California Air Resource Board truck engine standard for Model Year 2010 or better. In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NOx emissions requirements, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

- Limit the daily number of trucks allowed at the proposed project to levels analyzed in the CEQA document. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the proposed project through CEQA prior to allowing this land use or higher activity level.

- Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).

- The lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks and may be more financially feasible today due to reduced fuel costs compared to diesel. In the final EIR, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency.

---

5 Draft EIR. Appendix B.1, Air Quality/Greenhouse Gas Analysis, Pg. 2 and 3
• Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the lead agency require the proposed project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles requirements for all new projects, SCAQMD staff recommends that the lead agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should be appropriately sized to allow for future expanded use.

• Design the industrial building such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.

• Design the industrial building such that any check-in point for trucks is well inside the proposed project site to ensure that there are no trucks queuing outside of the facility.

• Design the industrial building to ensure that truck traffic within the proposed project site is located away from the property line(s) closest to its residential or sensitive receptor neighbors.

• Restrict overnight parking in residential areas.

• Establish overnight parking within the industrial building where trucks can rest overnight.

• Establish area(s) within the proposed project site for repair needs.

• Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.

• Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the proposed project and sensitive receptors.

• Limit delivery vehicles’ idling time to no more than five minutes. For any delivery vehicle that is expected to take longer than five minutes, the vehicle’s operator shall be required to shut off the engine. Notify the vendors of these idling requirements at the time that the delivery purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers understand the vehicle idling requirement, post signs at the facility’s entry gates stating that idling longer than five minutes is not permitted.

• Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the project site to generate solar energy for the facility.

• Limit parking supply and unbundle parking costs for employees.

• Maximize the planting of trees in landscaping and parking lots.
• Use light colored paving and roofing materials.
• Install light colored “cool” roofs and cool pavements.
• Require use of electric or alternatively fueled sweepers with HEPA filters.

If no additional feasible mitigation measures or project design features exist that would reduce the proposed project’s regional NOx emissions during operation to less than significant levels, the lead agency, pursuant to CEQA Guidelines 15093, is to adopt a statement of overriding considerations that fully address, using substantial evidence to support a determination.
Response to Comment Letter D – South Coast Air Quality Management (SCAQMD), August 21, 2018

Response to Comment D-1:

This is an introductory comment that correctly summarizes the description of the proposed Project and the Project’s significant operational air quality impact for NO\textsubscript{X}. SCAQMD’s recommended mitigation measures are detailed in the subsequent comments and are responded to herein. No new environmental issues are raised in this comment.

Response to Comment D-2:

This comment is in regard to responding to comments received on the Draft EIR. The City of Perris (City) will send responses to these comments to the SCAQMD pursuant to CEQA Guidelines Section 15088(b) and Public Resources Code Section 21092.5, at least 10 days prior to certification of the Final EIR. The City appreciates SCAQMD’s review of the Draft EIR and participation in the CEQA process. No new environmental issues are raised in this comment.

Response to Comment D-3:

This comment is in regard to the use of the warehouse. The Project does not propose refrigeration uses, instead, as noted in the Project’s description, proposes the construction and operation of a high-cube non-refrigerated warehouse/distribution building as there is no specific tenant identified (Draft EIR, p. 3-10). The Project will implement Perris Valley Commerce Center Specific Plan Environmental Impact Report (PVCCSP EIR) mitigation measure MM Air 12 (included in the Draft EIR, p. 5.1-23), which includes electrical hookups in the event trucks accessing the site handle both refrigerated and unrefrigerated goods. Thus, if a truck with TRU enters the site, it can be plugged in while unrefrigerated goods are loaded/unloaded thereby avoiding diesel idling emissions. No new environmental issues are raised in this comment.

Response to Comment D-4:

The comment incorrectly notes the Project proposed 19.18 acres of asphalt pavement. The Project’s proposed asphalt paving is approximately 140,200 square feet (3.22 acres), and due to its limited amount of asphalt, the default paving equipment quantities were reduced to one piece of each type of equipment (Draft EIR, Appendix B.1, pp. 1-2). The remainder of the Project’s parking and loading area (11.77 acres) is proposed to be concrete (Draft EIR, Appendix B.1, p. 1). No new environmental issues are raised in this comment.

Response to Comment D-5:

This comment presents opinions on mitigation measures. The following table lists each of the measures recommended by SCAQMD and how the Project implements these measures as part of the Project design or mitigation, or, if the Project does not implement the measure, why the measure is not applicable or is infeasible. As addressed in the following table, there are no additional feasible mitigation measures or design features that reduce the air quality impacts to less than significant levels. Therefore,
as indicated on pages 5.1-34, 5.1-41 and 5.1-42 of the Draft EIR, since the Project’s long term operations will exceed the SCAQMD threshold for NO\textsubscript{X}, impacts are considered to be significant and unavoidable after implementation of PVCCSP EIR MM Air 11 through MM Air 14, MM Air 18 through MM Air 20, and Project-Specific MM AQ 1 and MM AQ 2, and therefore a Statement of Overriding Considerations will be required, pursuant to CEQA Guidelines Section15093, should the City choose to approve the Project. No new environmental issues are raised in this comment.

<table>
<thead>
<tr>
<th>Recommended Mitigation Measure</th>
<th>Disposition of Measure</th>
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<tbody>
<tr>
<td>Require all diesel-fueled trucks accessing the proposed project to meet the U.S. Environmental Protection Agency/California Air Resource Board truck engine standard for Model Year 2010 or better. In the event that that 2010 model year or newer diesel haul trucks cannot be obtained, provide documentation as information becomes available and use trucks that meet EPA 2007 model year NO\textsubscript{x} emissions requirements, at a minimum. Additionally, consider other measures such as incentives, phase-in schedules for clean trucks, etc.</td>
<td>The Project has implemented this recommended measure to the extent possible. As stated on Draft EIR page 5.1-41: The City considered the feasibility implementing 2010 or newer haul trucks or alternative fueled trucks, but considers this type of mitigation beyond the scope of a Project-level EIR, and not feasible, because fleet-related requirements such as these must be, and are being, achieved on a statewide basis as a result of statewide regulations (e.g., California Air Resources Board regulations). Further, the Project does not yet have a tenant identified and it is unknown if future tenants would own their own truck fleet or would have any control over the trucks servicing the site. Nevertheless, the EIR includes PVCCSP EIR mitigation measure MM Air 13, which requires tenants “to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP [Onroad Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-in for NO\textsubscript{x} funding programs, as identified on SCAQMD’s website.’’</td>
</tr>
</tbody>
</table>

Limit the daily number of trucks allowed at the proposed project to levels analyzed in the CEQA document. If higher daily truck volumes are anticipated to visit the site, the lead agency should commit to re-evaluating the proposed project through CEQA prior to allowing this land use or higher activity level. | The Project has implemented this recommended measure to the extent possible. As stated on Draft EIR page 5.1-41: Consideration was given to measures limiting the daily number of trucks allowed at the Project site those analyzed in the DEIR; however, the City determined this to be infeasible because the Project does not yet have a tenant identified and it is unknown if
<table>
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<th>Recommended Mitigation Measure</th>
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<tr>
<td>future tenants would own their own truck fleet or have any control over the trucks accessing the site. Although this measure was deemed infeasible, subsequent environmental review would be required for any tenant proposing uses outside the scope of this DEIR.</td>
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</tr>
<tr>
<td>Provide electric vehicle (EV) Charging Stations (see the discussion below regarding EV charging stations).</td>
<td>The Project has implemented this recommended measure to the extent possible. As stated on Draft EIR page 5.1-42:</td>
</tr>
<tr>
<td>The City also considered the feasibility of implementing electric vehicle charging stations on-site for both passenger vehicles and heavy-duty trucks serving the site. The Project has implemented this type of mitigation to the greatest extent feasible at this time, which includes up to two electric vehicle charging stations and additional designated parking stalls and infrastructure facilitating more charging stations when they become feasible. The Project is also providing 37 clean air/vanpool designated parking stalls (See Section 5.1.3). Moreover, consistent with CALGreen section 5.1.106.5.3, the Project is required to provide electric vehicle supply equipment (EVSE) to facilitate future installation of electric vehicle charging spaces (See Section 5.1.2). For projects providing a total number of 201 or more parking spaces, EVSE is required for six percent of the total number of parking spaces. The Project proposes 362 parking stalls and therefore, will be required to install EVSE for six percent of parking stalls. The availability of electrically powered heavy duty trucks may occur during the life of the Project, but it is not reasonably foreseeable at this time. As evidence of feasibility becomes available in the future, charging facilities could be added by tenants as demand warrants. However, the Project will implement PVCCSP EIR MM Air 12, which requires electrical hookups be installed.</td>
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<td>Recommended Mitigation Measure</td>
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<td>At the loading bays. Thus, electrical infrastructure will be in place at the loading bays for trucks to plug-in.</td>
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<tr>
<td>Recommended Mitigation Measure: The lead agency should require mitigation that requires accelerated phase-in for non-diesel powered trucks. For example, natural gas trucks, including Class 8 HHD trucks, are commercially available today. Natural gas trucks can provide a substantial reduction in health risks and may be more financially feasible today due to reduced fuel costs compared to diesel. In the Final CEQA document, the lead agency should require a phase-in schedule for these cleaner operating trucks to reduce any significant adverse air quality impacts. SCAQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the lead agency.</td>
<td>Please see response to the previous measure listed above for the feasibility of implementing newer or alternative fueled trucks, such as natural gas. The City did consider feasibility of newer or alternative fueled trucks and has implemented to the extent feasible through implementation of PVCCSP EIR MM Air 13, as shown on Draft EIR page 5.1-41.</td>
</tr>
<tr>
<td>Trucks that can operate at least partially on electricity have the ability to substantially reduce the significant NOx impacts from this project. Further, trucks that run at least partially on electricity are projected to become available during the life of the project as discussed in the 2016-2040 Regional Transportation Plan/Sustainable Communities Strategy (2016-2040 RTP/SCS). It is important to make this electrical infrastructure available when the project is built so that it is ready when this technology becomes commercially available. The cost of installing electrical charging equipment onsite is significantly cheaper if completed when the project is built compared to retrofitting an existing building. Therefore, SCAQMD staff recommends the lead agency require the proposed project and other plan areas that allow truck parking to be constructed with the appropriate infrastructure to facilitate sufficient electric charging for trucks to plug-in. Similar to the City of Los Angeles</td>
<td>As stated above and on page p.5.1-42 of the Draft EIR, the City did consider feasibility of implementing electric vehicle charging stations and has implemented to the extent feasible through Project design, mitigation measures, and compliance with existing regulations such as CALGreen.</td>
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<tr>
<td>Recommended Mitigation Measure</td>
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<td>requirements for all new projects, SCAQMD staff recommends that the lead agency require at least 5% of all vehicle parking spaces (including for trucks) include EV charging stations. Further, electrical hookups should be provided at the onsite truck stop for truckers to plug in any onboard auxiliary equipment. At a minimum, electrical panels should appropriately sized to allow for future expanded use.</td>
<td>As stated on Draft EIR page 5.1-42, the Project design has also already incorporated this measure to the extent feasible, which includes: locating the site at least 300 meters from land uses designated as residential; designing the warehouse such that trucks do not queue outside the facility, traverse past sensitive land uses, or operate on site in proximity to sensitive land use types. Specifically, the Project site’s primary truck access is on Patterson Avenue, away from existing sensitive receptors located adjacent to the Project site off of Markham Street (Draft EIR, pp. 3-10, 5.1-32). Signage will also be posted on-site directing truck drivers to use Patterson Avenue via Harley Knox Boulevard, an existing City truck route, through <strong>MM AQ 2</strong> (Draft EIR, p. 5.1-40). This signage will reduce the potential for the Project’s trucks traversing past sensitive uses or entering residential areas (Draft EIR, p. 5.1-27). Further, the health risk to nearby sensitive uses located in proximity to roadways that Project trucks will travel was evaluated in the Draft EIR and determined to be below the SCAQMD cancer risk threshold of significance (Draft EIR, p. 5.1-41).</td>
</tr>
<tr>
<td>Design the industrial building such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.</td>
<td>As stated above, and on Draft EIR page 5.1-42, the Project design has also already incorporated this measure to the extent feasible, which includes designing the warehouse such that trucks do not queue outside the facility. As shown in the Draft EIR on <strong>Figure 1-5 A</strong> and <strong>Figure 3-8</strong>, Patterson Avenue (the Project site’s primary truck entrance) has two check-in gates at least 150-feet inside the facility.</td>
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### Recommended Mitigation Measure

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<th>Recommended Mitigation Measure</th>
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<tr>
<td>Design the industrial building to ensure that truck traffic within the proposed project site is located away from the property line(s) closest to its residential or sensitive receptor neighbors</td>
<td>As stated above, and on Draft EIR page 5.1-42, the Project design has also already incorporated this measure to the extent feasible, which locates the site at least 300 meters from land uses designated as residential and limits operations on site in proximity to sensitive land use types.</td>
</tr>
<tr>
<td>Restrict overnight parking in residential areas.</td>
<td>The City already restricts overnight parking in residential areas per Municipal Code Section 10.42.010 – Parking Prohibitions on certain vehicles such as trucks.</td>
</tr>
<tr>
<td>Establish overnight parking within the industrial building where trucks can rest overnight.</td>
<td>Overnight parking within the Project site was considered, but determined to be infeasible because the Project does not yet have a tenant identified and it is unknown if future tenants can implement such measures (Draft EIR, p. 5.1-41). However, there is overnight truck parking available a short distance from the Project site. The Arco Travel Zone Center is 3.7 miles southwest of the Project site, in the City of Perris.¹</td>
</tr>
<tr>
<td>Establish area(s) within the proposed project site for repair needs.</td>
<td>Requirements establishing areas for repair needs were considered, but determined to be infeasible because the Project does not yet have a tenant identified and it is unknown if future tenants can implement such measures (Draft EIR, p. 5.1-41). Without knowing the ownership/control of trucks accessing the Project site, it is also unknown the truck’s repair needs. Additionally, since the Project site is near the I-215 freeway, it is not anticipated that trucks will travel outside of the designated truck routes in search of ancillary facilities, such as repair shops.</td>
</tr>
<tr>
<td>Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities.</td>
<td>This recommended measure is already incorporated through implementation of mitigation measure MM AQ 2, which calls for posting on-site signage directing truck drivers to use existing City</td>
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<tr>
<th>Recommended Mitigation Measure</th>
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<tr>
<td>truck routes on Patterson Avenue and Harley Knox Boulevard. The information on the signage will be coordinated with City Planning and the City’s Traffic Engineer during the plan check process. These truck routes were designated by the City to avoid residential areas and thereby reduce the potential for the Project’s truck traversing past sensitive uses or entering residential areas. (Draft EIR, pp. 5.1-27; 5.1-42).</td>
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<tr>
<td>Create a buffer zone of at least 300 meters (roughly 1,000 feet), which can be office space, employee parking, greenbelt, etc. between the proposed project and sensitive receptors.</td>
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<tr>
<td>As stated above and on Draft EIR page 5.1-42, the Project design has also already incorporated this measure to the extent feasible, which locates the site at least 300 meters from land uses designated as residential and limits operations on site in proximity to sensitive land use types. The Project is approximately 1,300 feet (396 meters) west from the closest sensitive land use designation (Draft EIR, p. 5.1-18).</td>
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<tr>
<td>Limit delivery vehicles’ idling time to no more than five minutes. For any delivery vehicle that is expected to take longer than five minutes, the vehicle’s operator shall be required to shut off the engine. Notify the vendors of these idling requirements at the time that the delivery purchase order is issued and again when vehicles enter the gates of the facility. To further ensure that drivers understand the vehicle idling requirement, post signs at the facility’s entry gates stating that idling longer than five minutes is not permitted.</td>
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<tr>
<td>This recommended measure is already incorporated as outlined in Section 5.1 of the Draft EIR, through the implementation of PVCCSP MM Air 11, which requires signs be posted at loading docks and all entrances to loading areas prohibiting all onsite of truck idling time limit of five minutes.</td>
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<tr>
<td>Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the project site to generate solar energy for the facility.</td>
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<td>The Project’s Design as outlined in Draft EIR Section 3.3.4, Sustainability Features, describes that building design will have “solar ready” roofs that will structurally accommodate later installation of rooftop solar panels. (Draft EIR, pp. 3-18; 5.1-26). Future tenants would install solar panels if economically feasible. Moreover, the Project’s air quality emissions from energy consumption are negligible, as shown in the Draft EIR Tables 5.1-F and 5.1-G, and as such would not substantially reduce the Project’s significant NOX emissions.</td>
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<td>Recommended Mitigation Measure</td>
<td>Disposition of Measure</td>
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<td>Limit parking supply and unbundle parking costs for employees.</td>
<td>This measure is not applicable to the Project. Additionally, the City does not charge parking fees for private property or elsewhere in the City and the City doesn’t have the available resources to collect parking fees on streets and in private lots; therefore this measure is not applicable to the Project. Further, Riverside County employees of private development typically do not pay to park as they would in other counties or cities like Los Angeles – where housing is co-located with job opportunities. Thus, instituting this measure here, would make this Project non-competitive.</td>
</tr>
<tr>
<td>Maximize the planting of trees in landscaping and parking lots.</td>
<td>This measure is already incorporated in the Project’s Design as outlined in Section 3.3.2 of the Draft EIR and shown in Figure 1-6 and Figure 3-10. The Project will include landscaping on approximately 12 percent of the site and provide 89 parking lot trees – 16 more trees than what is required. The Project’s landscaping consists of drought tolerant and climate appropriate trees, shrubs and ground cover (Draft EIR, pp. 1-5, 3-10).</td>
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<tr>
<td>Use light colored paving and roofing materials.</td>
<td>This measure is a duplicate measure and has been addressed below.</td>
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<tr>
<td>Install light colored “cool” roofs and cool pavements.</td>
<td>This measure is already incorporated in the Project’s Design to the extent feasible. The Project includes installing light colored “cool” roofs over office area spaces and pavements (Draft EIR, pp. 3-17, 5.1-25; 5.4-40, 5.4-50, 6-17). The majority of the parking and loading area is proposed with concrete, which is light colored and more reflective than asphalt. (Draft EIR, Appendix B.1, p. 1)</td>
</tr>
<tr>
<td>Require use of electric or alternatively fueled sweepers with HEPA filters.</td>
<td>The Project does not propose the use of street sweepers. However, the City contracts CR&amp;R, Inc. to provide sweeping services. Public street sweeping performed by CR&amp;R, Inc would be subject to applicable SCAQMD rules for public street sweepers, per SCAQMD Rule 1186 (Draft EIR, p. 5.1-17).</td>
</tr>
</tbody>
</table>
Comment Letter E – Governor's Office of Planning and Research (OPR), August 14, 2018

Comment letter E commences on the next page.
August 14, 2018

Kenneth Phung
City of Perris
135 North D Street
Perris, CA 92570-1998

Subject: Duke Warehouse at Patterson Avenue and Markham Street
SCH#: 2017/01009

Dear Kenneth Phung:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. The review period closed on August 13, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan
Director, State Clearinghouse
### Document Details Report
State Clearinghouse Data Base

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<td>Perris, City of</td>
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<tr>
<td><strong>Type</strong></td>
<td>EIR</td>
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<tr>
<td><strong>Description</strong></td>
<td>The proposed project includes construction and operation of approx. 811,620 sf of high-cube, non-refrigerated, warehouse building which includes approx. 37,000 sf of refrigerated office space. The warehouse building will be constructed as a &quot;spec&quot; building with no specific tenant identified at this time; however, the project is not proposed as an eCommerce facility. It is anticipated that the building could operate 24 hours a day, seven days a week. The building includes 55 dock doors on the west side and 62 dock doors on the east side, to accommodate cross-dock operations. The project will also provide 362 automobile parking stalls, 8 ADA parking stalls, and 236 trailer parking stalls. The project site will also include an outdoor break area for employees, a half sports-court in the southwest portion of the site and approx. 182,255 sf of drought-tolerant landscaping covering approx. 11% of the project site. A 1.5-acre on-site detention/water quality basin will be located on the eastern edge of the project site. No imported soil will be needed b/c mass grading will be balanced, and construction is expected to start in 2018 and finish in 2019.</td>
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### Lead Agency Contact

<table>
<thead>
<tr>
<th>Name</th>
<th>Kenneth Phung</th>
</tr>
</thead>
<tbody>
<tr>
<td>Agency</td>
<td>City of Perris</td>
</tr>
<tr>
<td><strong>Phone</strong></td>
<td>(951) 953-5003 x 279</td>
</tr>
<tr>
<td><strong>Address</strong></td>
<td>135 North D Street</td>
</tr>
<tr>
<td><strong>City</strong></td>
<td>Perris</td>
</tr>
<tr>
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<td><strong>Zip</strong></td>
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### Project Location

<table>
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<td><strong>Lat / Long</strong></td>
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<td><strong>Parcel No.</strong></td>
<td>314-180-025, -026</td>
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<tr>
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### Proximity to:

- **Highways**: 215
- **Airports**: MARB
- **Railways**: BNSF
- **Waterways**: Perris Valley Storm Drain Channel
- **Schools**: Val Verde HS
- **Land Use**: LU: SP-Light industrial/Z: Light industrial/GPD: PVCC SP Planning area

### Project Issues

- Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Noise; Population/Housing Balance; Public Services; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues

### Reviewing Agencies

- Resources Agency; California Coastal Commission; Department of Fish and Wildlife, Region 6; Department of Parks and Recreation; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Air Resources Board, Major Industrial Projects; Native American Heritage Commission

<table>
<thead>
<tr>
<th>Date Received</th>
<th>06/29/2018</th>
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</thead>
<tbody>
<tr>
<td>Start of Review</td>
<td>06/29/2018</td>
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<tr>
<td>End of Review</td>
<td>08/13/2018</td>
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</table>
Response to Comment Letter E – Governor’s Office of Planning and Research (OPR), August 14, 2018

Response to Comment E-1:

The comment confirms that the State Clearinghouse and Planning Unit of the Governor’s Office of Planning and Research received and distributed the Draft EIR to selected state agencies for review and that no state agencies submitted comments by the close of the public review period. The comment also confirms that the City has complied with the Draft EIR review requirement pursuant to CEQA for this Project. No environmental issues are raised in this comment.
Section 3 – EIR Errata / Draft EIR Revisions

Any corrections to the Draft Environmental Impact Report (Draft EIR) text, tables, and figures generated either from responses to comments or independently by the City, are stated in this section of the Final EIR. The Draft EIR text, tables, and figures have not been modified and published in its entirety as a single document to reflect these Draft EIR modifications.

These Draft EIR revisions are provided to provide supplemental information for the Duke Warehouse at Patterson Avenue and Markham Street Draft EIR. These changes to the Draft EIR merely amplify and clarify the analysis in the Draft EIR and constitute minor modifications to an adequate EIR.

The information included in these Draft EIR revisions that resulted from the public review process does not constitute substantial new information that requires recirculation of the Draft EIR (CEQA Guidelines § 15088.5).

3.1 Introduction

The Draft EIR was prepared to determine if there is potential for any significant environmental effects associated with the proposed Project components for the Duke Warehouse at Patterson Avenue and Markham Street Project.

Pursuant to Section 15105 of the CEQA Guidelines, the Draft EIR was circulated for a 45-day period between June 29, 2018 and August 13, 2018 to Responsible Agencies and interested parties for review and comment.

Section 15090 of the CEQA Guidelines, requires the decision-making body to consider the proposed Draft EIR together with any comments received during the public review process. In order to provide the decision makers with additional information upon which to base their decision, the following Responses to Comments have been prepared. The materials contained in this Final EIR include copies of comment letters and the City’s responses to the applicable comments in each letter. Each comment letter is labeled alphabetically with each individual comment identified by a number. Copies of the comment letters are included in Section 2.3, Comment Letters, of this Final EIR.

Comments that were received on the Draft EIR during the public review period have resulted in minor errata/revisions to the text of the Draft EIR. These textual changes to the Draft EIR were determined by the City not to be “substantial revision” as defined in Section 15088.5 of the CEQA Guidelines. Therefore, recirculation of the Draft EIR is not required.

The EIR modification contained in the following pages in the same order as the information appears in the Draft EIR. Changes in text are signified by red strikeouts (Strikeouts) where text has been removed and by double underline (Double Underline) where text has been added. The applicable page numbers from the draft EIR are also provided where necessary for easy reference.

3.1.1 Section 1 – Executive Summary

No changes were made to this Section of the Draft EIR.
3.1.2 Section 2 – Introduction

Comment letters were received during and after the NOP period that were inadvertently omitted from the DEIR. The letters have been added to this section as well as an Appendix to the Final EIR. The content of the comment letters did not change the significance determinations herein.

The Office of Planning and Research (OPR) submitted a letter on October 4, 2017; the following language was added in Section 2.5 NOP Comment Letters on page 2-4 as follows:

- **Office of Planning and Research (OPR) (dated October 4, 2017)** – The OPR sent a copy of its letter acknowledging the Notice of Preparation for this Project and its notification of agencies regarding the Project.

The letter received from Lozeau Drury LLP on October 24, 2017 was included in the DEIR in Section 2.5 NOP Comment Letters on page 2-4; text was added to clarify Lozeau Drury LLP represents the Laborers International Union of North America (LiUNA) as follows:

- **Laborers International Union of North America (LiUNA) (dated October 24, 2017)** – LiUNA, represented by Lozeau Drury LLP, requests proper disclosure on all action taken with the proposed Project. LiUNA has been included in the Project’s distribution list for all CEQA-related notices.

The State of California Department of Fish and Wildlife submitted a letter during the NOP on November 2, 2017; the following language was added in Section 2.5 NOP Comment Letters on page 2-5 as follows:

- **State of California Department of Fish and Wildlife (CDFW) (dated November 2, 2017)**. The CDFW letter includes discussions regarding methodology for assessing biological resources, including onsite habitat and biological inventory. The assessment methods recommended by the CDFW were utilized in the DEIR in Section 5.2, Biological Resources and Section 5.6, Hydrology and Water Quality as well as the associated technical studies as found in Appendix C.1 and Appendix C.2.

A letter was received subsequent to the NOP period on December 5, 2017; the following language was added in Section 2.5 NOP Comment Letters on page 2-5 as follows:

**The following letters were received after the NOP period ended on November 2, 2017.**

- **Highland Fairview (dated December 5, 2017)** – Requests to receive any public notifications regarding the Project.

The State of California Department of Transportation (Caltrans) submitted a letter subsequent to the NOP period on December 5, 2017; the following language was added in Section 2.5 NOP Comment Letters as follows:

- **Department of Transportation (Caltrans) (dated December 6, 2017)** – The letter discussed topics including Synchro Analysis, intersection analysis, hydrology, encroachment permits and multimodal accessibility. The traffic-related comments to including turn lanes, explanation of the methodology and analysis used, and multimodal accessibility is addressed in Section 5.10, Traffic and Transportation. As requested in this letter the Synchro analysis, in the form of PTV Vistro files, were delivered to Caltrans District 8 office on January 4, 2018. The hydrology-related comments regarding drainage into State facilities are addressed in Section 5.6, Hydrology and Water Quality in this DEIR.
The Pechanga Band of the Temecula Band of Luiseño Mission Indians (Pechanga Tribe) submitted a letter subsequent to the NOP period on January 25, 2018 regarding changes to the Cultural Resources Assessment; the following language was added in Section 2.5 NOP Comment Letters on page 2-5 as follows:

- **Pechanga Band of the Temecula Band of Luiseño Mission Indians (Pechanga Tribe) (dated January 25, 2018)** – The Pechanga Tribe recommends changes to the Cultural Resources Assessment for the Project. The Pechanga Tribe recommends removing language regarding Shoshonean Intrusion from the report; this was removed on page 10 of the report. A revised version of the Cultural Resources Assessment making this textual change per the Pechanga Tribe can be found in Appendix D to the DEIR. The issue raised by the Pechanga Tribe in this letter does not affect the analysis or significance determinations made related to the Project site and the potential for cultural resources to be impacted. The Pechanga Tribe recommended tribal monitoring during ground disturbing activities which is already provided in Section 5.3.6.

The State of California Department of Transportation (Caltrans) submitted a letter subsequent to the NOP period on March 6, 2018; the following language was added in Section 2.5 NOP Comment Letters on page 2-5 as follows:

- **Department of Transportation (Caltrans) (dated March 6, 2018)** – The letter discusses additional suggested analysis for the Project, including: level of service calculations at Caltrans signals, trip generation rates, trip distribution and encroachment permits. This letter is addressed in Section 5.10, Traffic and Transportation.

The State of California Department of Transportation (Caltrans) submitted a letter subsequent to the NOP period on March 21, 2018; the following language was added in Section 2.5 NOP Comment Letters on page 2-5 as follows:

- **Department of Transportation (Caltrans) (dated March 21, 2018)** – This letter states the comments received from Caltrans in its letter dated March 6, 2018 are not applicable to this project and this letter, dated March 21, 2018, concludes Caltrans comments on this Project, unless it is revised. This letter is addressed in Section 5.10, Traffic and Transportation.

### 3.1.3 Section 3 – Project Description

No changes were made to this Section of the Draft EIR.

### 3.1.4 Section 4 – Environmental Effects found Not Significant

No Changes were made to this Section of the Draft EIR.

### 3.1.5 Section 5 – Environmental Analysis

No Changes were made to this Section of the Draft EIR.

### 3.1.6 Section 5.1 – Air Quality

No Changes were made to this Section of the Draft EIR.
3.1.7 Section 5.2 – Biological Resources

The State of California Department of Fish and Wildlife submitted a letter during the NOP on November 2, 2017; the following language was added in Section 5.2 Biological Resources on page 5.2-1 as follows:

One comment letters were received in response to the Initial Study/NOP that pertained to biological resources. The State of California Department of Fish and Wildlife submitted a letter regarding assessment methodology for habitats and species inventory, which can be found in Appendix A.1 of this DEIR. The comments made by the CDFW have been incorporated into the DEIR section below; the comments generally described CDFW’s preferred assessment methods and noted items that the Project may or may not need to incorporate depending on the condition of the site. CDFW did not raise any project-specific concerns that would affect the significance determination methodologies provided below.

The State of California Department of Fish and Wildlife submitted a letter during the Draft EIR public review period, on September 17, 2018, which was concurrent with the agencies review of the Determination of Biologically Equivalent or Superior Preservation (DBESP); the following language was added in Section 5.2 Biological Resources on page 5.2-1:

During the 45-day public review of the Draft EIR, the DBESP was circulated as described here. Per the MSHCP, the DBESP must be circulated for review by the California Department of Fish and Wildlife and the U.S. Fish and Wildlife Service (collectively, Wildlife Agencies) within 60-days of receiving the report. The Wildlife Agencies completed their review of the DBESP on September 18, 2018, within the 60-day time period. The Wildlife Agencies had no comments on the DBESP or its methodology. The email from the Wildlife Agencies transmitted to the City of Perris is attached as Appendix A to the Final EIR.

The State of California Department of Fish and Wildlife submitted a letter during the Draft EIR public review period, on September 17, 2018, which was concurrent with the agencies review of the Determination of Biologically Equivalent or Superior Preservation; the following language was added in Section 5.2 Biological Resources on page 5.2-15:

As noted in Section 5.2 – Introduction of this Section, the Wildlife Agencies commented on the DBESP report per MSHCP requirements. The Wildlife Agencies noted they had no comments on the DBESP; their memo acknowledged the offsite mitigation proposed for the restoration of 1.08 acres of alkali vernal plain wetlands in the Riverpark Mitigation Bank.

3.1.8 Section 5.3 – Cultural Resources/Tribal Resources

The Pechanga Band of the Temecula Band of Luiseño Mission Indians (Pechanga Tribe) submitted a letter subsequent to the NOP period on January 25, 2018 regarding changes to the Cultural Resources
Assessment; the following language was added in Section 5.3 Cultural/Tribal Cultural on page 5.3-1 as follows:

In response to the Initial Study/Notice of Preparation (NOP), a two comment letters were received from the Native American Heritage Commission (NAHC) that provided standard guidance on analyzing potential impacts to Native American Resources in the Environmental Impact Report (EIR), the Assembly Bill (AB) 52 consultation process, and Senate Bill (SB) 18 process. The analysis was prepared consistent with the NAHC recommendations. The NAHC letter can be found in Appendix A.2. Subsequent to the NOP comment period that ended on November 2, 2017, a letter was received on January 25, 2018 from the Pechanga Tribe of the Temecula Band of Luiseño Mission Indians regarding the cultural resources assessment report. The cultural resources report was updated to include the requested changes from the Pechanga in the January 2018 letter; the updated Cultural Resources Assessment can be found in Appendix A to this FEIR. The letter from the Pechanga tribe can be found in Appendix A.1 which does not raise issues related to the significance determinations discussed herein.

In response to comments received from the Pechanga Band of the Temecula Band of Luiseño Mission Indians, the Draft EIR will be revised on page 5.3-4, the second paragraph of the Saratoga Springs Period (ca. 1,500 to 750 B.P.) section to reflect the comments in the letter received on January 25, 2018 regarding removal of reference to the Luiseño language not being Shoshonean and the removal of references to the “Shoshonean Intrusion”.

Lake Cahuilla is believed to have refilled the Coachella Valley around 1,450 B.P. and was the focus of cultural activities such as exploitation of fish, water fowl, and wetland resources during this period. Desert people, speaking Shoshonean languages, may have moved into Southern California at this time, the so-called “Shoshonean Intrusion.” Brown and Buff Ware pottery first appeared on the lower Colorado River at about 1,200 B.P., and started to diffuse across the California deserts by about 1,100 B.P.; however, by about 1,060 B.P. environmental conditions became notably warmer and dryer. (AE, p. 10)

In response to comments received from the Pechanga Band of the Temecula Band of Luiseño Mission Indians, the third row under the Comment heading in Table 5.3-A AB 52 Response Log on page 5.3-24 of the Draft EIR will be revised to include the letter received on January 25, 2018 regarding the Cultural Resources Assessment comments from Pechanga:

- In a letter dated January 25, 2018, Pechanga Band provided comments on the Cultural Resources Assessment, including specific edits to be made regarding references to Shoshonean language and Shoshonean Intrusion.

3.1.9 Section 5.4 – Greenhouse Gas Emissions

No Changes were made to this Section of the Draft EIR.

3.1.10 Section 5.5 – Hazards and Hazardous Materials

No Changes were made to this Section of the Draft EIR.
3.1.11 Section 5.6 – Hydrology and Water Quality

The State of California Department of Transportation (Caltrans) submitted a letter dated December 6, 2017, commenting on the NOP period that ended November 2, 2017; the following language was added in Section 5.6 Hydrology and Water Quality as follows:

In response to the NOP, one two comment letters were received related to hydrology and water quality. The March Air Reserve Base (MARB) recommended the inclusion of Bird/Wildlife Aircraft Strike Hazard (BASH) Management Techniques in the analysis of hydrology and water quality (Appendix A.2). The Project site is located within Zone C1 of the MARB Influence Area, which does not have a requirement in the MARB Land Use Compatibility Plan (2014) to have stormwater basins drain completely within a certain period of time. Therefore, the comment is not applicable to the Project and the topic will not be addressed further.

The second letter was from the California Department of Transportation (Caltrans) dated December 6, 2017, received subsequent to the end of the NOP period. The Caltrans letter raises concern about the project's drainage impacts in relation to existing Caltrans drainage facilities. The Project site is located downgradient from Caltrans drainage facilities associated with Interstate 215 (I-215) and flows continue to drain to the east, away from the I-215 right-of-way and therefore away from the Caltrans drainage facility. Therefore, the comment raised by Caltrans in the December 6, 2017 letter is not applicable to the Project and the topic will not be addressed further.

3.1.12 Section 5.7 – Land Use

No Changes were made to this Section of the Draft EIR

3.1.13 Section 5.8 – Noise

No Changes were made to this Section of the Draft EIR

3.1.14 Section 5.9 – Utilities and Service Systems

No Changes were made to this Section of the Draft EIR.

3.1.15 Section 5.10 – Transportation/Traffic

The State of California Department of Transportation (Caltrans) submitted three letters dated December 6, 2017, March 6, 2018 and March 21, 2018 commenting on the NOP period that ended November 2, 2017; the following language was added in Section 5.10 Transportation/Traffic as follows:

In response to the NOP, one four comment letters were received related to transportation/traffic. March Air Reserve Base (MARB) recommends that the traffic and circulation study include a review of the impact of the development to surface streets, especially to the streets within and around the southerly Clear Zone. The Project site is outside of the MARB Clear Zone and the circulation also does not go through the Clear Zone with the truck route of Patterson Avenue to Harley Knox Boulevard west of the Clear Zone. As a result, this topic will not be addressed further. The remaining three letters received were from California Department of Transportation (Caltrans). Letters were received on December 6, 2017, March 6, 2018, and March 21, 2018. The letter on March 21st noted that comments in the March 6th letter were not applicable and did not apply to the Project, therefore this DEIR focused on the Caltrans comments received in
the December 6, 2017 letter. The December 6, 2017 letter resulted in an updated Traffic Impact Analysis that was re-submitted to Caltrans in January 2018, which is the TIA used in this DEIR for traffic impact analysis. There were no comments in the March 21st letter that require analysis in this DEIR.

The four letters mentioned above are in Appendix A.1 of this DEIR; this section addresses the traffic-related issues, including turn lanes striping and multimodal access, from the proposed project's construction and implementation. The striping and turn lane comments in the December 6, 2017 Caltrans letter are addressed throughout this Section as well as in the associated Traffic Impact Analysis found in Appendix G of this DEIR.

In Section 5.10 Transportation/Traffic, the Traffic Impact Analysis (TIA) was referred to as being dated August 2017. The TIA for this Project, as shown in Appendix G, was dated December 2017; the following language was added to Section 5.10:

The analysis in this section is based on the Traffic Impact Analysis for Duke Realty-Patterson Avenue and Markham Street High-Cube Warehouse Project (PLN 17-00001) prepared by Webb Associates, August December 2017 (TIA), which is included as Appendix G to this DEIR.

In Section 5.10 Transportation/Traffic, Figure 5.10-4 was mislabeled as the “City of Perris General Plan Truck Routes” whereas it should have been labeled “Perris Valley Commerce Center Specific Plan Truck Routes”. This change has been reflected on page 5.10-2 as follows:

The City of Perris General Plan also designates truck routes within the City (Figure 5.10-4 City of Perris General Plan Truck Route Perris Valley Commerce Center Specific Plan Truck Routes). For streets within the Perris Valley Commerce Center Specific Plan (PVCCSP) planning area, the Specific Plan Circulation Plan governs with regard to street standards (Figure 5.10-5 – PVCCSP Circulation Plan).

In Section 5.10 Transportation/Traffic, Figure 5.10-4 was mislabeled as the “City of Perris General Plan Truck Routes” whereas it should have been labeled “Perris Valley Commerce Center Specific Plan Truck Routes”. This change has been reflected on page 5.10-7 as follows:
In Section 5.10 Transportation/Traffic, Figure 5.10-4 was mislabeled as the “City of Perris General Plan Truck Routes” whereas it should have been labeled “Perris Valley Commerce Center Specific Plan Truck Routes”. This change has been reflected on page 5.10-44 as follows:

City of Perris General Plan designates truck routes within the City (Figure 5.10-4 City of Perris General Plan Truck Route - Perris Valley Commerce Center Specific Plan Truck Routes). For streets within the PVCCSP area, the Specific Plan Circulation Plan governs regarding street standards (see Figure 5.10-4 - Perris Valley Commerce Center Specific Plan Truck Routes and Figure 5.10-5 – PVCCSP Circulation Plan).

3.1.16 Section 6 – Energy Conservation

No Changes were made to this Section of the Draft EIR.
3.1.17 Section 7 – Cumulative Impact Analysis
No Changes were made to this Section of the Draft EIR.

3.1.18 Section 8 – Alternatives
No Changes were made to this Section of the Draft EIR.

3.1.19 Section 9 – Other CEQA Topics
No Changes were made to this Section of the Draft EIR.

3.1.20 Section 10 – References
No Changes were made to this Section of the Draft EIR.
Section 4 – Mitigation Monitoring and Reporting Program (MMRP)

4.1 Introduction

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for use in implementing the mitigation measures that are part of the EIR that will be certified by the City of Perris for the Duke Warehouse at Patterson Avenue and Markham Street Project (Project).

The MMRP has been prepared in compliance with State law and the Duke Warehouse at Patterson Avenue and Markham Street Environmental Impact Report (EIR) (State Clearinghouse No. 2017101009) prepared for the project by the City of Perris.

The California Environmental Quality Act (CEQA) requires adoption of a reporting or monitoring program for those measures placed on a project to mitigate or avoid adverse effects on the environment (California Public Resources Code§ 21081.6). The law states that the reporting or monitoring program shall be designed to ensure compliance during project implementation.

The MMRP contains the following elements:

1) The mitigation measures are recorded with the action and procedure necessary to ensure compliance. In some instances, one action may be used to verify implementation of several mitigation measures.

2) A procedure for compliance and verification has been outlined for each action necessary. This procedure designates who will take action, what action will be taken and when, and to whom compliance will be reported.

3) The MMRP has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based upon recommendations by those responsible for the program. As changes are made, new monitoring compliance procedures and records will be developed and incorporated into the MMRP.

This MMRP includes two sets of mitigation measures:

1) Mitigation measures required under the Perris Valley Commerce Center Specific Plan (PVCCSP) EIR that are applicable to and have been incorporated by reference in the Project EIR, and

2) Additional Project-specific mitigation measures identified in the Project EIR.

4.2 Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Perris (City) is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities. Mitigation measures will be implemented at different stages of development throughout the project area. In this regard, the responsibilities for implementation have been assigned to the Applicant, Contractor, or a combination thereof. If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall be immediately informed, and the City will then inform any affected responsible agencies. The City, in conjunction with any affected responsible agencies, will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.
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<th>Applicable PVCCSP Mitigation Measures and Additional Project-Level Mitigation Measures</th>
<th>Monitoring/Timing Frequency</th>
<th>Action Indicating Compliance</th>
<th>Monitoring Agency</th>
<th>Verification of Compliance</th>
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<td><strong>Air Quality</strong></td>
<td>Violate any air quality standard or contribute substantially to an existing or projected air quality violation.</td>
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<td><strong>Applicable PVCCSP Mitigation Measures</strong></td>
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<td><strong>PVCCSP MM Air 2:</strong> Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.</td>
<td>Prior to issuance of a grading permit</td>
<td>Approval of required traffic control plan</td>
<td>City’s Engineering Office</td>
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<td><strong>PVCCSP MM Air 3:</strong> To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:</td>
<td>Prior to issuance of a grading permit</td>
<td>Submittal of dust control plan approved by the SCAQMD or other sufficient proof of compliance with rule 403.</td>
<td>City of Perris Planning Division and City’s Engineer’s Office.</td>
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<td>certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials, • replacement of ground cover in disturbed areas as quickly as possible.</td>
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<td>PVCCSP MM Air 4: Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes</td>
<td>Prior to issuance of building and grading permit</td>
<td>Confirmation that building and grading permits include required limits on idling</td>
<td>City of Perris Building Division</td>
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<td>PVCCSP MM Air 5: Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval will be required by the City of Perris’ Building Division prior to issuance of grading permits.</td>
<td>Prior to issuance of a grading permit</td>
<td>Confirmation that this requirement is included in Contractor Specifications</td>
<td>City of Perris Building Division</td>
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<td>PVCCSP MM Air 6: The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or US EPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PurINDx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris’ Building Division prior to issuance of a grading permit.</td>
<td>Prior to issuance of a grading permit</td>
<td>Confirmation that this requirement is included in Contractor Specifications and project construction documents</td>
<td>City of Perris Building Division</td>
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<td>PVCCSP MM Air 7: During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers’ specifications to the satisfaction of the City of Perris’ Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris’ Building Division.</td>
<td>Prior to issuance of a grading permit and during construction</td>
<td>Confirmation that this requirement is included in Contractor Specifications and periodic review of equipment maintenance records and equipment design</td>
<td>City of Perris Building Division</td>
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<td>PVCCSP MM Air 8: Each individual implementing development project shall apply paints using either high volume low pressure (HVLP) spray equipment with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.</td>
<td>Prior to issuance of building permits</td>
<td>Confirmation that this requirement is included in contractor specifications</td>
<td>City of Perris Building Division</td>
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<td>PVCCSP MM Air 9: To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g. bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The</td>
<td>Prior to issuance of building permits</td>
<td>Confirmation that this requirement is included in contractor specifications</td>
<td>City of Perris Building Division</td>
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<td>construction contractor shall be required to utilize “Super-Compliant” VOC paints, which are defined in SCAQMD’s Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris’ Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project.</td>
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**PVCCSP MM Air 11:** Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.

- Prior to issuance of occupancy permits and annually thereafter
- Confirmation that this requirement is included in building specifications
- Inspection to confirm signage posted
- City of Perris Building Division

**PVCCSP MM Air 12:** Where transport refrigeration units (TRUs) are in use, electrical hookups will be installed at all loading and unloading stalls in order to allow TRUs with electric standby capabilities to use them.

- Prior to issuance of certificate of occupancy and periodically after development
- Confirmation that architectural plans for buildings at which TRUs will be used include electrical hookups and/or auxiliary power units
- City of Perris Building Division

**PVCCSP MM Air 13:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to SCAQMD’s Carl Moyer Program, or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year would be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP [On-road Heavy Duty Voucher Incentive Program], HVIP [Hybrid and Zero- Emission Truck and Bus Voucher Incentive Project], and SOON [Surplus Off-Road Opt-in for NOx] funding programs, as identified on SCAQMD’s website (http://www.aqmd.gov). Tenants would be required to use those funds, if awarded.

- Prior to issuance of occupancy permits and annually thereafter
- Confirmation that tenants have been provided with required information
- City of Perris Planning Division

**PVCCSP MM Air 14:** Each implementing development project shall designate parking spaces for high- occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance would be required prior to the issuance of occupancy permits.

- Prior to issuance of certificate of occupancy and periodically after development
- Confirmation that designated parking spaces for high-occupancy vehicles and vans are included in
- City of Perris Building Division
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<tr>
<th>Impact/Threshold</th>
<th>Applicable PVCCSP Mitigation Measures and Additional Project-Level Mitigation Measures</th>
<th>Monitoring/Timing Frequency</th>
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<tr>
<td><strong>Building plans and verified during a site visit</strong></td>
<td><strong>PVCCSP MM Air 15:</strong> To identify potential implementing development project-specific impacts resulting from the use of diesel trucks, proposed implementing development projects that include an excess of 10 dock doors for a single building, a minimum of 100 truck trips per day, 40 truck trips with TRUs per day, or TRU operations exceeding 300 hours per week, and that are subject to CEQA and are located adjacent to sensitive land uses; shall have a facility-specific Health Risk Assessment performed to assess the diesel particulate matter impacts from mobile-source traffic generated by that implementing development project. The results of the Health Risk Assessment shall be included in the CEQA documentation for each implementing development project.</td>
<td>Prior to issuance of building permit.</td>
<td>Evidence of coordination with RTA and plot plans that incorporate future bus turnouts in areas where RTA has future plans for bus routes</td>
<td>City of Perris Building Division</td>
<td><strong>Initials</strong></td>
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<tr>
<td><strong>Evidence of coordination with RTA and plot plans that incorporate future bus turnouts in areas where RTA has future plans for bus routes</strong></td>
<td><strong>PVCCSP MM Air 18:</strong> Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing within any street that is adjacent to the implementing development project that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the implementing development project, road improvements adjacent to the Project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the Project.</td>
<td>Prior to the issuance of building permits</td>
<td>Submission of energy-efficient street lighting plans</td>
<td>City of Perris Building Division</td>
<td><strong>Initials</strong></td>
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<td><strong>Submission of energy-efficient street lighting plans</strong></td>
<td><strong>PVCCSP MM Air 19:</strong> In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the Project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris’ Building Division) prior to conveyance of applicable streets.</td>
<td>Prior to issuance of building permits</td>
<td>Submission of a Title 24 worksheet with building plans</td>
<td>City of Perris Building Division</td>
<td><strong>Initials</strong></td>
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<td><strong>Submission of a Title 24 worksheet with building plans</strong></td>
<td><strong>PVCCSP MM Air 20:</strong> All Project buildings shall be designed to exceed current Title 24 requirements by twenty percent (20%). The Project shall incorporate a water conservation strategy of 30% or higher.</td>
<td>Prior to issuance of building permits</td>
<td>Submission of a Title 24 worksheet with building plans</td>
<td>City of Perris Building Division</td>
<td><strong>Initials</strong></td>
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<td><strong>Confirmation that this requirement is included in Contractor Specifications</strong></td>
<td><strong>Additional Project-Level Mitigation Measures</strong></td>
<td><strong>MM AQ 1:</strong> Service equipment (i.e. yard hostlers and forklifts) used within the site shall be electric or compressed natural gas-powered.</td>
<td>Prior to issuance of a grading permit</td>
<td>City of Perris Building Division</td>
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<td>MM AQ 2: Signage shall be posted on-site directing truck drivers to use Patterson Avenue and existing City truck routes on Harley Knox Boulevard.</td>
<td>Prior to issuance of a grading permit</td>
<td>Confirmation that this requirement is included in Contractor Specifications and project construction documents</td>
<td>City of Perris Building Division</td>
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<td>(Air Quality, cont’d) Result in a cumulative considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)</td>
<td>Applicable PVCCSP Mitigation Measures</td>
<td>PVCCSP MM Air 9, PVCCSP MM Air 11, PVCCSP MM Air 12, PVCCSP MM Air 13, PVCCSP MM Air 14, PVCCSP MM Air 18, PVCCSP MM Air 19, PVCCSP and PVCCSP MM Air 20 above.</td>
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<td>Biological Resources  Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S Fish and Wildlife Service</td>
<td>Applicable PVCCSP Mitigation Measures</td>
<td>PVCCSP MM Bio 1: In order to avoid violation of the MBTA and the California Fish and Game Code, site- preparation activities (removal of trees and vegetation) for all PVCC implementing development and infrastructure projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species. If site-preparation activities for an implementing project are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.</td>
<td>Prior to issuance of grading permits</td>
<td>Monitoring report submitted to City of Perris Development Services Department</td>
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<td><strong>PVCCSP MM BIO 3:</strong> Project-specific delineations will be required to determine the limits of USACE, RWQCB, and CDFW jurisdiction for implementing projects that may contain jurisdictional features. Impacts to jurisdictional waters will require authorization by the corresponding regulatory agency. If impacts are indicated in an implementing project-specific delineation, prior to the issuance of a grading permit, such implementing projects will obtain the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include, but are not limited to, a Section 404 permit from the USACE, a Section 401 Water Quality Certification from the RWQCB and a Section 1602 Streambed Alteration Agreement from CDFW.</td>
<td>Prior to issuance of grading permits</td>
<td>Monitoring report submitted to City of Perris Development Services Department</td>
<td>City of Perris Planning Division</td>
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<td><strong>PVCCSP MM BIO 4:</strong> Project-specific mapping of riparian and un-vegetated riverine features will be required for implementing projects pursuant to Section 6.1.2 of the MSHCP. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of riparian/riverine areas. If for any implementing project avoidance is not feasible, then such implementing projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP covered species. Riparian vegetation will also need to be evaluated for the least Bell’s vireo, southwestern willow flycatcher, and western yellow-billed cuckoo.</td>
<td>Prior to issuance of grading permits</td>
<td>Monitoring report submitted to City of Perris Development Services Department</td>
<td>City of Perris Planning Division</td>
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**Additional Project-Level Mitigation Measures**

**MM BIO 1:** The removal of trees and vegetation shall be prohibited during the migratory bird nesting season (February 1 through September 15), unless a migratory bird nesting survey is completed in accordance with the following requirements:

a) A migratory nesting bird survey of all trees to be removed shall be conducted by a qualified biologist within three (3) days prior to initiating tree removal or vegetation clearing within 500 feet of a mature tree.

b) A copy of the migratory nesting bird survey results report shall be provided to the City of Perris Planning Division. If the survey identifies the presence of active nests, then the qualified biologist shall provide the City Planning Division with a copy of maps showing the location of all nests and an appropriate buffer zone around each nest sufficient to protect the nest from direct and indirect impact. The size and location of all buffer zones, if required, shall be subject to review and approval by the City Planning Division and shall be no less than a 300-foot radius around the nest for non-raptors and a 500-foot radius around the nest for raptors. The nests and buffer zones shall be field checked weekly by a qualified biologist. Focused survey reports shall be submitted for approval of the City of Perris. If relocation plan is required, this should be submitted to the City of Perris Development Department Planning Division and the Regional Conservation Authority (RCA). The RCA will approve the relocation plan.

City of Perris Planning Division and Riverside Conservation Authority (if relocation required)
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<td>(Biological Resources, cont’d) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game [Wildlife] or U.S. Fish and Wildlife Service</td>
<td>biological monitor. The approved buffer zone shall be marked in the field with construction fencing, within which no vegetation clearing or ground disturbance shall commence until the qualified biologist and City Planning Division verify that the nests are no longer occupied and the juvenile birds can survive independently from the nests.</td>
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<td>(Biological Resources, cont’d) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game [Wildlife] or U.S. Fish and Wildlife Service</td>
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<td>PVCCSP MM Bio 3 and PVCCSP MM Bio 4 above</td>
<td>Prior to issuance of grading permits.</td>
<td>Monitoring report submitted to City of Perris Development Services Department</td>
<td>City of Perris Planning Division</td>
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<td>(Biological Resources, cont’d) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</td>
<td>Applicable PVCCSP Mitigation Measures</td>
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<td>Additional Project-Level Mitigation Measures</td>
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<td>No additional Project-level mitigation is required.</td>
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<td>(Biological Resources, cont’d) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.</td>
<td>Applicable PVCCSP Mitigation Measures</td>
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<td>Additional Project-Level Mitigation Measures</td>
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<td>No additional Project-level mitigation is required.</td>
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<td>Cultural Resources/Tribal Cultural Resources</td>
<td>Applicable PVCCSP Mitigation Measures</td>
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<td>Cause a substantial adverse change in the significance of an archeological resource pursuant to Section 15064.5 of the CEQA Guidelines.</td>
<td>PVCCSP MM Cult 1: Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following: 1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives. 2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC. 3. Field survey of the implementing development or infrastructure project site. The proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the project site. Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference: 1. Avoidance. 2. Changes to the structure provided pursuant to the Secretary of Interior’s Standards. 3. Relocation of the structure. 4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed. Avoidance is the preferred treatment for known significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which would ensure that</td>
<td>Prior to the consideration by the City of Perris of implementing development</td>
<td>Cultural Resource Study has been approved by the City of Perris</td>
<td>City of Perris Planning Division</td>
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<td>indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas. The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.</td>
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**Additional Project-Level Mitigation Measures**

**MM CR 1:** The project developer shall retain a professional archaeologist1 prior to the issuance of grading permits. The task of the archaeologist shall be to monitor the initial ground-altering activities2 at the subject site and off-site project improvement areas for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no grading activities shall occur at the site or within the off-site project improvement areas until the archaeologist has been approved by the City. The archaeological monitor shall be responsible for maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be equipped to record and salvage cultural resources that may be unearthed during grading activities. The archaeologist shall be empowered to temporarily halt or divert grading equipment to allow recording and removal of the unearthed resources. In the event that archaeological resources are discovered at the project site or within the off-site project improvement areas, the handling of the discovered resources will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred/ceremonial objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the project proponent and project archaeologist shall notify the City of Perris Planning Division, the

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1For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior’s standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

2For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site-preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.
### Impact/Threshold

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**Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and any other tribes identified by the California Native American Heritage Commission (NAHC) as being affiliated with the area.** A designated Native American observer from one of the tribes identified by the NAHC as being affiliated with the area shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Native American tribes or bands. This shall include measures and provisions to protect the reburial area from any future impacts. Relocation/reburial shall not occur until all cataloging and basic recordation have been completed. Native American artifacts that cannot be avoided or relocated at the project site shall be prepared in a manner for curation at an accredited curation facility in Riverside County that meets federal standards per 36 C.F.R. Part 79 and makes the artifacts available to other archaeologists/researchers for further study such as University of California, Riverside Archaeological Research Unit (UCR-ARU) or the Western Center for Archaeology and Paleontology. If more than one Native American group is involved with the project and they cannot come to an agreement as to the disposition of Native American artifacts, they shall be curated at the Western Center by default. The archaeological consultant shall deliver the Native American artifacts, including title, to the accredited curation facility within a reasonable amount of time along with the fees necessary for permanent curation.

Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

Once grading activities have ceased or the archaeologist, in consultation with the designated Native American observer, determines that monitoring is no longer necessary, monitoring activities can be discontinued following notification to the City of Perris Planning Department.
### Impact/Threshold

Division. A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report shall provide evidence that any Native American and Non-Native American archaeological resources recovered during Project site development have been avoided, reburied, or curated at an accredited curation facility. A copy of the report shall also be filed with the Eastern Information Center (EIC) and submitted to the Pechanga Band of Luiseño Indians, the Soboba Band of Luiseño Indians, and any other Native American groups involved with the Project.

### Applicable PVCCSP Mitigation Measures

No applicable PVCCSP mitigation measures.

### Additional Project-Level Mitigation Measures

**MM CR 2:** Prior to the issuance of grading permits, the project applicant shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP) The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her paleontological monitor representative) during on-site and off-site subsurface excavation that exceeds three (3) feet in depth. Selection of the paleontologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the paleontologist has been approved by the City.

Monitoring should be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.

Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.

**Verification of Compliance**

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<td>A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.</td>
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### Applicable PVCCSP Mitigation Measures

**PVCCSP MM Cult 6:** In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division and the coroner would be permitted to examine the remains.

If the coroner determines that the remains are of Native American origin, the coroner would notify the NAHC and the Commission would identify the “Most Likely Descendent” (MLD). Despite the affiliation of any Native American representatives at the site, the Commission’s identification of the MLD would stand. The MLD shall be granted access to inspect the site of the discovery of the Native American human remains and may recommend to the project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete their inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains would be determined in consultation with the City of Perris, the project proponent, and the MLD. The City of Perris would be responsible for the final decision, based upon input from the various stakeholders.

If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains would be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains would be recovered by the coroner and handled through the Coroner’s Office.

Coordination with the Coroner’s Office would be through the City of Perris and in consultation with the various stakeholders.

The specific locations of Native American burials and reburials would be proprietary and not disclosed to the general public. The locations would be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).

### Additional Project-Level Mitigation Measures

- During construction activities
- Confirmation of coroner and NAHC contact and submittal of Report of Findings if applicable
- City of Perris Planning Division
<table>
<thead>
<tr>
<th>Impact/Threshold</th>
<th>Applicable PVCCSP Mitigation Measures and Additional Project-Level Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>MM CR 3:</td>
<td>In the event that human remains (or remains that may be human) are discovered at the Project site during grading or earthmoving, the construction contractors, Project archaeologist, and/or designated Native American observer shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b). If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission (NAHC), which will identify the “Most Likely Descendent” (MLD). Despite the affiliation with any Native American representatives at the site, the NAHC’s identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the Project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the Project proponent and the MLD. In the event that the Project proponent and the MLD are in disregard regarding the disposition of the remains, State law will apply and the median and decision process will occur with the NAHC (see Public Resources Code Section 5097.98(e) and 5097.94(k)). The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings will be filed with the Eastern Information Center (EIC). If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the Project proponent. If deemed appropriate, the remains will be recovered by the Coroner and handled through the Coroner’s Office. Coordination with the Coroner’s Office would be through the City of Perris and in consultation with the various stakeholders.</td>
</tr>
</tbody>
</table>

(Cultural/Tribal Cultural Resources, cont’d) The project would cause a substantial adverse change in the significance of a tribal cultural resource (TCR), defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and

<table>
<thead>
<tr>
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<th>Monitoring Agency</th>
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<tr>
<td>During construction activities</td>
<td>Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable</td>
<td>City of Perris Planning Division</td>
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</table>

Verification of Compliance

<table>
<thead>
<tr>
<th>Initials</th>
<th>Date</th>
<th>Remarks</th>
</tr>
</thead>
</table>

Applicable PVCCSP Mitigation Measures

No applicable PVCCSP mitigation measures.

Additional Project-Level Mitigation Measures

MM CR 1 and MM CR 2, above.
<table>
<thead>
<tr>
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<th>Monitoring/Timing</th>
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</thead>
<tbody>
<tr>
<td>scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</td>
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<tr>
<td>o Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</td>
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<tr>
<td>o A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</td>
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</table>

Greenhouse Gas Emission

Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Applicable PVCCSP Mitigation Measures

- PVCCSP MM Air 2, PVCCSP MM Air 4, PVCCSP MM Air 5, PVCCSP MM Air 6, PVCCSP MM Air 7, PVCCSP MM Air 11, PVCCSP MM Air 13, PVCCSP MM Air 14, PVCCSP MM Air 18, PVCCSP MM Air 19, and PVCCSP MM Air 20 above.

Additional Project-Level Mitigation Measures

- No additional Project-level mitigation

(Greenhouse Gas Emissions, cont’d)

Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

Applicable PVCCSP Mitigation Measures

- PVCCSP MM Air 2, PVCCSP MM Air 4, PVCCSP MM Air 5, PVCCSP MM Air 6, PVCCSP MM Air 7, PVCCSP MM Air 11, PVCCSP MM Air 13, PVCCSP MM Air 14, PVCCSP MM Air 18, PVCCSP MM Air 19, and PVCCSP MM Air 20 above.

Additional Project-Level Mitigation Measures

- No additional Project-level mitigation
### Hazards and Hazardous Materials

**Applicable PVCCSP Mitigation Measures**

<table>
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<tr>
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<tbody>
<tr>
<td></td>
<td>No additional Project-level mitigation is required.</td>
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</table>

**PVCCSP MM Haz 2:** Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/March Inland Port Airport Authority.

**PVCCSP MM Haz 3:** Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.

**PVCCSP MM Haz 4:** The following notice shall be provided to all potential purchasers and tenants:

“This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Profession Code 11010 13(A).”

**PVCCSP MM Haz 5:** The following uses shall be prohibited:

- Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
- Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.
- Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
<table>
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<tr>
<td>e. All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.</td>
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</table>

**PVCCSP MM Haz 6:** A minimum of 45 days prior to submittal of an application for a building permit for an implementing development project, the implementing development project applicant shall consult with the City of Perris Planning Department in order to determine whether any implementing project-related vertical structures or construction equipment would encroach into the 100-to-1 imaginary surface surrounding the MARB. If it is determined that there would be an encroachment into the 100-to-1 imaginary surface, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration. If FAA determines that the implementing development project would potentially be an obstruction unless reduced to a specified height, the implementing development project applicant and the Perris Planning Division would work with FAA to resolve any adverse effects on aeronautical operations.

**Additional Project-Level Mitigation Measures**

No additional Project-level mitigation is required.
### Applicable PVCCSP Mitigation Measures

#### Noise

**Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.**

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<tr>
<td><strong>PVCCSP MM Noise 1:</strong> During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with manufacturer’s standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.</td>
<td>During Construction</td>
<td>Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports</td>
<td>City of Perris Building Division</td>
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<tr>
<td><strong>PVCCSP MM Noise 2:</strong> During construction, stationary construction equipment, stockpiling and vehicle staging areas will be placed a minimum of 446 feet away from the closet sensitive receptor.</td>
<td>During Construction</td>
<td>Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports</td>
<td>City of Perris Building Division</td>
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</tr>
<tr>
<td><strong>PVCCSP MM Noise 3:</strong> No combustion-powered equipment, such as pumps or generators, shall be allowed to operate within 446 feet of any occupied residence unless the equipment is surrounded by a noise protection barrier.</td>
<td>During Construction</td>
<td>Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports</td>
<td>City of Perris Building Division</td>
<td></td>
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</tr>
<tr>
<td><strong>PVCCSP MM Noise 4:</strong> Construction contractors of implementing development projects shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings</td>
<td>During Construction</td>
<td>Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports</td>
<td>City of Perris Building Division</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>PVCCSP MM Noise 5:</strong> New sensitive land uses, including residential dwellings, mobile homes, hotels, motels, hospitals, nursing homes, education facilities, and libraries, to be located within the PVCC shall be protected from excessive noise, including existing and projected noise. Attenuation shall be provided to ensure that noise levels do not exceed an exterior standard of 60 dBA (65 dBA is conditionally acceptable) in outdoor living areas and an interior standard of 45 dBA in all habitable rooms. Specifically, special consideration shall be given to land uses abutting Ramona Expressway from Redlands Avenue to Evans Road and from Evans Road to Bradley Road; Rider Street from Evans Road to Bradley Road; Placentia Avenue from Perris Boulevard to Redlands Avenue, from Redlands Avenue to Wilson Avenue, from Wilson Avenue to Murrieta Road, and from Murrieta Road to Evans Road; Perris Boulevard from Orange Avenue to Placentia Avenue and from San Michele Road to Krameria Avenue; and Redlands Avenue from Nuevo Road to Citrus Avenue, from Citrus Avenue to Orange Avenue and from Orange Avenue to Placentia Avenue.</td>
<td>During Construction</td>
<td>Verification by City of incorporation of requirement in the Contractor Specifications Periodic Monitoring Reports</td>
<td>City of Perris Building Division</td>
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</table>
## Impact/Threshold

### A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

<table>
<thead>
<tr>
<th>Applicable PVCCSP Mitigation Measures and Additional Project-Level Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVCCSP MM Noise 3 and PVCCSP MM Noise 5 above.</td>
</tr>
<tr>
<td>Additional Project-Level Mitigation Measures</td>
</tr>
<tr>
<td>No additional Project-level mitigation is required.</td>
</tr>
</tbody>
</table>

### A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

<table>
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<tr>
<th>Applicable PVCCSP Mitigation Measures</th>
</tr>
</thead>
<tbody>
<tr>
<td>PVCCSP MM Noise 1, PVCCSP MM Noise 2, PVCCSP MM Noise 3, PVCCSP MM Noise 4, and PVCCSP MM Noise 5 above.</td>
</tr>
<tr>
<td>Additional Project-Level Mitigation Measures</td>
</tr>
<tr>
<td>No additional Project-level mitigation is required.</td>
</tr>
</tbody>
</table>

### For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels.

<table>
<thead>
<tr>
<th>Applicable PVCCSP Mitigation Measures</th>
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</thead>
<tbody>
<tr>
<td>PVCCSP MM Haz 4 above.</td>
</tr>
<tr>
<td>Additional Project-Level Mitigation Measures</td>
</tr>
<tr>
<td>No additional Project-level mitigation is required.</td>
</tr>
</tbody>
</table>

## Transportation and Traffic

### Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but

<table>
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<tr>
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<tr>
<td>PVCCSP MM Trans 1: Future implementing development projects shall construct on-site roadway improvements pursuant to the general alignments and right-of-way sections set forth in the PVCC Circulation Plan, except where said improvements have previously been constructed.</td>
</tr>
<tr>
<td>Project design approval</td>
</tr>
<tr>
<td>Project design approval</td>
</tr>
<tr>
<td>Site Plans</td>
</tr>
<tr>
<td>Site Plans</td>
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<tr>
<td>City of Perris Engineer</td>
</tr>
<tr>
<td>City of Perris Engineer</td>
</tr>
</tbody>
</table>

<p>| PVCCSP MM Trans 2: Sight distance at the project entrance roadway of each implementing development project shall be reviewed with respect to standard City of Perris sight distance standards at the time of preparation of final grading, landscape and street improvement plans. |
| Project design approval                                                        |
| Project design approval                                                        |
| Site Plans                                                                       |
| Site Plans                                                                       |
| City of Perris Engineer                                                         |
| City of Perris Engineer                                                         |</p>
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</thead>
<tbody>
<tr>
<td><strong>not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit</strong></td>
<td><strong>PVCCSP MM Trans 3:</strong> Each implementing development project shall participate in the phased construction of off-site traffic signals through payment of that project’s fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include TUMF (Transportation Uniform Mitigation Fee), DIF (Development Impact Fee) and the NPRBBD (North Perris Road and Bridge Benefit District). The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required LOS and build or improve roads to their build-out level.</td>
<td>Prior to occupancy</td>
<td>Receipt of payment</td>
<td>City of Perris Engineer</td>
</tr>
<tr>
<td></td>
<td><strong>PVCCSP MM Trans 4:</strong> Prior to the approval of individual implementing development projects, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing in the project area that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that would serve the project area, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalk and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project.</td>
<td>Project design approval</td>
<td>Site Plans</td>
<td>City of Perris Engineer</td>
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<tr>
<td></td>
<td><strong>PVCCSP MM Trans 5:</strong> Bike racks shall be installed in all parking lots in compliance with City of Perris standards.</td>
<td>Project design approval</td>
<td>Site Plans</td>
<td>City of Perris Engineer</td>
</tr>
<tr>
<td></td>
<td><strong>PVCCSP MM Trans 7:</strong> Implementing project-level traffic impact studies shall be required for all subsequent implementing development proposals within the boundaries of the PVCC as approved by the City of Perris Engineering Department. These subsequent traffic studies shall identify specific project impacts and needed roadway improvements to be constructed in conjunction with each implementing development project. All intersection spacing for individual tracts or maps shall conform to the minimum City intersection spacing standards. All turn pocket lengths shall conform at least to the minimum City turn pocket length standards. If any of the proposed improvements are found to be infeasible, the implementing development project applicant would be required to provide alternative feasible improvements to achieve levels of service satisfactory to the City.</td>
<td>Project design approval</td>
<td>Site Plans</td>
<td>City of Perris Engineer</td>
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<tr>
<td></td>
<td><strong>PVCCSP MM Trans 8:</strong> Proposed mitigation measures resulting from project-level traffic impact studies shall be coordinated with the NPRBBD to ensure that they are in conformance with the ultimate improvements planned by the NPRBBD. The</td>
<td>Project design approval</td>
<td>Site Plans</td>
<td>City of Perris Engineer</td>
</tr>
<tr>
<td>Impact/Threshold</td>
<td>Applicable PVCCSP Mitigation Measures and Additional Project-Level Mitigation Measures</td>
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<td></td>
<td>applicant shall be eligible to receive proportional credits against the NPRBBD for construction of project-level mitigation that is included in the NPRBBD.</td>
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<tr>
<td></td>
<td><strong>Additional Project-Level Mitigation Measures</strong></td>
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</tr>
<tr>
<td>MM TRANS 1</td>
<td>Project truck traffic shall be restricted to take Harley Knox Boulevard as the one and only truck route. Signage shall be posted on-site directing direct truck drivers to use existing City truck route on Harley Knox Boulevard. The information on the signage will be coordinated with City Planning and the City’s Traffic Engineer during the plan check process.</td>
<td>Prior to occupancy</td>
<td>Site inspection City acceptance of constructed roadways</td>
<td>City of Perris Engineer</td>
</tr>
<tr>
<td>MM TRANS 2</td>
<td>The Project applicant shall participate in the phased construction of off-site traffic signals through payment of that project’s fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include TUMF (Transportation Uniform Mitigation Fee), DIF (Development Impact Fee) and the NPRBBD (North Perris Road and Bridge Benefit District). The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level (PVCCSP MM Trans 3).</td>
<td>Prior to occupancy</td>
<td>Receipt of payment</td>
<td>City of Perris Engineer</td>
</tr>
</tbody>
</table>

(Transportation and Traffic, cont’d)

Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways.

<table>
<thead>
<tr>
<th>Applicable PVCCSP Mitigation Measures</th>
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<tr>
<td>PVCCSP MM Trans 1 above.</td>
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<table>
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<tr>
<th>Additional Project-Level Mitigation Measures</th>
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<tbody>
<tr>
<td>No additional Project-level mitigation is required</td>
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</table>

Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment).

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<td>MM TRANS 3: On-site roadway improvements shall be constructed pursuant to the general alignments and right-of-way sections set forth in the PVCCSP Circulation Plan, except where said improvements have previously been constructed (PVCCSP MM Trans 1).</td>
</tr>
<tr>
<td>MM TRANS 4: Sight distance at the Project site entrance roadway of each implementing development project shall be reviewed with respect to standard City</td>
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(MM TRANS 4: Sight distance at the Project site entrance roadway of each implementing development project shall be reviewed with respect to standard City...)

City of Perris Engineer
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<td>of Perris sight distance standards at the time of preparation of final grading, landscape and street improvement plans (PVCCSP MM Trans 2).</td>
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<tr>
<td>MM TRANS 5: Signing/striping should be implemented in conjunction with detailed construction plans for the Project site in accordance with the conceptual striping plan for Patterson Street prepared east of Patterson Avenue along the Project site frontage, provided in Appendix F of the TIA.</td>
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