

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials      Date      Remarks	
<p><b>4.1 Aesthetics</b></p> <p>A new source of substantial light or glare which would adversely affect daytime or nighttime views in the area</p>	<p><b>Additional Project-Level Mitigation Measures</b></p> <p><b>AE 4.1A</b> Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction staging areas are located in the northern and western portions of the project site. In addition, any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.</p>	<p>Prior to issuance of a grading permit</p> <p>Periodic site inspections during construction</p>	<p>Review and approval of Contractor Specifications</p>	<p>City of Perris Development Services Department Building Division</p>		
<p><b>4.3 Air Quality</b></p> <p>Violate any ambient air quality standards or contribute substantially to an existing air quality violation.</p> <p>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment area under an applicable federal or state ambient air quality standard.</p>	<p><b>Applicable Construction PVCC Specific Plan Mitigation Measures</b></p> <p><b>MM Air 2</b> 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 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.</p> <p><b>MM Air 3</b> 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:</p> <ul style="list-style-type: none"> <li>• Requiring the application of non-toxic soil</li> </ul>	<p>Prior to issuance of a grading permit</p>	<p>Approval of required traffic control plan</p>	<p>City of Perris Engineering Administration Division</p>		

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	<ul style="list-style-type: none"> <li>• stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain).</li> <li>• Keeping disturbed/loose soil moist at all times.</li> <li>• Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered.</li> <li>• Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.</li> <li>• Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site.</li> <li>• Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour.</li> <li>• Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.</li> <li>• Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials.</li> <li>• Replacement of ground cover in disturbed areas as quickly as possible.</li> </ul>				
<p><b>MM Air 4</b> Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.</p>		<p>Prior to issuance of building and grading permits</p>	<p>Confirmation that building and grading permits include required</p>	<p>City of Perris Development Services Department</p>	

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	<p><b>MM Air 5</b> 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 the City of Perris' Building Division prior to issuance of grading permits.</p> <p><b>MM Air 6</b> 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 USEPA 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.</p> <p><b>MM Air 7</b> 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.</p> <p><b>MM Air 9</b> To reduce VOC emissions associated with architectural coating, the project designer and</p>	<p>restriction</p> <p>Prior to issuance of a grading permit</p> <p>Prior to issuance of a grading permit</p> <p>Prior to issuance of a grading permit and during construction</p>	<p>Confirmation that this requirement is included in Contractor Specifications</p> <p>Confirmation that these requirements are included in Contractor Specifications and project construction documents</p> <p>Confirmation that this requirement is included in Contractor Specifications</p> <p>Periodic review of equipment maintenance records and equipment design</p> <p>Confirmation that this</p>	<p>Building Division</p> <p>City of Perris Building Division</p> <p>City of Perris Development Services Department Building Division</p> <p>City of Perris Development Services Department Building Division</p> <p>City of Perris Development</p>		

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	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 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.		requirement is included in Contractor Specifications	Services Department Building Division		
	<b>Additional Construction Project-Level Mitigation Measures</b>					
	<b>AQ 4.3A</b> The Project developer shall require that the site preparation and grading contractors limit the daily disturbed area to 5 acres or less.	Prior to issuance of a grading permit	Confirmation that these requirements are included in Contractor Specifications	City of Perris Development Services Department Building Division		
	<b>AQ 4.3B</b> The proposed Project developer and its contractors shall ensure that, during construction, contractors shall turn off all diesel-powered construction when vehicles are not in use and contractors shall prohibit idling of vehicles for longer than five minutes.	Prior to issuance of a grading permit	Confirmation that these requirements are included in Contractor Specifications	City of Perris Development Services Department Building Division		
	<b>AQ 4.3C</b> The proposed Project developer and its contractors shall ensure that, during construction, no diesel-powered generators shall be used to the extent feasible.	Prior to issuance of a grading permit	Confirmation that these requirements are included in Contractor Specifications	City of Perris Development Services Department Building Division		
	<b>AQ 4.3D</b> The proposed Project's warehouse	Prior to issuance of a grading permit	Confirmation	City of Perris		



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	structures shall utilize precast/natural-colored building materials to reduce emissions from applying architectural coatings.		that these requirements are included in Contractor Specifications	Development Services Department Building Division		
	<b>Applicable Operational PVCC Specific Plan Mitigation Measures</b>					
	<b>MM Air 11</b> 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 thereafter	Confirmation that this requirement is included in building specifications Inspection to confirm signage posted	City of Perris Development Services Department Building Division		
	<b>MM Air 12</b> 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 Development Services Department Building Division		
	<b>MM Air 13</b> 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	Prior to issuance of occupancy permits and annually thereafter	Confirmation that tenants have been provided with required information	City of Perris Development Services Department Planning Division		

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	<p>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 (<a href="http://www.aqmd.gov">http://www.aqmd.gov</a>). Tenants would be required to use those funds, if awarded.</p>					
	<p><b>MM Air 14</b> 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.</p>	<p>Prior to issuance of certificate of occupancy and periodically after development</p>	<p>Confirmation that designated parking spaces for high-occupancy vehicles and vans are included in building plans and verified during a site visit</p>	<p>City of Perris Development Services Department Building Division</p>		
	<p><b>MM Air 18</b> 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</p>					<p align="center">Mitigation measure completed with preparation of the Draft EIR</p>

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	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.				
	<b>MM Air 19</b> 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	Prior to the issuance of building permits	Submission of energy-efficient street lighting plans	City of Perris Development Services Department Building Division	
	<b>MM Air 20</b> 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.	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division	
	<b>Additional Operational Project-Level Mitigation Measures</b>				
	<b>AQ 4.3.E</b> Either High-Volume, Low-Pressure (HVLP) spraying equipment or manual application techniques shall be used to reapply architectural coatings. Paints shall have a VOC content no higher than 10 g/L.	Prior to the issuance of occupancy permits and annually thereafter	Confirmation that tenants have been provided with required information	City of Perris Development Services Department Building Division	
	<b>AQ 4.3.F</b> The facility operator shall require by lease agreements that any future building tenants shall utilize only electric yard trucks and forklifts.	Prior to issuance of occupancy permits and annually thereafter	Confirmation that this requirement is included lease agreements	City of Perris Development Services Department Planning Division	
	<b>AQ 4.3.G</b> The Project applicant shall require that any future tenants institute a ride sharing/ van pool program that is open to all employees.	Prior to issuance of occupancy permits and annually thereafter	Confirmation that this requirement is included lease agreements	City of Perris Development Services Department Planning Division	
	<b>AQ 4.3.H</b> Prior to issuance of a building permit, the Project proponent shall provide the City with project	Prior to the issuance of building permits	Confirmation that building	City of Perris Development	

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	<p>specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles. Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated.</p>		plans include the required design features	Services Department Planning Division		
	<p><b>AQ 4.3.1</b> Prior to the issuance of building permits, the Project proponent shall provide evidence that loading docks are designed to be compatible with SmartWay trucks.</p>	Prior to issuance of building permits	Confirmation that building plans include the required design features	City of Perris Development Services Department Planning Division		
	<p><b>AQ 4.3.J</b> Upon occupancy, the facility operator shall require tenants that do not already operate 2010 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, SmartWay Finance, or other similar funds. If awarded, the tenant shall be required to accept and use the funding. Tenants shall be encouraged to consider the use of alternative fueled trucks as well as new or retrofitted diesel trucks. Tenants shall also be encouraged to become SmartWay Partners, if eligible. This measure shall not apply to trucks that are not owned or operated by the facility operator or facility tenants since it would be infeasible to prohibit access to the site by any truck that is otherwise legal to operate on California roads and highways. The facility operator shall provide an annual report to the City of Perris Development Services Department. The report shall: one, list each engine design; two, describe the effort made by each tenant to obtain funding to upgrade their fleet and the results of that</p>	Prior to issuance of occupancy permits and annual reports	Confirmation that tenants have been provided with information regarding funding for cleaner than required heavy-duty engines and emission control devices  Confirmation that annual reports are submitted	City of Perris Development Services Department Planning and Building Divisions		

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	<p>effort; and three, describe the change in each fleet composition from the prior year.</p>					
	<p><b>AQ 4.3.K</b> Upon occupancy and annually thereafter, the facility operator shall provide information to all tenants, with instructions that the information shall be provided to employees and truck drivers as appropriate, regarding:</p> <ul style="list-style-type: none"> <li>• Building energy efficiency, solid waste reduction, recycling, and water conservation.</li> <li>• Vehicle GHG emissions, electric vehicle charging availability, and alternate transportation opportunities for commuting.</li> <li>• Participation in the Voluntary Interindustry Commerce Solutions (VICS) "Empty Miles" program to improve goods trucking efficiencies.</li> <li>• Health effects of diesel particulates, State regulations limiting truck idling time, and the benefits of minimized idling.</li> <li>• The importance of minimizing traffic, noise, and air pollutant impacts to residences on Markham Street and Webster Avenue.</li> </ul>	<p>Prior to issuance of occupancy permits and annual reports</p>	<p>Confirmation that tenants have been provided with required information</p>	<p>City of Perris Development Services Department Planning Division</p>		
	<p><b>AQ 4.3.L</b> Prior to issuance of an occupancy permit, the project proponent shall install a sign the east side of the property with telephone, email, and regular mail contact information for a designated representative of the tenant who would receive complaints about excessive noise, dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Code violations. The tenant's representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The tenant's representative shall endeavor to resolve reasonable complaints within 24 hours.</p>	<p>Prior to issuance of occupancy permits</p>	<p>Inspection to confirm sign has been installed</p>	<p>City of Perris Development Services Department Planning Division and City Engineer</p>		



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	<p><b>AQ 4.3.M</b> Prior to the issuance of building permits, the Project proponent shall submit lightning plans to the City of Perris Building Division demonstrating that outdoor lighting is limited to levels needed for safety and security.</p>	<p>Prior to issuance of building permits</p>	<p>Submission of site lighting plans</p>	<p>City of Perris Development Services Department Planning Division</p>	
<p><b>4.4 Biological Resources</b> Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	<p><b>Additional Project-Level Mitigation Measures</b></p> <p><b>B 4.4A</b> "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:</p> <p>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 vegetation clearing. The migratory nesting bird survey 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.</p> <p>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</p>	<p>Mitigation measure required only between February 1 and September 15</p> <p>No more than 30 days prior to the issuance of a grading permit</p>	<p>Pre-activity field survey report provided to City of Perris</p>	<p>City of Perris Development Services Department Planning Division</p>	



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	<p>be field checked weekly by a qualified 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."</p> <p><b>Additional Project-Level Mitigation Measures</b></p>					
<b>4.5 Cultural Resources</b>	<b>Additional Project-Level Mitigation Measures</b>					
Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.	<p><b>CUL 4.5A</b> The Project developer shall retain a professional archaeologist<sup>1</sup> prior to the issuance of grading permits. The task of the archaeologist shall be to monitor the initial ground-altering activities<sup>2</sup> 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.</p> <p>The archaeological monitor shall be responsible for maintaining daily field notes and a photographic record, and for reporting all finds to the developer</p>	Prior to issuance of a grading permit and during subsurface excavation	Confirmation of professional archaeologist retention/on-going monitoring/submittal of Report of Findings and curate discovered resources, if applicable	City of Perris Development Services Department Planning Division		

<sup>1</sup> For 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.

<sup>2</sup> For 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.

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	<p>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.</p> <p>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 Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from either the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño Indians 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 cannot be avoided or relocated at the Project site shall be prepared in a manner for</p>				

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	<p>curation and the archaeological consultant shall deliver the materials to a federally accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), the Western Center for Archaeology and Paleontology, or the Pechanga Cultural Resources Department within a reasonable amount of time.</p> <p>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.</p> <p>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 Division.</p> <p>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 development have been 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 and the Soboba Band of Luiseño Indians.</p> <p><b>CUL 4.5B</b> 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).</p>	Prior to the issuance of a grading permit	Confirmation of professional paleontologist retention	City of Perris Development Services Department		

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	<p>The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained 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 approval of the City of Perris Director of Development Services and no grading activities shall occur at the site until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The approved 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.</p> <p>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.</p> <p>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, would signify completion of the program to mitigate impacts to paleontological resources.</p>		<p>Submittal of letter documenting procedures for periodic monitoring</p>	<p>Planning Division</p>		

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<p>Result in any disturbance of human remains, including those inferred outside of formal cemeteries.</p>	<p><b>CUL 4.5.C</b> 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).</p> <p>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).<sup>3</sup> 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 disagreement regarding the disposition of the</p>	<p>During construction activities</p>	<p>Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable</p>	<p>City of Perris Development Services Department Planning Division</p>		

<sup>3</sup> The "Most Likely Descendent" (MLD) is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code, Section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.



**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials    Date    Remarks
	<p>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).</p> <p>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).</p> <p>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.</p> <p>Coordination with the Coroner's Office would be through the City of Perris and in consultation with the various stakeholders.</p>				
<p><b>4.6 Geology and Soils</b></p> <p>Result in substantial soil erosion or the loss of topsoil.</p>	<p><b>Additional Project-Level Mitigation Measures</b></p> <p><b>GEO 4.6A</b> Prior to the issuance of grading permits, the Project Proponent shall demonstrate to the City that the siting, design and construction of all structures and facilities within the project limits are in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code. These California Building Codes are specifically designed to ensure structural safety in the event of a seismic event.</p>	<p>Prior to issuance of a building permit</p>	<p>Submission of plans prepared in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code</p>	<p>City of Perris Development Services Department Building Division</p>	



**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.	GEO 4.6A, above	Prior to issuance of a building permit	Submission of plans prepared in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code	City of Perris Development Services Department Building Division		
<b>4.7 Greenhouse Gas</b>	<b>Additional Project-Level Mitigation Measures</b>					
Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<b>GHG 4.7A</b> The project applicant shall require that all building structures meet Green Building Code Standards (CalGreen) and that all project buildings shall be designed to exceed 2008 Title 24 requirements by thirty percent (30%) or exceed current (2013) Title 24 standards by five percent (5%) (meets PVCCSP EIR MM Air 20). <b>GHG 4.7B</b> The project applicant shall require that any future tenants institute a ride sharing program and employee vanpool/shuttle that is open to all employees (same as AQ 4.3ML).	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division		
	<b>GHG 4.7C</b> The project applicant shall encourage all future tenants to institute recycling programs that reduce waste to landfills by a minimum of 50 percent and includes designated recycling bins at each proposed structure and requires all green waste to be processed at a recycling or composting facility. <b>GHG 4.7D</b> The project applicant shall require that at least 209 new trees are planted on site.	Prior to issuance of building permits	Submission of a pedestrian network and provide traffic calming plans with building plans Submission of a landscape plan showing at least 209 new trees.	City of Perris Development Services Department Building Division City of Perris Development Services Department		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
		Prior to the issuance of occupancy permits	A inspection shall be conducted prior to occupancy permits are issued to ensure that at least 209 new trees are planted on site	Planning Division		
	GHG 4.7E The project shall incorporate a water conservation strategy of 25% or higher (meets PVCCSP EIR MM Air 20).	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division		
<b>4.8 Hazards and Hazardous Materials</b>	<b>Additional Project-Level Mitigation Measures</b>					
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, result in a safety hazard for people residing or working in the project area.	<b>HH 4.8A</b> Prior to the issuance of building permits for the project, the project proponent shall provide evidence to the City through submittal of a lighting plan that any outdoor lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible.	Prior to issuance of building permits	Submission of lighting plans demonstrating that lights are hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible	City of Perris Development Services Department Building Division		
	<b>HH 4.8B</b> Prior to the issuance of building permits for the project, the project proponent shall provide evidence to the City through submittal and agreement of additional conditions of approval that the following uses shall be prohibited on site.	Prior to issuance of building permits	Submission of evidence that uses listed are prohibited in site	City of Perris Development Services Department Planning		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	<p>a. 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.</p> <p>b. Any use which would cause sunlight to be reflected 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.</p> <p>c. 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. (Such uses include landscaping utilizing water features, aquaculture, production of grain, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)</p> <p>d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.</p> <p>e. Children's schools, day care centers, libraries, hospitals, congregate care facilities, hotels/motels, restaurants, places of assembly (including churches and theaters), noise sensitive outdoor nonresidential uses, and hazards to flight.</p>			Division		
	<b>HH 4.8C</b> Prior to recordation of a final map, the	Prior to recordation of	Submission of	City of Perris		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act for the project site, whichever occurs first, the landowner of the project site shall convey an avigation easement to the MARE/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded.	a final map, the issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act for the project site, whichever occurs first	evidence of conveyance of an avigation easement to the MARE/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded	Development Services Department Planning Division		
	<b>HH 4.8D</b> Prior to the transfer of any real property or the finalization of a lease agreement for property associated with the project, the transferor (or lessor) shall provide to the transferee (or lessee), notification required by Condition 4 of the Riverside County Airport Land Use Commission's consistency determination.	Prior to transfer of any real property or the finalization of a lease agreement for property associated with the project	Submission of evidence of the transferor (or lessor) shall provide to the transferee (or lessee), notification required by Condition 4 of the Riverside County Airport Land Use Commission's consistency determination	City of Perris Development Services Department Planning Division		
	<b>HH 4.8E</b> Prior to issuance of building permits for the project, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,542.5 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA	Prior to issuance of building permits	Submission of evidence of submittal of a Notice of Proposed Construction of Alteration (Form 7460-1) to the	City of Perris Development Services Department Planning Division and RCALUC		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	determination shall be provided to the City of Perris Planning Department and the Riverside County Airport Land Use Commission.		Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,542 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA			
	<b>HH 4.8F</b> Prior to the issuance of occupancy permits for the project, the project proponent shall provide evidence to the City that vegetation proposed for in and around the proposed detention/retention basins does not provide food or cover for bird species that would be incompatible with airport operations.	Prior to the issuance of occupancy permits	Provide evidence to the City that vegetation proposed for in and around the proposed detention/retention basins does not provide food or cover for bird species	City of Perris Development Services Planning Division		
<b>4.9 Hydrology and Water Quality</b>	<b>Additional Project-Level Mitigation Measures</b>					
Violate any water quality standards or waste discharge requirements.	<b>HW 4.9A</b> Prior to grading plan approval and the issuance of a grading permit, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities.	Prior to grading plan approval and the issuance of a grading permit	Provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National	City of Perris City Engineer		



**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	<p><b>HW 4.9B</b> Prior to grading plan approval and the first issuance of a grading permit by the City, the project proponent shall submit to the City of Perris a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:</p> <ul style="list-style-type: none"> <li>• Sediment discharges from the site may be controlled by the following: bags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.</li> <li>• Sediment discharges from the site may be controlled by the following: bags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other</li> </ul>	<p>Prior to grading plan approval and the first issuance of a grading permit</p>	<p>Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities</p> <p>Submit a Storm Water Pollution Prevention Plan (SWPPP) to the City of Perris</p>	<p>City of Perris City Engineer</p>		



**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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	<p>discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.</p> <ul style="list-style-type: none"> <li>• No materials of any kind shall be placed in drainage ways.</li> <li>• Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.</li> <li>• All loose piles of soil, silt, clay, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.</li> <li>• The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.</li> <li>• Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.</li> <li>• The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.</li> </ul> <p>In the event that it is not feasible to implement the above BMPs, the City of Perris can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.</p> <p><b>HW 4.9C</b> Prior to issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:</p> <ul style="list-style-type: none"> <li>• The Construction Contractor shall be</li> </ul>					
		Prior to issuance of grading permits	Confirmation that these requirements are included Contractor	City of Perris City Engineer		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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	<p>responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment-control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Perris and the representatives of the Regional Water Quality Control Board.</p>		Specifications			
<p>Otherwise substantially degrade water quality.</p>	<p><b>HW 4.9D</b> Prior to grading plan approval and issuance of a grading permit by the City, the project proponent shall receive approval from the City of Perris for a Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. Source control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table 4.9.H. Treatment-control BMPs shall include on-site detention/filtration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Perris can make a determination that other BMPs shall provide equivalent or superior treatment either on or off site</p> <p><b>HW 4.9A</b> through <b>4.9D</b>, above</p>	<p>Prior to grading plan approval and issuance of a grading permit by the City</p>	<p>Review and approval of Final WQMP</p>	<p>City of Perris City Engineer</p>		
		<p>See above</p>	<p>See above</p>	<p>See above</p>		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	HW 4.9A through 4.9D, above	See above	See above	See above		
<b>4.12 Noise</b> 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.	<b>Additional Project-Level Mitigation Measures</b> <b>N 4.12A</b> A 14-foot high concrete tilt-up screening wall will be constructed along the perimeter of areas designated for truck parking/loading. This includes the loading/unloading docks and truck parking area east of Building "B" and an 8-foot high wrought iron fence on top of retaining wall along the northern property line of Parcel 1 (Building "A"), as shown in Figure 4.12-7, <i>Mitigation Measures</i> . <b>N 4.12B</b> Project design shall incorporate screening walls for any rooftop HVAC condensers that are within a 600 foot radius of residential units. The wall shall be positioned to shield the residential area from equipment and be as tall as or taller than the equipment. <b>N 4.12C</b> Construction will be limited to the hours of 7:00 a.m. to 7 p.m., Monday through Saturday, in accordance with the City of Perris Municipal Code Section 7.34.060. No construction activities are permitted outside of these hours or on Sundays and legal holidays, except for Columbus Day and Washington's Birthday.	Prior to issuance of building permit  Prior to issuance of occupancy permits	Review and approval of Final Site Plan	City of Perris Development Services Department Building Division and Planning Division		
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.		Prior to issuance of building permit  During construction	Review and approval of Final Site Plan  Verification by City of incorporation of requirement in the Contractor Specifications  Periodic Monitoring Reports	City of Perris Development Services Department Building Division and Planning Division  City of Perris Development Services Department Building Division		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
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	<p><b>N 4.12D</b> During all project site excavation and grading on site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards. Construction equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Equipment shall be turned off when not in use and not allowed to idle. 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.</p>	During construction	Verification by City of incorporation of requirement in the Contractor Specifications  Periodic Monitoring Reports	City of Perris Development Services Department Building Division	
	<p><b>N 4.12E</b> During construction, stationary construction equipment, stockpiling and vehicle staging areas would be placed a minimum of 446 feet away from the closest sensitive receptor.</p>	During construction	Verification by City of incorporation of requirement in the Contractor Specifications  Periodic Monitoring Reports	City of Perris Development Services Department Building Division	
	<p><b>N 4.12F</b> 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.</p>	During construction	Verification by City of incorporation of requirement in the Contractor Specifications  Periodic Monitoring Reports	City of Perris Development Services Department Building Division	
	<p><b>N 4.12G</b> 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.</p>	During construction	Verification by City of incorporation of requirement in the Contractor Specifications	City of Perris Development Services Department Building Division	

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

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<b>4.15 Traffic and Circulation</b>	<b>Additional Project-Level Mitigation Measures</b>		Periodic Monitoring Reports			
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 not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.	<p><b>T 4.15A</b></p> <p>I-215 Southbound Ramps/Harley Knox Boulevard (2.0%)</p> <ul style="list-style-type: none"> <li>Construct one exclusive southbound left-turn lane</li> <li>Construct one additional westbound left-turn lane</li> </ul> <p>I-215 Northbound Ramps/Harley Knox Boulevard (3.0%)</p> <ul style="list-style-type: none"> <li>Construct one additional westbound free right-turn lane</li> </ul> <p>Western Way/Harley Knox Boulevard (3.3%)</p> <ul style="list-style-type: none"> <li>Install a new traffic signal</li> <li>Construct one exclusive eastbound left-turn lane</li> </ul> <p>Patterson Avenue/Harley Knox Boulevard (3.3%)</p> <ul style="list-style-type: none"> <li>Construct one additional eastbound through lane</li> <li>Construct one additional westbound through lane</li> </ul>	Prior to issuance of occupancy permits	Site Inspection City acceptance of constructed roadways	City of Perris City Engineer		
Conflict with an applicable congestions management program, including, but not limited to level of service standards and travel demand measures,	<p><b>T 4.15B</b></p> <p>Prior to issuance of a building permit, the Project proponent shall provide the City with an on-site signage program that clearly identifies the required on-site circulation system. This shall be accomplished through posted signs and painting on driveways and internal roadways. Specifically, signage shall be posted for Project driveways on Patterson Avenue indicating that trucks shall enter and exit the site at Patterson Avenue and head north towards Harvey Knox Boulevard, as well as Webster Avenue (which identifies that trucks are restricted from exiting the Project from that location). Further, the signage program shall include a requirement that signage be posted onsite along</p>	Prior to issuance of a building permit	Submittal of signage program for on-site and off-site truck circulation	City of Perris City Engineer		

**MITIGATION MONITORING AND REPORTING PROGRAM – OLC 2**

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or other standards established by the county congestion management agency for designated roads or highways.	Ramona Expressway and Webster Avenue restricting trucks from utilizing Webster Avenue. Prior to issuance of an occupancy permit, installation of the required signs shall be confirmed by the City.					
	<b>T 4.15C</b> Prior to issuance of an occupancy permit, the City shall confirm that signs clearly identifying approved truck routes have been installed along the truck routes to and from the Project site requiring access on Patterson Avenue and prohibiting access on Webster Avenue to prevent trucks impacting adjacent residential uses.	Prior to issuance of an occupancy permit	Site Inspection	City of Perris City Engineer		



**STATEMENT OF FACTS AND FINDINGS  
AND  
STATEMENT OF OVERRIDING CONSIDERATIONS  
REGARDING THE ENVIRONMENTAL EFFECTS FOR THE  
OPTIMUS LOGISTICS CENTER 2 PROJECT**

**October 2015**

**ATTACHMENT 4**

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## SECTION 1.0: STATEMENT OF FACTS AND FINDINGS

### 1.1 INTRODUCTION

The California Environmental Quality Act (CEQA) requires that a Lead Agency issue two sets of findings prior to approving a project that will generate a significant impact on the environment. The Statement of Facts and Findings is the first set of findings where the Lead Agency identifies the significant environmental impacts as identified in the Environmental Impact Report (EIR), presents facts supporting the conclusions reached in the analysis, makes one or more of three findings for each impact, and explains the reasoning behind the agency's findings.

The following Statement of Facts and Findings has been prepared in accordance with the State CEQA Guidelines (14 California Code of Regulations, Section 15091), and *California Public Resources Code*, Section 21081 (collectively, CEQA). Section 15091 of the State CEQA Guidelines provides that:

- (a) No public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:
  - 1. Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
  - 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
  - 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.
- (b) The findings required by subdivision (a) shall be supported by substantial evidence in the record.
- (c) The finding in subdivision (a)(2) shall not be made if the agency making the finding has concurrent jurisdiction with another agency to deal with identified feasible mitigation measures or alternatives. The finding in subsection (a)(3) shall describe the specific reasons for rejecting identified mitigation measures and project alternatives.
- (d) When making the findings required in subdivision (a)(1), the agency shall also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. These measures must be fully enforceable through permit conditions, agreements, or other measures.

- (e) The public agency shall specify the location and custodian of the documents or other materials which constitute the record of the proceedings upon which its decision is based.
- (f) A statement made pursuant to Section 15093 does not substitute for the findings required by this section.

Section 15093 of the State CEQA Guidelines further provides:

- (a) CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposal project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- (b) Where the lead agency approves a project which will result in the occurrence of significant effects which are identified in the final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the final EIR and/or other information in the record. This statement of overriding considerations shall be supported by substantial evidence in the record.
- (c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the notice of determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

The Statement of Overriding Considerations is the second set of findings. Where a project will cause unavoidable significant environmental impacts, the Lead Agency may still approve a project where its benefits outweigh the adverse impacts. Further, as provided in the Statement of Overriding Considerations, the Lead Agency sets forth specific reasoning by which benefits are balanced against effects, and approves the project.

The City of Perris (City), the CEQA Lead Agency, finds and declares that the proposed Optimus Logistics Center 2 Project Environmental Impact Report (EIR, State Clearinghouse [SCH] No. 2014051034) has been completed in compliance with CEQA and the State CEQA Guidelines. The City finds and certifies that the EIR was reviewed and that information contained in the EIR was considered prior to approving the proposed Optimus Logistics Center Project, herein referred to as the "Project."

Having received, reviewed and considered the Draft Environmental Impact Report (Draft EIR) and the Final Environmental Impact Report (Final EIR) for the Optimus Logistics Center 2 Project (collectively, "the EIR"), as well as all other information in the record of proceedings on this matter, the Findings and Facts in Support of Findings (Findings) and Statement of Overriding Considerations (SOC) included in this document are hereby adopted by the City of Perris (City) in its capacity as the CEQA Lead Agency.

Based upon its review of the EIR, the Lead Agency finds that the EIR is an adequate assessment of the potentially significant environmental impacts of the Project, represents the independent



judgment of the City, and sets forth an adequate range of alternatives to this Project.

As described in the Final EIR document, the Final EIR is composed of the following elements:

- Optimus Logistics Center 2 Project Public Review Draft EIR (SCH No. 2014051034, July 2015);
- Comment Letters Received and Responses to Comments;
- Corrections and Changes from the Draft EIR to the Final EIR; and
- Mitigation Monitoring and Reporting Program.

## **1.2 CUSTODIAN AND LOCATION OF RECORDS**

The documents and other materials that constitute the administrative record for the City's approval of the Final EIR and actions related to the Project are located at:

City of Perris  
Development Services Department  
35 North "D" Street  
Perris, California 92570

The City of Perris is the custodian of the Project's Administrative Record. Copies of the documents and other materials that constitute the record of proceedings are, at all relevant times have been, and will be available upon request directed to the City's Development Services Department. These Findings provide this information in compliance with Section 21081.6(a)(2) of the *California Public Resources Code* and Section 15091(e) of the State CEQA Guidelines.

## SECTION 2.0: PROJECT SUMMARY

### 2.1 INTRODUCTION

The proposed Project is intended to implement the land use and related plans adopted by the City Council in January 2012 with the Perris Valley Commerce Center Specific Plan (PVCCSP) (Ordinance No. 1284). The PVCCSP is a comprehensive planning effort undertaken by the City to re-designate a large portion of the northern part of the City with job-creating land uses. The City has long suffered from a poor jobs/housing balance (meaning most City residents commute to Los Angeles or Orange Counties for employment) and one of the goals of the PVCCSP is to implement job-creating land uses to help alleviate the jobs-housing imbalance in the City. To this end, the PVCCSP designates a large portion of the City with broad categories of compatible commercial and industrial uses. The Project site is within the PVCCSP area, and the Specific Plan land use designation applicable to the Project site, as amended as part of the Project, envisions that the Project site will be utilized for industrial purposes. Thus, one of the Project's primary purposes is to implement the PVCCSP. The proposed Project is consistent with the land use and growth assumptions anticipated in the PVCCSP for the Project site, as amended specific plan amendment component of the Project.

Environmental impacts resulting from implementation of allowed development under the PVCCSP, including the proposed Project site, have been evaluated in the *Perris Valley Commerce Center Specific Plan Final Environmental Impact Report* (PVCCSP EIR), SCH No. 2009081086, which was certified by the City of Perris in January 2012. The PVCCSP EIR is a program EIR and was prepared in accordance with CEQA and the State CEQA Guidelines. Project-specific evaluation in a later-tier environmental document for individual development projects within the Specific Plan area was anticipated. As stated in Section 15158(d)(3) of the State CEQA Guidelines, "The program EIR can focus an EIR on a subsequent project to permit discussion solely of new effects which had not been considered before". As such, the environmental analysis for the proposed Project presented in the EIR is based on, or "tiered" from, the analysis presented in the PVCCSP EIR, when applicable, and the PVCCSP EIR is incorporated by reference (refer to Section 2.5 of this document).

### 2.2 DESCRIPTION OF PROJECT PROPOSED FOR APPROVAL AND SETTING

#### Proposed Project

The proposed Project site is located in the northwestern portion of the City of Perris, which is situated in the Perris Valley midway between the San Jacinto and the Santa Ana Mountains. The Project site is located east of I-215 and Patterson Avenue, north of Markham Street, and west of Webster Avenue.

The proposed Project consists of the following components:

- A high-cube logistics warehouse development site encompassing 1,037,811 square feet in two buildings on 48.4 acres (Reference Figure 1.0-2, *Site Plan*);
- Two industrial parcels to allow each high-cube warehouse to sit on its own parcel surrounded by parking, landscaping, and other ancillary activities. The westerly parcel (Parcel 1 of TPM 36678) would be approximately 41.7 acres, with a 912,338 square-foot building as shown on the conceptual site plan. The easterly parcel (Parcel 2 of TPM 36678) would be approximately 6.7 acres with a 125,473 square-foot building as shown on the conceptual site plan;

- The abandonment (i.e. Street Vacation) of unimproved Oregon Street from Patterson Avenue to Nevada Street, unimproved Arizona Street from Patterson Avenue to Nevada Avenue, unimproved Nevada Avenue from Markham Street to Nance Street, and unimproved Washington Street from Nevada Avenue to approximately 540 feet easterly of Nevada Avenue; and,
- Other infrastructure improvements include the ultimate half street construction of Webster Avenue, Markham Street, Patterson Avenue, and Washington Street along Project frontage. The construction of infrastructure improvements for water, sewer, storm drain and dry utilities required to service the Project limits.

Surrounding land uses include residential homes, scattered industrial uses and agricultural uses. An auto storage yard and agricultural lands lie to the north of the Project site. Webster Avenue, which is partially improved, bounds the Project site on the east and traverses in a north to south direction. Residential uses are located southeast of the Project site across from Webster Avenue to the east and Markham Street to the south. Patterson Avenue borders the Project to the west. The nearest residences to the warehouse component of the Project are located to the north of the site, approximately 165 north of the Project site's northern property line and 350 feet north from the Project site's midpoint loading/unloading area.

The Project includes the construction and operation of approximately 1,037,811 square feet of high cube-logistics warehouse space on an approximately 48-acre site. Two buildings will be constructed with vertical-lift dock-high roll up doors on the long (north and south sides on Building "A" and the east side on Building "B") to allow access for the loading and unloading of products from diesel truck/trailers. Building interiors are typically large and open to accommodate the temporary storage of the products to be distributed. The buildings will be approximately 36 to 41 feet high and will include a total of approximately 17,500 square feet of business office space for the management of the warehouses. Parking at the warehouses will be provided for 316 trucks and trailers and 288 parking stalls for passenger vehicles in accordance with City standards for light industrial uses. Access to the Project site will be provided via two driveways on Markham Street, two driveways on Patterson Avenue, and two driveways on Washington Street.

It is expected that there will be no net import or export of soils on the development site during the course of grading.

In addition to construction of required street frontage improvements on Markham Street, Patterson Avenue, Webster Avenue and Washington Street, the proposed Project will also result in the construction of necessary infrastructure to provide water, sewer, phone, cable, natural gas, and electricity service. These infrastructure improvements will be constructed within existing roadway street sections or rights-of-way.

## **2.3 PROJECT GOALS AND OBJECTIVES**

The purpose of the proposed Project is to provide a new facility specializing in high-cube logistics warehouse distribution services. The proposed Project objectives include the following:

- Create maximum employment-generating opportunities for the citizens of Perris and surrounding communities;
- Provide for a financially viable development;
- Maximize employment opportunities within the City to improve the jobs-housing balance and to reduce systemic unemployment within the City;
- Encourage high cube-logistics warehouse development as attractive and productive uses while minimizing conflicts to the extent possible with the surrounding existing uses;

- Encourage high cube-logistics warehouse distribution services that take advantage of the area's close proximity to various freeways and transportation corridors;
- Provide the infrastructure improvements required to meet Project needs in an efficient and cost-effective manner;
- Encourage new development consistent with the capacity and municipal service capabilities;
- Provide a maximum employment-generating, high-quality, large-scale, high cube-logistics warehouse, light industrial development to provide jobs for residents at a variety of income levels;
- Facilitate the efficient and cost-effective movement of goods in and through the City, which, in turn, allows the City to compete economically on a domestic and international scale;
- Provide a high cube-logistics warehouse facility of two buildings totaling approximately 1 million square feet that meets the substantial and unmet demands of businesses located in the City and County;
- Cluster warehouse uses near efficient access points to the state highway system to reduce traffic congestion on surface streets and to reduce concomitant air pollutant emissions from vehicle sources;
- Implement the City's Light Industrial land use designations included in the existing General Plan;
- Implement the vision of the PVCCSP by developing efficient use of land within the PVCCSP;
- Accommodate new development that channels land uses in a phased, orderly manner and is coordinated with the provision of necessary infrastructure and public improvements;
- Provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead; and,
- Address community circulation, both vehicular and pedestrian, utilizing available capacity within the existing circulation system, and provide fair-share improvements to various future-year deficient intersections or road segments as necessary.

## **2.4 REQUIRED DISCRETIONARY ACTIONS AND PERMITS**

The following discretionary actions are anticipated to be taken by the City of Perris as part of the proposed Project:

- **Specific Plan Amendment (SPA 14-04-0001):**
  - Change the land use designation of approximately 16 acres from "General Industrial" to "Light Industrial;" and,
  - Eliminate improved Nevada Avenue from Markham Street to Nance Street, Arizona Street from Patterson Avenue to Nevada Avenue, and Washington Street from Nevada Avenue to approximately 530 feet east of Nevada Avenue from the Circulation Plan of the Specific Plan.
- **Street Vacation No. 14-04-0002** to implement the SPA requests to eliminate Nevada Avenue from Markham Street to Nance Street, Arizona Street from Patterson Avenue to Nevada Avenue, Oregon Street from Nevada Avenue to Patterson Avenue, and Washington Street from Nevada Avenue to approximately 530 feet east of Nevada Avenue.
- **TPM 14-01-0016 (Tentative Parcel Map 36678)** to create two (2) industrial parcels to facilitate the development; and,
- **Development Plan Review (14-01-0015)** for review of a site plan and building elevations.

Other non-discretionary actions anticipated to be taken by the City at the staff level as part of the proposed Project include:

- Review and approval of all off-site infrastructure plans including street and utility improvements pursuant to the conditions of approval;
- Review all on-site plans including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan (PWQMP) to mitigate post-construction runoff flows.

Approvals and permits that may be required by other agencies include:

- A National Pollutant Discharge Elimination System (NPDES) permit from the Regional Water Quality Control Board (RWQCB) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened;
- Approval of water and sewer improvement plans by the Eastern Municipal Water District (EMWD); and
- Approval of drainage plans by the Riverside County Flood Control and Water Conservation District (RCFCWCD).

## 2.5 **OTHER CEQA DOCUMENTS REFERENCED**

Under Section 15150 of the State CEQA Guidelines, an EIR may incorporate by reference all or portions of another document that are a matter of public record or are generally available to the public. The previously prepared plans, and EIRs listed below were relied upon or consulted in the preparation of the Project's EIR and were incorporated by reference:

- *Perris Comprehensive General Plan 2030*, originally approved on April 26, 2005.
- *Perris General Plan 2030 Draft Environmental Impact Report* (SCH No. 2004031135), certified April 26, 2005.
- *Perris Valley Commerce Center Specific Plan*, adopted January 10, 2012.
- *Perris Valley Commerce Center Final Environmental Impact Report* (SCH No. 2009081086), certified January 10, 2012.



### **SECTION 3.0: ENVIRONMENTAL REVIEW / PUBLIC PARTICIPATION**

The City of Perris conducted an extensive review of this Project, which included a Draft EIR, a Final EIR, and technical reports, along with a public review and comment period.

The following is a summary of the City's environmental review of the Project:

- Pursuant to the provision of Section 15082 of the State CEQA Guidelines, as amended, the City of Perris circulated approximately 40 copies of the Notice of Preparation (NOP) for the proposed Project Draft EIR to State, regional, local agencies and nine (9) copies to owners of adjacent properties on April 20, 2014, for a 30-day review period. The NOPs were distributed to the State Clearinghouse, as well as agencies and organizations that may provide appropriate comment on the proposed Project as well as the potential environmental impacts that may result from the construction and operation of the proposed on-site uses and infrastructure improvements. In addition, a scoping meeting was held before the City of Perris Planning Commission on June 4, 2014. City staff described the revised Project to the Planning Commissioners and displayed conceptual plans of the proposed Project site, landscaping, and architectural details.
- The City of Perris circulated the Draft EIR for review on July 29, 2015 to responsible and trustee agencies, other affected agencies, and interested parties. Additionally, in accordance with Public Resources Code Section 21092(b)(3), the Draft EIR was provided to all parties who previously requested copies. The Notice of Completion and Notice of Availability of the Draft EIR were distributed as required by CEQA. During the 45-day public review period, the Draft EIR and technical appendices were made available for review.
- The City received a total of ten (10) comment letters from various agencies and other interested parties, including a letter from the Governor's Office of Planning and Research, State Clearinghouse document compliance with CEQA review requirements. The City prepared responses to all written comments. The comments and responses are contained in Section 2.0 of the Final EIR.
- In accordance with the provisions of Section 21092.5 of the *California Public Resources Code*, the City of Perris has provided a written response to each commenting public agency no less than ten days prior to the proposed certification date of the Final EIR.

## SECTION 4.0: INDEPENDENT JUDGMENT AND FINDING

The Project Applicant retained the independent consulting firms of Keefer Consulting and Matthew Fagan Consulting Services to prepare the EIR for the Project. Keefer Consulting and Matthew Fagan Consulting Services prepared the EIR under the supervision, direction and review of the City with the assistance of an independent peer review consultant hired by the City (Cadence Environmental Consultants). The City of Perris is the Lead Agency for the preparation of the EIR, as defined by CEQA (*California Public Resources Code*, Section 21067 as amended). The Planning Commission has received and reviewed the EIR prior to its certification and prior to making any decision to approve or disapprove the Project. All findings set forth herein are based on substantial evidence in the record as indicated with respect to each specific finding.

### **FINDINGS**

- The EIR for the Project reflects the independent judgment of the City of Perris. The City has exercised independent judgment in accordance with Section 21082.1(c)(3) of the *California Public Resources Code* in retaining its own environmental consultant to review the EIR, and directing the consultant in the preparation of the EIR. The City has independently reviewed and analyzed the EIR and accompanying studies and finds that the report reflects the City's independent judgment.
- The Planning Commission has considered all the evidence presented in its consideration of the Project and the EIR, including, but not limited to, the Final EIR and its supporting studies; written and oral evidence presented at hearings on the Project; and written evidence submitted to the City by individuals, organizations, regulatory agencies, and other entities. On the basis of such evidence, the Planning Commission finds that, with respect to each environmental impact identified in the review process (except those described in the following paragraph), the impact (1) is less than significant and would not require mitigation; or (2) is potentially significant but would be avoided or reduced to a less than significant level by implementation of identified mitigation measures; or (3) would be significant and not able to be fully mitigated but would be, to the extent feasible, lessened by implementation of identified mitigation measures.
- The EIR also identifies certain significant adverse environmental effects of the Project which cannot be avoided or substantially lessened. Prior to approving this Project, the Planning Commission will also adopt a Statement of Overriding Considerations which finds, based on specific reasons and substantial evidence in the record, as specified in Section 7.0, *Statement of Overriding Considerations*, that certain identified economic, social, or other benefits of the Project outweigh such unavoidable adverse environmental effects.

## SECTION 5.0: ENVIRONMENTAL IMPACTS AND FINDINGS

### 5.1 EFFECTS DETERMINED TO BE NO IMPACT, OR LESS THAN SIGNIFICANT

Through the preparation of the Draft EIR, and analysis conducted during preparation of the Draft EIR, it was concluded that the proposed Project would have no impact or result in a less than significant impact for a number of environmental topic areas, as identified below. Although impacts determined not to be significant do not themselves require mitigation, in some cases mitigation measures have been identified to further reduce less than significant impacts. In these cases, the mitigation measures are noted, although the impacts would be less than significant even without such measures. An analysis of these topical issues is provided in the Draft EIR.

- **Aesthetics:** A substantial adverse effect on a scenic vista; substantial damage to scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway; substantial degradation of the existing visual character or quality of the site and its surroundings; A New Source of Substantial Light or Glare Which Would Adversely Affect Daytime or Nighttime Views in the Area (operation), and Cumulative Impacts.
- **Agricultural and Forestry Resources:** Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use; conflict with existing zoning for agricultural use, or a Williamson Act contract; conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)); result in the loss of forest land or conversion of forest land to non-forest use; involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use, and Cumulative Impacts.
- **Air Quality:** Conflict with or obstruct implementation of the applicable air quality plan, expose sensitive receptors to substantial pollutant concentrations, create objectionable odors affecting a substantial number of people, and Cumulative Impacts.
- **Biological Resources:** Have a substantial adverse effect, either directly or indirectly or through habitat modification, on any species identified as endangered or threatened in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service; have a substantial adverse effect, either directly or indirectly or through habitat modification, 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 Game or U.S. Fish and Wildlife Service; 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 or U.S. Fish and Wildlife Service; 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; conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance; conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan, and Cumulative Impacts.
- **Cultural Resources:** Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5 of the State CEQA Guidelines.
- **Geology and Soils:** Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known

fault (refer to CDMG Special Publication 42), strong seismic ground shaking, seismic-related ground failure, including liquefaction; and landslides; result in substantial soil erosion or the loss of topsoil; have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater, and Cumulative Impacts.

- **Greenhouse Gas Emissions:** Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases, and Cumulative Impacts.
- **Hazards and Hazardous Materials:** Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would create a significant hazard to the public or the environment; for a project located within the vicinity of a private airstrip, result in a safety hazard for people residing or working in the project area; impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation; result in the exposure of people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands, and Cumulative Impacts.
- **Hydrology and Water Quality:** Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate or pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted) (construction); substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site (construction); create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map; place within a 100-year flood hazard area structures which would impede or redirect flood flows; expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam; inundation by seiche, tsunami, or mudflow, and Cumulative Impacts.
- **Land Use, Planning, Population, and Housing:** Physically divide an established community; conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the General Plan, Specific Plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; conflict with any applicable habitat conservation plan or natural community conservation plan; induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure); displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere; displace substantial numbers of people, necessitating the construction of replacement housing elsewhere, and Cumulative Impacts.
- **Mineral Resources:** Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State; result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plans, and Cumulative Impacts.

- **Noise:** Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels; result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project; 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; for a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels, and Cumulative Impacts.
- **Public Services and Utilities:** Police, Fire Services, Schools, Libraries, Public Transportation, Cable, Television, and Telephone, Solid Waste, Wastewater, Electricity, Natural Gas, Water Supply, and Cumulative Impacts.
- **Recreation and Parks:** Increases the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated; include recreational facilities or requires the construction or expansion of recreational facilities that have an adverse physical effect on the environment, and Cumulative Impacts.
- **Traffic and Circulation:** Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location, which results in substantial safety risks; substantially increase hazards to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); result in inadequate emergency access; conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities, and Cumulative Impacts.



## **FINDINGS**

The Planning Commission finds that, based on substantial evidence in the record, the following impacts, to the extent they result from the Project, have no impact, or will be less than significant.

### **5.1.1 AESTHETICS**

#### **A Substantial Adverse Effect on a Scenic Vista**

As described in the City's General Plan Draft EIR, virtually all development activity envisioned in the General Plan would obstruct views of scenic vistas. However, due to the flatness of the area and the orientation of the roadway network, the preservation of scenic vistas would occur through view corridors established by the roadway network.

The PVCCSP includes two levels of "Visual Overlay Zones" that are intended to provide travelers with the impression of a high quality planned industrial community. The two levels of Visual Overlay Zones are the Freeway Corridor and Major Roadway Visual Corridor. Reference Figure 4.1-9, *Location of Optimus Logistics Center 2 on Major Visual Corridors*. The Project is located north of Markham Street, west of Webster Avenue, and east of Patterson Avenue. Of these streets, Markham Street and Webster Avenue are designated Major Roadway Visual Corridors.

The PVCCSP includes a Major Roadway Corridor Visual Zone for the roadway network requiring special consideration to the visible aesthetics of screen walls, fences, and landscaping to reinforce a sense of quality. It should be noted that the construction of the Project does not impede the scenic views through Webster Avenue or Markham Street themselves.

Based on the definition of what constitutes a scenic vista, as described in the City's General Plan EIR, the potential impact to scenic vistas would be less than significant. No mitigation is required.

#### **Substantial Damage to Scenic Resources, Including, but not Limited to, Trees, Rock Outcroppings, and Historic Buildings within a State Scenic Highway**

No trees, large rock outcroppings, or historic buildings are located on the Project site. As described in the City's General Plan, while scenic resources are present in the City, the City does not designate a single scenic resource notable by virtue.

However, the Project site is located at the junction of two Major Roadway Visual Corridors. For purposes of this EIR, both of these streets are considered "scenic." The potential impact to scenic resources would be less than significant. No mitigation is required.

#### **Substantial Degradation of the Existing Visual Character or Quality of the Site and its Surroundings**

Visual impacts associated with changes to the general character of the Project site (e.g., loss of open area), the components of the visual settings (e.g., landscaping and architectural elements), and the visual compatibility between proposed site uses and adjacent land uses would occur. The significance of visual impacts is inherently subjective as individuals respond differently to changes in the visual characteristics of an area. The Project area is primarily undeveloped or underdeveloped, with scattered industrial-oriented development with an established rural-residential neighborhood to the east of the Project.

Temporary visual impacts may occur from the presence of earth-moving equipment and stockpiling of soils during the construction of the proposed Project. These visual impacts may occur from the

presence of earth-moving equipment and stockpiling of soils during Project construction. Accordingly, these temporary visual impacts would no longer occur upon completion of the improvements.

Other proposed infrastructure improvements of the proposed Project include the associated roadway improvements to Patterson, Markham, and Webster Avenues; and the installation of phone, cable, natural gas, electricity, water, sewer, and drainage infrastructure for the Project site. Drainage will be handled by a system of on-site collection/routing pipes, landscaped swales, low-impact water quality features (retention/ detention basins), sand filters, and paved landscape features. The installation of infrastructure in the Project vicinity would not have an effect on the visual character of the site and surroundings as water, sewer, and drainage infrastructure would be placed underground and would not be visible.

The Project proposes to modify the land use designation on a portion of the subject site from General Industrial to Light Industrial, which is a more restrictive industrial designation. The proposed development on the Project site would change the sites character from primarily open space and semi-developed in portions of the Project area to a more urbanized setting. The change in the character of the site would constitute an alteration of the existing visual character of the Project site. Implementation of the proposed Project would replace the undeveloped character of the Project site with an urban setting containing warehouse uses. Therefore, the change in the character of the Project site would constitute a permanent alteration of the existing visual character of the Project site. The conclusion as to whether this constitutes a substantial degrading of the visual character or quality of the vicinity of the Project is ultimately subjective.

The urban nature of the Project is consistent with the PVCCSP land use designations and design guidelines for the Project site and will be comparable to other urban developments that will occur in the future within the PVCCSP area.

Figure 4.1-10, *Proposed Building "A" Conceptual Elevations*, and Figure 4.1-11, *Proposed Building "B" Conceptual Elevations*, show the conceptual building elevations for the proposed Project. While the final design of the proposed Project may differ slightly from the renderings provided in Figures 4.1-10 and 4.1-11, they are sufficient to assess the effect the development of the proposed Project may have on aesthetic character of the Project site and surrounding area. The proposed Project features a variety of architectural elements including façade accents such as corner treatments and roof trim. As indicated in Figures 4.1-10 and 4.1-11, the proposed Project is planning to incorporate a neutral color scheme. The combination of metal awnings, glazed windows, and alternating colors and/or materials along the building elevations will maintain visual interest over a sustained period of time.

The proposed landscaping would replace the vacant agricultural field with a consistent and integrated vegetation palette. Landscaping on site would be provided in accordance with PVCCSP Sections 4.2.9.2 and 6.0, which requires the installation of landscaping on-site. The Project would comply with these requirements by using landscaping around the bases of buildings and to complement architecture in all areas visible to the public from the street. The Project will also incorporate variations in massing and scale (e.g., recessed walls, accent colors, and differing heights) to indicate building entrances. Additionally, the proposed Project includes the installation of water-efficient landscaping throughout the industrial development with landscaping proposed along the Project perimeter. Reference Figure 4.1-12, *Conceptual Landscape Plan*.

Although the visual characteristic of the Project site would change, the proposed Project would replace the existing semi-developed/vacant parcels with a primarily industrial development through the use of architectural elements, landscaping, and design of the Project site. In addition, the proposed Project would be designed and constructed per applicable City Municipal Code

standards and the PVCCSP.

The design of this industrial Project complies with the design standards of the Perris Municipal Code as well as the PVCCSP, and may be subjectively viewed as having adequate or superior architectural treatments in relationship to other high-cube warehouses in the area.

*A New Source of Substantial Light or Glare Which Would Adversely Affect Daytime or Nighttime Views in the Area (Operation)*

Currently, there are no significant sources of light or glare existing within the proposed Project site.

The proposed Project site is primarily undeveloped vacant land utilized for dry, non-irrigated farming. Existing sources of light and glare from the areas surrounding the proposed Project site include street lights and exterior lighting as well as March Air Field which is located approximately 0.85 mile to the northwest of the Project site.

Development of the Project site would introduce a new source of light and glare in the form of street lighting, parking lot lighting, and outdoor security lighting for buildings and headlights from additional vehicle traffic into the Project area. As previously indicated, the County of Riverside through the passage of Ordinance 655, has established two nighttime lighting zones which creates a radius around the Mount Palomar Observatory. While not located within Riverside County, astronomical observations at the Mount Palomar Observatory would be affected by cumulative increases in lighting sources. The nighttime lighting zones were created to ensure the astronomical observation at the Mount Palomar Observatory would not be affected by light pollution coming from urban development. Zone A encompasses a 15-mile radius centered on Mount Palomar Observatory while Zone B encompasses a larger area with a 45-mile radius and extends from the outer limit of Zone A to the end of the 45-mile radius area.

The intent of Riverside County Ordinance Number 655 is to restrict the permitted use of certain light-emitting fixtures, which have a detrimental effect on astronomical observation and research at the Mount Palomar Observatory. Although Mount Palomar Observatory is located approximately 40 miles southeast of the Project site, the Project site is located within Zone B of the Mount Palomar Nighttime Lighting Policy Area. Accordingly, Ordinance 655 restricts the permitted use of certain light fixtures emitting undesirable light rays into the night sky, which may have a detrimental effect on astronomical observation and research at the Mt. Palomar Observatory. As stated in Section 5(A) of Ordinance 655, "low- pressure sodium lamps are the preferred illuminating source" in the Mount Palomar Nighttime Lighting Policy Area. Other lighting types of lighting systems are permitted in parking areas as long as they do not exceed 4,050 lumens. Lighting "allowed" under Ordinance 655 must be fully shielded (if feasible) and partially shielded in all other cases, and must be focused to minimize spill light into the night sky and onto adjacent properties. Development of the proposed site with industrial uses would introduce new sources of light in the form of signage, building lighting, and parking lot lighting into the area. Utility and infrastructure improvements within the Project site would not result in the introduction of light and glare sources.

It is anticipated that the materials utilized in the construction of the proposed lighting fixtures would be generally similar to those utilized in nearby warehouse uses within the City. Lighting within loading areas (areas generally directed away from the public view) would consist of building-mounted lighting. The proposed on-site uses would be visible from Ramona Expressway, Patterson Avenue, Interstate 215, and Webster Avenue.

Exterior surfaces of the concrete tilt-up structure would be finished with a combination of architectural coatings, trim, and/or other building materials such as concrete. The proposed Project is not expected to significantly increase the amount of daytime glare in the Project area. All

development in the PVCCSP area, which includes light generated from industrial buildings and parking lots, is required to adhere to lighting requirements contained in the PVCCSP and Riverside County Ordinance 655.

Chapters 4.2.4 and 4.2.5 of the PVCCSP state that any illumination, including security lighting, shall utilize full-cutoff lighting fixtures that are directed away from adjoining properties and the public right-of-way. The measures are uniformly applied to all development in the PVCCSP. As such, adherence to these measures would be mandatory and enforceable through the review and approval (or non-approval) of the Project plans. Adherence to the City's PVCCSP, Zoning Code and Riverside County Ordinance 655 would ensure that any building or parking lighting would not significantly affect adjacent uses.

### Cumulative Impacts

The cumulative effect on scenic vistas from the proposed Project would be less than significant, as scenic vistas would not be affected from viewpoints within certain Project locations and adjacent roads. Although the development of the proposed Project would partially obstruct views of surrounding mountains from current vantage points near the Project, vistas would not be completely obstructed from viewpoints afforded from the circulation network. Furthermore, openings between rows of buildings or trees, or at the end of vehicular rights-of-way will afford unrestricted views through the Project. Compliance with the City's General Plan standards, the PVCCSP standards, and the City's Municipal Code standards would ensure that the proposed Project, in combination with other Projects in the area would not result in significant cumulative impacts to scenic vistas.

Development of lands within the City would result in the cumulative conversion from open space to a more urbanized land use. However, this is a continuing development trend currently occurring within the northern portion of the City that has been anticipated in the City's General Plan, and the PVCCSP.

The Project proposes to modify the land use designation on a portion of the subject site from General Industrial to Light Industrial. This is considered a less intensive designation, and thus no cumulative impacts will occur from this proposed change.

Cumulatively, additional lighting would be introduced into the area by proposed, existing, and future development. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards and implementation of Mitigation Measure AE 4.1A. No cumulatively significant lighting impacts would result from implementation of the proposed Project.

## 5.1.2 AGRICULTURAL AND FORESTRY RESOURCES

### Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use

The Department of Conservation Division of Land Resource Protection publishes a Farmland Conversion Report every two years as part of its FMMP. This report documents land use conversion by acreage for each county within California. At the time of this writing, the 2010-2012 data are still in progress; therefore, the most recent data is for the 2008–2010 period. During this period, Riverside County experienced a net loss of 3,300 acres of Prime Farmland, 567 acres of Farmland of Statewide Importance, and 1,742 acres of Unique Farmland. The amount of Important Farmland inventoried in Riverside County during the last countywide survey of farmland totaled 428,989 acres.

The entire Project site is designated "Prime Farmland" by the State Department of Conservation. The analysis in this section of the EIR utilizes the California LESA Model to assess the proposed Project's impacts on agricultural lands. Appendix G of the CEQA Guidelines states as follows: "In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the *California Agricultural Land Evaluation and Site Assessment Model* (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland." Further, as stated in Section 4.2.2 above, the LESA Model was specifically created by the Department of Conservation in order to provide "specific guidance concerning how agencies should address farmland conversion impacts" (*California Agricultural Land Evaluation and Site Assessment Model, Instruction Manual*, 1997, p. 3.). Because of its use of localized inputs as part of the model, the LESA Model is generally considered the preferred methodological tool by which to assess the significance of a proposed Project's impacts related to agricultural resources.

The City's current General Plan, indicates that there are no agricultural designations on the Project site or on any of the surrounding properties. As previously discussed, with the recent adoption of the PVCCSP (adopted January 31, 2012) and *PVCCSP EIR* (certified January 10, 2012), the Project site's underlying general plan designation was amended to Specific Plan with an underlying Specific Plan land use designation of Commercial and Business Professional Office. Land use designations envisioned under the PVCCSP do not include an Agricultural land use. Because the Project site is not zoned for agricultural uses, and because surrounding areas, which include the area where infrastructure improvements would occur, are not zoned for agricultural uses, implementation of the proposed Project would not conflict with existing zoning for agricultural uses. Therefore, no impact associated with this issue would occur. In the absence of a significant impact, no mitigation is required.

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

The proposed Project site and surrounding properties are not subject to a Williamson Act Contract; therefore, no impacts on Williamson Act contracted lands would occur from implementation of the proposed Project and no mitigation is required.

### Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))

The Project site is currently undeveloped land used historically used to grow dry crops and does not have any designated forest land use. The proposed Project would not conflict with existing



forest zoning, cause rezoning of forest land, or result in the loss or conversion of forest lands to non-forest uses as no such resources exist within the City of Perris. Therefore, no impacts associated with these issues would occur and no mitigation is required.

**Result in the loss of forest land or conversion of forest land to non-forest use or involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use**

As stated under the previous threshold, the Project site does not have a designated forest land use. Therefore, the proposed Project would not result in the loss of forest land or conversion of forest land to non-forest uses. No impacts associated with this issue would occur and no mitigation is required.

The conversion of agricultural land to non-agricultural uses is a result of various economic and demographic factors. The factors that affect the long-term viability of agriculture in the City and Project area include:

- **Land Value:** The value of raw land is determined by a variety of factors including location, intended uses, the presence/absence of infrastructure, existing land use, existing land use entitlements, and physical and environmental constraints. As the value of raw land increases, it becomes increasingly difficult for property owners to collect sufficient payments from either the sale of crops or rents/lease payments collected from tenant farmers to offset the cost of maintaining the property;
- **Water Costs:** The cost for water is a major component in determining the viability of agricultural operations. Water cost paid by farmers in the South Coast Hydrologic Area ranged from \$400 to \$550 per acre-foot in 2000. This is one of the highest water costs for agricultural operations in the State;
- **Labor Costs:** The supply of farm labor available to local farmers continues to decrease as the amount, extent, and type of farming activities in the City and County changes. This condition is compounded by the proliferation of logistic employment, service sector jobs, and other employment opportunities in the City and County, which provide employment alternatives to farm labor. The lower cost of farm labor in other parts of the State (as well lower minimum wage requirements in markets outside California) contributes to the competitive disadvantage faced by local growers;
- **Property Taxes:** None of the property within or immediately adjacent to the study area is enrolled in a Williamson Act contract; therefore, property taxes in these areas would likely be assessed at a higher rate than enrolled land. In areas where raw land is highly valued, a higher property assessment would make it increasingly difficult to continue economically viable agricultural production;
- **Urbanization:** The proximity of new development to existing agricultural areas will increasingly generate land use conflicts between the different uses. Conflicts may include nuisance complaints (e.g., odors, dust, and flies), increased noise, pesticide/fertilizer application, trespass, and forced changes in the type and/or timing of existing agricultural operations;
- **Competition:** Agricultural operations are likely to shift from areas of that have higher production costs (e.g., land, water, and labor) to areas with lower production costs. An example of this is the relocation of many dairying operations from the Chino area of San Bernardino County to southern Kern County. Additionally, agricultural commodities from foreign markets, which have even lower production costs and are unburdened by some of the state's regulatory requirements, provide additional competition to the local farmers; and,
- **Environmental Regulation:** The regulation of agricultural activities is an increasingly significant cost that must be considered when assessing the feasibility of agricultural

production in the County. Regulations governing the control of sediment and runoff from agricultural fields, generation of fugitive dust, and application of pesticides and other agricultural products, may require changes in existing agricultural operations that would increase production costs. Agricultural production outside the State may not be so heavily burdened with such regulations, which would provide a competitive advantage in agricultural markets.

Increased costs for water and a continuing demand for housing and commercial development in the City and region have provided the primary impetus for this agricultural land conversion. As previously stated, the Project site has been historically used for agricultural purposes for dry, non-irrigated farming.

The proposed Project site is currently disturbed land. The location of the site with adjacent urban land uses, unreliable water availability, the presence of the low amount of agricultural operations within the ZOI for the site, and the absence of Protected Resource Land results in a low Site Assessment subscore. The LESA score for the Project site is 46.726; a score between 40-79 points is not considered to be significant.

One of the goals stated in the City's General Plan is the "orderly conversion of agricultural lands." The proposed Project is a logical extension of the existing development in the area and has been planned by the City for a number of years. In addition, none of the lands adjacent to the Project site are designated for agricultural use in the City's General Plan or the City's Zoning Code. Rather, the City has been planning for the orderly conversion of all agricultural lands within City boundaries since at least 1991, when the City deleted, due to economic realities, agricultural uses as a permitted use within City boundaries.

More recently, the City adopted the PVCCSP. The *PVCCSP EIR* tiered off the City's current General Plan and determined that the conversion of agricultural land within the City would result in less than significant impacts due to the elimination of all agricultural land use designations in the 1991 General Plan and designating all lands within the City for a future urban non-agricultural use during the City's 2005 update to the General Plan.

Because of these aforementioned factors, the proposed Project does not interfere with the ability of other adjacent properties to be used for agricultural production should the property owner(s) wish to do so. The Project is considered to be an orderly conversion of agricultural land and consistent with the goals of the City's General Plan. Lastly, as established by the completion of the LESA Model for the Project site, no significant agricultural resource impact would result from the conversion of the site to non-agricultural uses. In the absence of a significant impact, no mitigation is required.

### Cumulative Impacts

While agricultural land is a finite resource, the City, through its designation of the sites for non-agricultural uses in its 1991, 1995, and 2005 General Plans has previously considered that continuing development pressures in the City and region would result in the conversion of agricultural land to non-agricultural uses. The value of agricultural crops produced in the County during 2013 totaled \$1,327,804,000. The limited nature of the existing agricultural activity does not significantly contribute to the overall economic viability of the City or County. The utilization of the property site for low quality agricultural activity would impede the City from achieving the goals and objectives set forth in its General Plan. Among the objectives cited in the City's General Plan:

- Provide for balance in the types and acreages of land uses necessary for people to live, work, play and shop;

- Accommodate new development consistent with infrastructure capacity and municipal services capabilities;
- Attract commerce and industry to provide jobs for residents at all economic levels; and,
- Facilitate upgrading of existing infrastructure including master storm drain improvements.

The City has recognized (as evidenced in its General Plan Land Use Element and the absence of an agricultural preservation mitigation program) that the eventual conversion of agricultural uses within the City would occur and is in fact planned for. Further, the LESA Model has demonstrated that utilization of the Project site for the proposed uses does not result in significant agricultural impacts. For these same reasons, utilization of the Project site for the proposed uses does not create any significant cumulative agricultural impacts since the individual impacts of the Project are less than significant and the Project would not hasten or otherwise increase the pressure for owners beyond the City of Perris to convert to non-agricultural uses. Therefore, no mitigation is required.

### 5.1.3 AIR QUALITY

#### Conflict With or Obstruct Implementation of the Applicable Air Quality Plan

The current regional air quality management plan is the Final 2012 AQMP adopted by the SCAQMD on December 7, 2012.

To assess the environmental impacts as a result of new development accurately, environmental pollution and population growth are projected by the SCAQMD in the AQMP for future scenarios. The AQMP projections are based, in part, on the growth forecasts and General Plans from cities and counties located in the Basin. As the Growth Management Chapter of the SCAG's Regional Comprehensive Plan and Guide (RCPG) forms the basis of the land use and transportation control portions of the AQMP, projects that are consistent with the projections of employment and population forecasts identified in the Growth Management Chapter are considered consistent with the AQMP growth projections. However, if feasible mitigation measures are implemented and shown to reduce the impact level from significant to less than significant, a project may be deemed consistent with the AQMP. The AQMP uses the assumptions and projections of local planning agencies to determine control strategies for regional compliance status. Since the AQMP is based on the local General Plan, projects that are deemed consistent with the General Plan are found to be consistent with the AQMP.

As stated above, the Project site is located in the PVCCSP planning area. The PVCCSP EIR concluded that implementation of the PVCCSP and its subsequent implementing development and infrastructure projects would not conflict with or obstruct the implementation of the 2007 AQMP. The proposed Project does include a request to change the current land use designation on approximately 15-acres of the site from General Industrial to Light Industrial. This change is considered relatively minor since the Project site is located within the Industrial designation portion of the PVCCSP and typical land uses include manufacturing, research, warehouse and distribution, assembly of non-hazardous materials and retail related to manufacturing. Both the General Industrial and Light Industrial designations include warehouse/distribution facilities.

The Traffic Impact Analysis prepared for the proposed Project found that the proposed land use would generate a total of 2,284 passenger car equivalent (PCE) adjusted vehicle trips per day. The total daily vehicle trips are within the range of those analyzed in both the City of Perris General Plan and the PVCCSP EIR.

Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or state ambient air quality standard.

#### Violate any ambient air quality standards or contribute substantially to an existing air quality violation

Vehicular trips associated with the proposed Project would contribute to congestion at intersections and along roadway segments in the Project vicinity. Localized air quality impacts would occur when emissions from vehicular traffic increase in local areas as a result of the proposed Project. The primary mobile source pollutant of local concern is CO, which is a direct function of vehicle idling time and, thus, traffic flow conditions. CO transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. However, under certain extreme meteorological conditions, CO concentrations proximate to a congested roadway or intersection may reach unhealthful levels affecting local sensitive receptors (residents, school children, the elderly, hospital patients, etc.). Typically, high CO concentrations are associated with roadways or intersections operating at unacceptable levels of service or with extremely high traffic volumes. In areas with high ambient background CO concentrations, modeling is recommended to

determine a Project's effect on local CO levels.

As identified in previously referenced Table 4.3.K, the Basin is classified as in attainment for CO. Data obtained from the nearest air monitoring station that monitors CO (Riverside-Magnolia station) indicate that the area around the Project site does not currently experience ambient concentrations of CO that are above or in exceedance of the State and federal CO standards and has not been above the State or federal standards within the past three years (shown in Table 4.3-M). The Basin was re-designated as being in attainment for CO by the EPA on June 11, 2007. Due to stringent vehicle emissions regulations in place and proposed by the CARB and the EPA, background concentrations in future years are anticipated to continue to decrease as the concerted effort to improve regional air quality progresses. Therefore, CO concentrations in the future years would generally be lower than existing conditions.

The SCAQMD recommends that a local CO hot spot analysis be conducted if the intersection is 1) at a level of service of D or worse where the Project increases the volume to capacity ratio by 2 percent, or 2) the Project decrease at an intersection from C to D. However, SCAQMD has demonstrated in the CO attainment redesignation request to USEPA that there are no "hot spots" anywhere in the air basin, even at intersections with much higher volumes, much worse congestion, and much higher background CO levels than anywhere in Riverside County. If the worse-case intersections in the air basin have no "hot spot" potential, any local impacts would be below thresholds. Therefore, a less than significant impact would occur and no mitigation is required. This finding is consistent with the *PVCCSP EIR*, which did not anticipate that implementing Projects within the PVCCSP to result in localized CO impacts along roadway segments within the study area.

*Cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or state ambient air quality standard*

As referenced previously in the threshold regarding local microscale concentration standards, the Basin was re-designated as being in attainment for CO by the EPA. Impacts are considered less than significant. Mitigation measures identified under the threshold regarding ambient air quality standards will further assist in decreasing background CO levels in future years. Therefore, the local microscale concentration emissions associated with the proposed Project would not be cumulatively considerable.

*Expose sensitive receptors to substantial pollutant concentrations*

The SCAQMD has developed Localized Significance Thresholds (LST) methodology that can be used to determine whether or not a project may generate significant adverse localized air quality impacts. LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the most stringent applicable federal or State ambient air quality standard. These emission levels have been developed based on the ambient concentrations of that pollutant for each source receptor area. In general, LSTs are primarily associated with construction because emissions from construction equipment occur at a fixed location (i.e. at the Project site) compared to operation, which, for most land use projects, consists of emissions from vehicles traveling over the roadways.

Sensitive receptors include residences, schools, medical offices, convalescent facilities, and similar uses that are sensitive to air pollutants. The closest existing sensitive receptors to the proposed Project are residential uses located approximately 50 meters (approximately 164 feet) to the south and southeast of the Project site.



Emissions during the construction phases would not exceed the SCAQMD's LSTs for the specified pollutants. Therefore, impacts related to localized pollutant concentrations during construction would be less than significant.

On-site operational emissions generated by the proposed Project would not approach the established SCAQMD localized thresholds. Therefore, this impact would be less than significant.

The operational emission rates for the proposed Project would not exceed the LST thresholds for the nearest sensitive receptors (approximately 50 meters). Therefore, the proposed operational activity would not result in significant localized operational emissions. Impacts are less than significant and no mitigation is required.

The proposed Project would not exceed the Project-specific health risk significance thresholds nor have a cumulatively considerable contribution for operational impacts. Therefore, no significant health risk would occur from Project-related diesel truck traffic, and no mitigation is necessary.

*Create objectionable odors affecting a substantial number of people.*

During construction, various diesel-powered vehicles and equipment in use on the site would create odors. SCAQMD Rule 402 dictates that air discharged from any source shall not cause injury, nuisance, or annoyance to the health, safety, or comfort of the public. With the exception of short-term construction-related odors (e.g., equipment exhaust or asphalt odors), the proposed uses do not include uses that are generally considered to generate offensive odors (e.g., agricultural uses, wastewater treatment plants, or landfills). While the application of architectural coatings and installation of asphalt may generate odors, these odors are temporary and not likely to be noticeable beyond the Project boundaries. SCAQMD Rules 1108 and 1113 identify standards regarding the application of asphalt and architectural coatings, respectively.

A contracted waste hauler will ensure that any odors resulting from on site would be properly managed and will collect solid waste generated by the proposed on-site uses. The nearest existing sensitive receptors are residences located directly adjacent to the Project site across Webster Avenue to the southeast. Based on the Project's preliminary site plans, trash enclosures are situated in areas away from and screened from sensitive receptors and are not adjacent to residential properties. Due to the distance of the refuse storage areas from these uses and because solid waste from the Project will be managed and collected in a manner to prevent the proliferation of odors, no significant odor impacts will occur and no mitigation is required.

*Cumulative Impacts*

**Short-Term Air Quality Impacts.** The Project construction-related emissions would not exceed any of the thresholds of significance. Thus, the Project construction would not have a significant air quality impact from a cumulative perspective.

**CO Hot Spot Impacts.** Based on the analysis, because no CO hot spot impacts would occur, it is reasonable to assume that a less than significant cumulative CO impact would occur.

**Diesel Particulates.** The Project's DPM emissions are not cumulatively considerable. The localized DPM impacts associated with the proposed Project are well below the SCAQMD's thresholds of significance and the contribution of the Project to any locations farther away from the Project site or Perris would be even lower. Thus, the proposed Project will not create a cumulatively significant impact with respect to DPM emissions.



#### 5.1.4 BIOLOGICAL RESOURCES

Have a substantial adverse effect, either directly or indirectly or through habitat modification, on any species identified as endangered or threatened in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service

As evidenced by the aerial photographs, virtually all of the surveyed areas have been completely disturbed by current and past agricultural uses or by road improvements and support little to no standing vegetation. During the field surveys, it was observed that Project site was completely disturbed by recent disking and past agricultural uses. On the site, Non-native grasslands occupy waste areas and roadsides which are basically confined to an area ranging from 5-to-10 feet wide that is located between the paved roadways and the Field Croplands. Along the future rights-of-way of Patterson and North Webster Avenues, the non-native grasslands also include non-native tree species that were planted as landscaping or wind rows sometime in the past. Many areas in the front yards of existing single-family residences /industrial uses were completely void of vegetation.

The Project site is not located in an area designated as critical habitat by the U.S. Fish and Wildlife or proposed for conservation under the *Western Riverside County MSHCP* nor does it provide any value as linkage to existing habitat core areas. As shown on the USGS Topographic Map for the Project area, perennial or intermittent blueline streams, washes and/or ephemeral drainages supporting riparian vegetation and habitat are not present on the site. Therefore, the biological functions and values of Riparian/Riverine Areas do not exist there.

The site was surveyed on March 3, 2014 after 1.86 inches of rain had fallen between February 27 and March 3. The surveys were specifically conducted to determine if potential fairy shrimp habitat was present there. By March 14, 2014 rain pools were no longer ponding water anywhere on the surface of this site.

Other kinds of seasonal aquatic features that could provide suitable habitats for endangered and threatened species of fairy shrimp are not present on the site (i.e., vernal pools or swales, vernal pool-like ephemeral ponds, stock ponds or other human-modified depressions, etc.). Therefore, the biological functions and values of Vernal Pools do not exist there. Potential suitable habitats for the species listed Section 6.1.2 of the MSHCP are not present on this site. The Project site is not located within an area identified as needing additional surveys as set forth in Sections 6.1.3 and 6.1.4 of the MSHCP.

No federal or State endangered/threatened species was detected during the biological resources surveys conducted on the Project site. In addition, no potentially suitable habitat was found on the Project site. Due to the lack of suitable habitat and foraging areas, there is no potential for occurrence of such species. As no endangered or threatened species have been located or are anticipated to occur within the limits of the proposed Project, no impacts related to this issue would occur.

No mitigation is required other than payment of the Stephens' Kangaroo Rat Mitigation Fee and Development Impact Fee required as conditions of Project approval.

Have a substantial adverse effect, either directly or indirectly or through habitat modification, 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 Game or U.S. Fish and Wildlife Service

The Project area is not located in an area designated as critical habitat by the U.S. Fish and

Wildlife or proposed for conservation under the *Western Riverside County MSHCP* nor does it provide any value as linkage to existing habitat core areas. The Project site is not located within an area identified as needing additional surveys as set forth in Sections 6.1.3 and 6.1.4 of the MSHCP. The Project site is; however, located within the Burrowing Owl Survey Area (Section 6.3.2 of the MSHCP).

A walkover survey was conducted on March 14, 2014 by Principe and Associates pursuant to Step 1, Habitat Assessment, of the Burrowing Owl Survey Instructions for the Western Riverside MSHCP Area (March 29, 2006) to determine the potential for occurrence of burrowing owl. No burrowing owls were observed on the Project site. No animal signs diagnostic of burrowing owls were discovered anywhere at the site (i.e., molted feathers, cast pellets, prey remains, eggshell fragments, and/or excrement at or near a burrow entrance). Neither suitable nor critical habitat was identified on the site.

During the field surveys, it was observed that the Project site was completely disturbed by recent disking and past agricultural uses. On the site, Non-native grasslands occupy waste areas and roadsides which are basically confined to an area ranging from 5-to-10 feet wide that is located between the paved roadways and the Field Croplands. Along the future rights-of-way of Patterson and North Webster avenues, the Non-native grasslands also include non-native tree species that were planted as landscaping or wind rows sometime in the past. Many areas in the front yards of existing single-family residences/industrial uses were completely void of vegetation.

Based on aerial photographs, the site was converted into Field Croplands at least 75 years ago. \*Winter wheat (usually *Triticum aestivum*) is planted and harvested on the site. As of March 14, 2014, a new crop had not yet begun to grow at the site. After the harvest, Non-native grasslands succeed onto the site surface. These invasive, non-native grasses and weeds are periodically plowed or disked under for fire prevention purposes. The site is basically maintained as bare ground without any vegetative cover from the end of the harvest to the beginning of the planting season. The Field Croplands are not providing live-in habitat for wildlife species, and only one species, the western kingbird (*Tyrannus verticalis*), was observed foraging on the site.

The strips of Non-native grasslands present on and off the site were providing live-in and foraging habitats for common opportunistic wildlife species that survive in environments altered by humans. These areas do not contain sufficient food or water resources to support an abundance and diversity of wildlife species. Species observed included the western fence lizard (*Sceloporus occidentalis*), morning dove (*Zenaida macroura*), and black phoebe (*Sayornis nigricans*).

Diagnostic animal signs were discovered in the Non-native grasslands (i.e., mounds, burrows, scat, nests, etc.), and indicated the presence of the California ground squirrel (*Spermophilus beecheyi*), Botta's pocket gopher (*Thomomys bottae*) and deer mouse (*Peromyscus* sp.). No burrowing owls or suitable burrowing owl habitat were identified within the proposed Project's area of disturbance during the field surveys.

As no candidate, sensitive, or special status species or suitable habitat for such species was observed within the limits of the proposed Project during the field surveys, no impacts related to this issue would occur.

No mitigation is required other than payment of the Stephens' Kangaroo Rat Mitigation Fee and the MSHCP Development Impact Fee required as conditions of Project approval.

**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 or U.S. Fish and Wildlife Service**

As shown on the USGS Topographic Map, 7.5 Minute Series, Perris, California Quadrangle, perennial or intermittent blue-line streams, washes and/or ephemeral drainages supporting riparian vegetation and habitat are not present on the Project site or within offsite improvement areas. Therefore, as discussed under Section 4.4.3.6 of the Draft EIR, the biological functions and values of riparian habitat areas do not exist there. Since no intermittent or ephemeral streams or other kinds of seasonal aquatic features that could be classified as freshwater wetlands are available on the site, ACOE, Santa Ana RWQCB and CDFW jurisdictions are not present within the limits of the Project. Permit authorizations or certifications from these governing regulatory agencies will not be required to construct the proposed Project.

Due to the lack of suitable riparian habitat or other sensitive natural communities within the proposed Project site, no impacts would occur and no mitigation is required.

**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**

No perennial or intermittent blue-line streams, washes and/or ephemeral drainages supporting riparian vegetation and habitat are present on the Project site (see Figure 4.4-1 of the Draft EIR). As defined by the ACOE, wetlands must possess hydrophytic vegetation, hydric soils, and wetland hydrology. To be considered a vernal pool under the *Western Riverside County MSHCP*, a depression must also possess hydrophytic vegetation, hydric soils, and wetland hydrology. The onsite field surveys did not identify any wetlands or vernal pools occurring on the Project site. As such, no impact to wetlands would occur with implementation of the proposed Project. No mitigation is required.

**Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance**

Biological resources meeting the criteria for preservation and/or protection in any local policies or ordinances are not present on the Project site. Specimen, heritage or species of oak trees meeting criteria for preservation and/or protection in City and/or County Tree Management Guidelines are not present on the Project site.

No policies or ordinances other than compliance with federal and State regulations to ensure protection and preservation of significant biological resources, and the implementation of the MSHCP are identified by the City. As there are no other local policies or ordinances regarding the protection of biological resources identified by the City or other local jurisdiction applicable to the Project site, no impact would occur. No mitigation is required.

**Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan**

The proposed Project is in compliance with the MSHCP as was determined in the *Western Riverside County MSHCP Consistency Analysis*, dated March 20, 2014 (attached as Appendix F). While the Project site and offsite improvement areas are located within the Mead Valley Area of the *Western Riverside County MSHCP*, these areas are not located within any identified MSHCP Reserve, MSHCP Criteria Cell, or within any habitat linkage. The most proximate proposed

MSHCP Criteria Area to the site is Cell #2334 of an Independent Cell Group of the Motte/Rimrock Sub Unit (SU1) of the Meade Valley Area Plan. The northeast corner of the Cell is located approximately 1.19 miles southwest of the site. Conservation in this cell will contribute to the assembly of Proposed Noncontiguous Habitat Block 4 (Motte Rimrock Reserve). Conservation within this Cell will focus on the assembly of Coastal sage scrub habitat, and consist of approximately 5% of the Cell focusing in the southern portion of the Cell. The proposed Project site is located approximately 1.67 miles northeast of the conservation criteria given for Cell #2334 that will contribute to the assembly of Proposed Linkage 7 ( $\pm 5\%$  of southern portion of the Cell).

The site is physically separated from Coastal sage scrub habitat by large tracts of agricultural and developed/disturbed lands. Importantly, the site does not possess the natural biological resources necessary to make a positive contribution to MSHCP Reserve Assembly. The site then has no relationship to the assembly of Proposed Noncontiguous Habitat Block 4. Therefore, the proposed Project is not subject to the guidelines provided in MSHCP Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface). Furthermore, the site is not located within an MSHCP mammal or amphibian survey area, Criteria Area Plant Species Survey Area (CAPSSA), Narrow Endemic Plant Species Survey Area (NEPSSA), or a riparian, wetland, or vernal pool habitat/species survey area (as identified in Sections 6.1.2, 6.1.3 and 6.1.4 of the Plan) and no additional surveys are required pursuant to Section 6.3.2 of the MSHCP. The Project site is, however, located within the Burrowing Owl Survey Area.

Principe and Associates conducted a general biological assessment of the Project site on March 3, 2014 following 1.86 inches of rainfall between February 27 and March 3. The survey was specifically conducted to determine if potential fairy shrimp habitat was present on the properties. No suitable habitat was observed during the field survey and by March 14, 2014 rain pools were no longer ponding water anywhere on the surface of the site. The subsequent walkover survey on March 14, 2014 was conducted to identify the presence or absence of suitable burrowing owl habitats on the site. Suitable burrowing owl habitats were not found at this site. During the site walk, burrowing owls were not observed nor were animal signs diagnostic of burrowing owls discovered anywhere at the site. In summary, the site is not occupied by the burrowing owl and also does not provide suitable or critical habitats for this species. Therefore, implementing Step II of the Survey Instructions is not necessary.

The Project site is also located within the *Stephens' Kangaroo Rat Habitat Conservation Plan (SKR HCP)* fee area. Riverside County Ordinance No. 663.10 established the *SKR HCP* fee assessment area and set mitigation fees used to provide mitigation for projects within the historical range of the SKR. Fees collected under this ordinance are used for the implementation of the *SKR HCP* including but not limited to the acquisition and management of habitat reserve sites. All applicants with development permits within the boundaries of the Fee Assessment Area who cannot satisfy mitigation requirements through on-site mitigation shall pay a Mitigation Fee of \$500 per gross acre of the parcels proposed for development. The SKR was not observed during the biological assessment of the Project site, nor is this area within any SKR Core Reserve.

While the Project site is not within any conservation area delineated in the MSHCP or *SKR HCP* Core Reserve the Project is still subject to provisions of these plans. In particular the Project proponent will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP and *SKR HCP*. Pursuant to agreements with the USFWS and the CDFG the payment of the mitigation fees and compliance provisions of the MSHCP and *SKR HCP* provides full mitigation under CEQA, FESA, and CESA for impacts to the species and habitats covered by these plans; therefore, development of the proposed Project will not conflict with the provisions of the HCPs, and no significant impact related to this issue would occur.

### Cumulative Impacts

As defined in the CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects. The study area for cumulative impacts to biological resources is western Riverside County and the geographical area encompassed in the *Western Riverside County MSHCP* and the *SKR HCP* areas. As stated in its Conservation Element, the City reviews all public and private development and construction projects and other land use plans/activities within the MSHCP area to ensure compliance with the conservation criteria procedures and mitigation requirements set forth in the MSHCP.

The primary effects of the proposed Project, when considered with other projects in the region, would be the cumulative direct loss of open space, nesting habitat for resident and migratory avian species, habitat of sensitive or special-status wildlife species, and regional movement corridors that support migratory avian species. However, the Project site is not within a designated critical habitat area for any threatened or endangered species. No plant or wildlife species listed by the State and/or federal government as endangered or threatened were identified on the Project site during the field surveys, and the areas do not provide potential habitat for sensitive plant or wildlife communities. Further, there are no wetlands on or adjacent to the Project site.

Anticipated cumulative impacts resulting from development have been addressed within the region by the *Western Riverside County MSHCP*. The Project site is located within the MSHCP and the *SKR HCP* fee areas. Mitigation fees are imposed because the loss of habitat for endangered species is a regional problem resulting from the cumulative impacts of continuing development throughout all of the jurisdictions. Participation in the MSHCP mitigates any significant impact associated with the cumulative loss of undeveloped land.

While the Project site is not within any conservation area delineated in the MSHCP or *SKR HCP* Core Reserve, the Project is still subject to provisions of these plans. In particular, the Project proponent will be required to provide payment of mitigation fees and adhere to the requirements established in the MSHCP and *SKR HCP*. Compliance with the terms of the MSHCP and *SKR HCP* will ensure that the proposed Project would not contribute to cumulative adverse impacts on biological resources.

Because the MSHCP provides a regional and comprehensive approach to conservation planning and payment of the required MSHCP mitigation fee and the *SKR HCP* mitigation fee contribute to the long-term preservation of habitat for sensitive and endangered/threatened species, no significant cumulative effect on biological resources would result from the development of the proposed use.



## 5.1.5 CULTURAL RESOURCES

### Cause a Substantial Adverse Change in the Significance of a Historical Resource Pursuant to Section 15064.5 of the State CEQA Guidelines

The proposed Project has the potential to impact previously identified historical resources.

As discussed in the *City's General Plan Conservation Element*, historic cultural resources more than 45 years of age are more likely to be found within the downtown core and adjacent to roads that have been in place since before the 1900s. Intact prehistoric cultural resources are more likely to be found in areas of the City that were not plowed or disked by farmers. The Project site and surrounding areas have been used for agricultural purposes since at least the early 1930s.

The Project site is also located within the boundaries of the PVCCSP. The *PVCCSP EIR* concluded that, with implementation of identified mitigation measures, development of allowed uses and infrastructure projects identified in the specific plan would not conflict with or cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines.

During the field survey of the subject site, it was observed that virtually no native vegetation remains within the Project boundaries as a result of past agricultural endeavors and recent vegetation clearance. No cultural resources of prehistoric (i.e. Native American) origin were observed within the boundaries of TPM36678 during the field survey. Components of an irrigation system, including a concrete box and five concrete standpipes, were observed within the Property boundaries (see Figure 4.5-11). Interestingly, each of the irrigation features is located at the northeastern corner of intersecting roads, leading to speculation that they may have been part of a single system established as part of the Golden Valley Farms subdivision in 1926. However, each feature is on a separate lot and it seems infeasible that a single irrigation system would have been installed that served all 150 one-acre lots that were designed for individual ownership. Despite meticulous scrutiny, neither temporally diagnostic landmarks, dates of manufacture, nor manufacturer's marks could be found that would enable a determination of their historicity. Subsequent research utilizing historical aerial photographs from 1948, 1962, and 1974, held by the Riverside County Flood Control and Water Conservation District, was also inconclusive. The features of Loci 1 and 3 were not observed on the 1948 photograph and the area containing Locus 3 is obscured by a row of trees along the property's southern boundary. The 1962 and 1974 aerial photographs again show no evidence of Locus 3, and the areas of Loci 1 & 2 are obscured by vegetation. While it is possible that the irrigation features were present during the historical period, it was not possible to establish their presence even when the photographs were enlarged substantially, although this may be in part a function of resolution. However, since there is at least a possibility that the features are 50 years of age or older, a conservative approach to recordation was employed and the three irrigation system component loci were recorded as cultural resources of potentially historical origin and assigned primary number 33-024092 by the Eastern Information Center. Specific component details are contained within the confidential DPR form submitted to the Eastern Indian Center. Based on CEQA criteria, the site does not represent a significant historical resource and as such, no further research or mitigation is recommended for these irrigation system features beyond the recordation afforded by the Phase I Cultural Resources Assessment prepared for the proposed Project. **No mitigation is required.**

### Findings

1. **Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**



**2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts to archaeological resources have been eliminated or substantially lessened to a level of less than significant by incorporation of the PVCCSP EIR mitigation measures and the proposed Project mitigation measures CUL 4.5A, and CUL 4.5C (Draft EIR, 4.5-30-31, and 4.5-34-35).

### 5.1.6 GEOLOGY AND SOILS

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault (refer to CDMG Special Publication 42)

Although located within a seismically active region, the proposed Project site is not located within the boundaries of an Earthquake Fault Zone for fault rupture hazard as defined by the Alquist-Priolo Earthquake Fault Zoning Act of 1972. Additionally, there are no known active or potentially active faults located within the City limits or the City's Sphere of Influence. During the geotechnical investigation site visit and aerial photograph review, no active fault traces or fault features were identified on the subject site. The nearest active fault to the site is the San Jacinto Fault zone (San Jacinto Valley segment) located approximately 8.4 mi to the northeast. Because there are no faults that traverse the site and because the site is not located within a fault zone, the potential for ground surface rupture at the site is considered low. Development of the proposed Project would not result in the exposure of people or structures to potential substantial adverse effects resulting from surface rupture of a known earthquake fault. Therefore, a less than significant impact would occur, and no mitigation is required.

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Strong seismic ground shaking

Like all of Southern California, the project site is located in a seismically active area and, therefore, would continue to be subject to ground shaking resulting from activity on regional faults. Ground shaking from earthquakes associated with nearby and more distant faults is expected to occur during the lifetime of the proposed Project. The level of potential ground motion is considered "Very High" in the City of Perris and; therefore, at the Project site. The Project site is not in proximity to any large bodies of water; therefore, seiches, and tsunamis are not considered potential hazards of the site. Owing to the distance of the proposed site ( $\pm$  3-miles) from Lake Perris, inundation of the subject site from dam failure is anticipated to be low.

Development of the proposed Project within a seismically active region may increase the potential for property loss, injury, or death resulting from ground shaking. However, the City maintains construction standards based on the 2010 CBC. The CBC contains building design and construction requirements relating to fire and life safety, and structural safety. The CBC also includes standards designed to ensure that structures within California are built to withstand expected levels of seismic activity for each earthquake region throughout the State. These established engineering standards are appropriate for the seismic zone (Zone 4) in which development may occur. Adherence to these standards and requirements set forth in the CBC and by the City provide adequate protection for the proposed structure.

The *Preliminary Geotechnical Investigation* prepared for the Project concludes that the proposed development for industrial and future commercial uses is considered to be feasible from a geotechnical standpoint. Therefore, adherence to applicable building codes and recommendations in the *Preliminary Geotechnical Investigation* will ensure that impacts related to seismic ground shaking would be less than significant, and no further mitigation is required.

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Seismic-related ground failure, including liquefaction

Based on the Perris General Plan Safety Element and the County of Riverside Liquefaction Hazard Zone (RCLIS website, 2014), the Project site is within a zone of low liquefaction susceptibility; the soil conditions encountered during the geotechnical investigation of the project site are not considered to be conducive to liquefaction. The on-site conditions consist of medium dense to dense, well-graded alluvial soils, and there is no evidence of historic groundwater within 50 feet of the ground surface. No free water was detected during the drilling of any borings conducted for the geotechnical investigation of the site.

Procedures outlined in two publications, 1) The Guidelines for Evaluation and Mitigation of Seismic Hazards in California, Special Publication 117: Department of Conservation, Division of Mines and Geology (1997); and 2) Recommendations for Implementation of DMG Special Publication 117: Guidelines of Analyzing and Mitigation, Liquefaction Hazards in California: Southern California Earthquake Center University of Southern California (1997), provide for a "screening study" in lieu of a complete liquefaction analysis. The results of the *Preliminary Geotechnical Investigation* concludes that, owing to the absence of shallow groundwater (+200-feet) underlying the subject site and the medium dense to dense old alluvial fan deposits underlying the Project site, liquefaction and other shallow groundwater related hazards are not anticipated, and further analysis appears to be unwanted at this time. Based on the above information, the liquefaction potential is anticipated to be negligible.

Another type of seismic-related ground failure is soil settlement. Development of the Project site will be founded in medium dense engineered fill overlying medium dense to dense older alluvial fan deposits. The *Preliminary Geotechnical Investigation* found that settlement potential under seismic loading conditions for these on-site materials is considered low.

Development of the proposed Project will create two (2) industrial parcels and the construction of two (2) high-cube logistics warehouse distribution buildings totaling approximately 1,037,811 square feet with associated parking, landscaping and drainage facilities (detention basins). The structures would be designed and constructed in accordance with applicable seismic safety standards set forth in the CBC and by the City. The *Preliminary Geotechnical Investigation* determined that neither liquefaction nor settlement is considered to be a design concern for the proposed Project and impacts would be less than significant.

**Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving: Landslides**

No geomorphic expression of landsliding or slope instability was noted during site mapping or aerial photograph review. The Project site is located in an area of relatively flat, gently sloping terrain and a distance from any steep terrain. In addition, the Project site is not identified as being within an area that would be susceptible to seismically induced landslides or slope instability. Due to the topography (relatively flat) and location of the Project site (not near any steep hillsides or areas), the Project site is not susceptible to landslides or rockfall. Therefore, no impacts associated with these issues would occur, and no mitigation measures are required.

**Result in substantial soil erosion or the loss of topsoil**

The proposed Project will include the grading of approximately 51 gross acres to create two (2) industrial parcels for the construction of two (2) high-cube industrial buildings, with associated parking and landscaping. The proposed Project will include improvements to adjacent roadways, Patterson Avenue, Markham Street, Webster Avenue and a portion of Washington Street, construction of five (5) on-site drainage facilities (detention basins), and water, sewer and utility infrastructure. These activities have the potential to cause erosion both on-site and off-site.

Soils at the Project site include Pachappa fine sandy loam, 0-2 percent slope (PaA) and Ramona sandy loam, 0-2 percent slopes (RaA). The erosion hazards associated with Pachappa fine sandy loam and Ramona sandy loam are slight.

Development of the site would require the cut and fill of approximately 98,000 cubic yards of soil that will be balanced on-site. Site preparation will require the overexcavation and recompaction of the on-site older alluvial soils, as recommended in the *Preliminary Geotechnical Investigation*. Prior to the issuance of grading permits, the Project proponent would be required to prepare and submit detailed grading plans for the proposed Project. These plans must be prepared in conformance with applicable standards of the City's Grading Ordinance and the recommendations in the *Preliminary Geotechnical Investigation*.

Since development of the site would involve the disturbance of more than one acre, the proposed Project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, industrial projects are required to prepare and submit to the City a Project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. Because the SWPPP would be in place during the construction phase, soil erosion impacts would be reduced to a less than significant level.

Due to the urban nature of the proposed Project, it is unlikely that substantial soil erosion would occur, as the majority of the site would be covered with impermeable surfaces. The *PVCCSP EIR* Initial Study determined that there would be no long-term soil erosion as projects located within the Specific Plan area would involve the development of structures, paving, and landscape. However, the landscaped areas and the water quality detention basins may be a source for some soil erosion. The potential for soil erosion in these areas would be reduced through the best management practices (BMPs) identified by the Project-specific Water Quality Management Plan (WQMP). Because the WQMP would be in place during the operational phase of the proposed Project, soil erosion impacts would be reduced to a less than significant level. Therefore, no mitigation is required.

As soils covering the Project site have a slight erosion hazard potential and because the Project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, prepare an SWPPP and a WQMP, construction and operational impacts associated with soil erosion hazards are considered to be less than significant. No mitigation is required.

*Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater*

The proposed Project will include the construction of two (2) high-cube industrial buildings that will be connected to existing wastewater facilities owned and operated by Eastern Municipal Water District. Therefore, septic tanks would not be necessary for the proposed Project. Because the proposed Project would not include the installation of septic tanks or alternative wastewater disposal systems, no impacts would occur. No mitigation is required.

*Cumulative Impacts*

As defined in the State CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects. Impacts on geology and soils are generally localized or site-specific and generally do not

result in or from regionally cumulative impacts, with the exception of sedimentation and subsidence due to subsurface withdrawal. The cumulative study area for geology and soils is the Project site, the immediately adjacent properties that physically abut the Project site, and other projects whose activities could directly or indirectly affect the geology and soils of the Project site.

The *PVCCSP EIR* concluded that there would be no cumulative impacts related to geologic hazards that could not be mitigated to below a level of significance.

The analysis above indicated no rare or special geological features or soil types on site that would be affected by project activities and no other known activities or projects with activities that affect the geology and soils of this site. In addition, there is no subsurface withdrawal of water or oil that could produce subsidence.

The proposed Project, in combination with other planned projects in the Project's vicinity, would not compound or increase geological impacts. The proposed Project, as well as any foreseeable projects, would be required to adhere to applicable State regulations, CBC standards, and the design and siting standards required by local agencies. Therefore, the Project-specific impacts, as well as the impacts associated with other projects, would be reduced to a less than significant level.

For the reasons stated above, the Project's contribution to cumulative geotechnical and soil impacts is considered less than significant.

### 5.1.7 GREENHOUSE GAS EMISSIONS

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

The proposed Project will promote the goals of AB 32. The Project site location is located within the City's planned growth urban footprint. The proposed Project incorporates a number of features and mitigation measures in other impact areas (Air Quality in particular) that would minimize greenhouse gas emissions. Although the proposed Project would generate greenhouse gas emissions, these emissions would not have a significant impact on the environment.

As stated previously, the City of Perris is a member of WRCOG. In May of 2014, the WRGOG produced a Final Draft of their Subregional Climate Action Plan (CAP). WRCOG's subregional emissions reduction targets are 15% below 2010 levels by 2020, and 49% below 2010 levels by 2035. As stated above, the Project meets the WRCOG CAP reduction goal of 15% from year 2020 emissions.

The Project will also promote the goals of AB 32. The Project site location is positioned within the City's planned growth urban footprint. The Project incorporates a number of features and mitigation measures in other impact areas that would minimize greenhouse gas emissions. Although the Project would generate greenhouse gas emissions, these emissions would not have a significant impact on the environment.

The core mandate of AB 32 is that statewide GHG emissions in Year 2020 be equal to Year 1990 levels. AB 32 is anticipated to secure emission reductions through a variety of mechanisms, such as increasing energy efficiency and introducing more renewable energy sources. As noted earlier, CARB has already begun to adopt strategies to reduce GHG emissions under AB 32. Strategies included in the Climate Change Scoping Plan (CARB 2008b), such as SPM-2 (California Light-Duty Vehicle GHG Standards), SPM-3 (Energy Efficiency), SPM-4 (Renewables Portfolio Standard), SPM-5 (Low Carbon Fuel Standard), SPM-7 (Vehicle Efficiency Measures), and SPM-10 (Heavy/Medium-Duty Vehicles), while applicable to land use projects, are generally not under the control of local agencies. Nonetheless, emission reductions from these strategies are anticipated to occur as CARB adopts and implements regulations under AB 32. Reductions are already expected to take place in 2012, if not earlier, due to the newly adopted vehicle emission standards and the Low Carbon Fuel Standard.

Other measures contained in the Climate Change Scoping Plan are under development and regulations have not yet been adopted at this time. Therefore, it is difficult to explicitly compare the proposed Project's consistency with the implementing programs and regulations to achieve the statewide GHG emission reduction goals established under AB 32 because many are still under development.

With the implementation of energy efficient programs and State and federal vehicle emission reduction programs, the proposed Project would be consistent with the goals of AB 32, WRCOG, and the City of Perris. Therefore, the proposed Project would not conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases. Local and regional impacts in this regard are therefore considered to be less than significant. No mitigation is required.

#### Cumulative Impacts

Individual projects would incrementally contribute toward the potential for global climate change on



a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects.

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution to global climate change.

As of the date that this Draft EIR was produced, the SCQMD Governing Board has not taken any action to formally adopt the draft thresholds of significance. However, that does not preclude lead agencies from utilizing the draft thresholds to evaluate the potential impacts associated with general development projects. The City of Perris utilizes these draft thresholds to determine the significance of new developments within its jurisdiction.

This EIR concludes that the proposed Project will not, individually or cumulatively, have a significant impact on global warming or climate change with implementation of the proposed mitigation measures. Further, it should be noted that the proposed Project's GHG emissions would not exceed the 10,000 MTCO<sub>2e</sub> threshold as established for Tier 3 projects.

CEQA Guidelines Sections 15065(a)(3) and 15130 requires lead agencies to determine whether a project's GHG emissions will be cumulatively considerable. CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions, but there are as yet no adopted standards for assessing the significance of cumulative impacts from projects.

Cumulatively, the emissions from energy sources would comprise approximately 16.9 percent of the proposed Project's total CO<sub>2e</sub> emissions. Water usage and solid waste disposal emissions comprise approximately 20.2 percent of the Project's total CO<sub>2e</sub> emissions while the emissions from vehicle exhaust (includes amortized construction emissions) would comprise approximately 64.6 percent of the proposed Project's total CO<sub>2e</sub> emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City. The remaining CO<sub>2</sub> emissions are primarily associated with building systems. The proposed Project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the Project's electricity demand. The new buildings, constructed to exceed current energy efficiency standards, would be more energy efficient than older buildings.

Even with implementation of the strategies and programs described previously, the Project as proposed will meet WRCOG CAP reduction goal of 15% from year 2020 emissions.

### 5.1.8 HAZARDS AND HAZARDOUS MATERIALS

#### Create a Significant Hazard to the Public or the Environment through the Routine Transport, Use, or Disposal of Hazardous Materials

The proposed Project envisions the construction of 1,037,811 square feet of high-cube logistics warehouse space housed within two (2) concrete tilt-up buildings on approximately 48.4 net acres. Potentially hazardous materials such as petroleum products, pesticides, fertilizer, and other household hazardous products such as paint products, solvents, and cleaning products may be stored and transported in conjunction with the proposed Project uses. These hazardous materials are expected only to be stored and transported to and from the site. Manufacturing and other chemical processing will not occur on the Project site as a part of the proposed use of the distribution center. Exposure to hazardous materials during the operation of the proposed on-site uses may result from (1) the improper handling or use of hazardous substances; (2) transportation accident; or (3) an unforeseen event (e.g., fire, flood, or earthquake). The severity of any such exposure is dependent upon the type and amount of the hazardous material involved; the timing, location, and nature of the event; and the sensitivity of the individual or environment affected.

As described in Title 49 of the Code of Federal Regulations and implemented by Title 13 of the CCR, the United States Department of Transportation (USDOT) Office of Hazardous Materials Safety has established strict regulations for the safe transportation of hazardous materials. It is possible that vendors may bring some hazardous materials to and from the project site. Appropriate documentation for all hazardous waste that is transported in connection with Project-site activities would be provided as required for compliance with existing hazardous materials regulations. Hazardous wastes produced on site are subject to requirements associated with accumulation time limits, proper storage locations and containers, and proper labeling. Additionally, for removal of hazardous waste from the site, hazardous waste generators are required to use a certified hazardous waste transportation company, which must ship hazardous waste to a permitted facility for treatment, storage, recycling, or disposal. Compliance with applicable regulations would reduce impacts associated with the use, transport, storage, and sale of hazardous materials. For example, as discussed above, the California Hazardous Materials Management Act requires that businesses handling or storing certain amounts of hazardous materials prepare an Hazardous Materials Business Emergency Plan (HMBEP), which includes an inventory of hazardous materials stored on site (above specified quantities), an emergency response plan, and an employee training program.

#### Create a Significant Hazard to the Public or the Environment through Reasonably Foreseeable Upset and Accident Conditions Involving the Release of Hazardous Materials into the Environment

As previously stated, both the Federal Government and the State of California require all businesses that handle more than a specified amount of hazardous materials or extremely hazardous materials, to submit an HMBEP to its local Certified Unified Program Agency (CUPA). The CUPA with responsibility for the City of Perris is the County of Riverside Department of Environmental Health (DEH). The HMBEP must include an inventory of the hazardous materials used in the facility, and emergency response plans and procedures to be used in the event of a significant or threatened significant release of a hazardous material. The HMBEP must include the Material Safety Data Sheet for each hazardous and potentially hazardous substance used. The Material Safety Data Sheets summarize the physical and chemical properties of the substances and their health impacts. The plan also requires immediate notification to all appropriate agencies and personnel of a release, identification of local emergency medical assistance appropriate for potential accident scenarios, contact information of all company emergency coordinators of the

business, a listing and location of emergency equipment at the business, an evacuation plan, and a training program for business personnel.

HMBEs are designed to be used by responding agencies, such as the Perris Fire Department and the Riverside County Fire Department during a release to allow for a quick and accurate evaluation of each situation for an appropriate response. HMBEs are also used during a fire to quickly assess the types of chemical hazards that fire-fighting personnel may have to deal with, and to make decisions as to whether or not the surrounding areas need to be evacuated. Compliance with existing law will ensure that no significant impacts pertaining to the creation of hazards affecting the public will occur. The handling of hazardous materials in accordance with the HMBE as required by applicable local, state, and federal standards, ordinances, and regulations would ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant.

**Emit Hazardous Emissions or Handle Hazardous or Acutely Hazardous Materials, Substances, or Waste within One-Quarter Mile of an Existing or Proposed School**

As previously identified, the Val Verde Continuation High School located at 972 Morgan Street, is approximately 1 mile south of the Project site and beyond the referenced one-quarter mile range.

Though the Project would not utilize acutely hazardous materials in its daily operation, due to aforementioned storage and transport of hazardous materials, the potential for an accidental release of hazardous materials into the environment is present at the Project site as it is at any commercial, retail, or industrial site. Compliance with the identified state and federal transportation safety standards would govern the handling of hazardous materials during truck and freight transfer operations. These standards include procedures to contain, report, and remediate any accidental spill or release of hazardous materials. The handling of hazardous materials in accordance with all applicable local, state, and federal standards, ordinances, and regulations would ensure that impacts associated with environmental and health hazards related to an accidental release of hazardous materials are less than significant.

**Be located on a Site which is Included on a List of Hazardous Materials Sites Compiled Pursuant to Government Code Section 65962.5 and, as a Result, Would Create a Significant Hazard to the Public or the Environment**

The Project site was not listed on any searched federal, State or local agency databases. No further investigation is warranted. No other properties within a quarter mile of the project site were identified on a list of hazardous materials sites as defined by Government Code Section 65962.5. Therefore, impacts related to this issue would be less than significant and no mitigation is required.

**For a Project Located within the Vicinity of a Private Airstrip, Result in a Safety Hazard for People Residing or Working in the Project Area**

The nearest private airport to the Project site is the Perris Valley Airport, located at 2091 Goetz Road, approximately 6.7 miles southeast of the Project site. Perris Valley Airport is on private property and is open to the public. This airport is utilized for skydiving and ballooning activities and has a single airport "Influence Area." Based on the City's General Plan, the Project site is located outside the Airport Influence Area for the Perris Valley Airport. Therefore, development of the Project site would not result in private airport safety hazards for people working in the Project area. No impacts associated with this issue would occur and no mitigation is required.

**Impair Implementation of or Physically Interfere With an Adopted Emergency Response Plan or Emergency Evacuation**

The proposed Project will be designed, constructed, and maintained in accordance with applicable standards associated with vehicular access, ensuring that vehicular access will provide for adequate emergency access and evacuation. Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate and appropriate measures to facilitate the passage of persons and vehicles through/around any required road closures. Compliance with existing regulations for emergency access and evacuation would ensure that impacts related to this issue are less than significant and no mitigation is required.

*Result in the Exposure of People or Structures to a Significant Risk of Loss, Injury or Death Involving Wildland Fires, Including Where Wildlands are Adjacent to Urbanized Areas or Where Residences are Intermixed with Wildlands*

The proposed Project is not located within a Hazardous Fire Area or within an area susceptible to wildfires. Development of the proposed Project uses would not expose persons or property to increased wildland fire risks. No significant wildland fire impacts would result from the development of the proposed on-site uses. Areas surrounding the Project site consist of urban, agricultural, and open space. Because of the lack of abundant vegetation and the moderate amount of development within the vicinity of the Project site, it is determined that the Project site and adjacent areas are not susceptible to a wildfire. Because of the low probability that the Project site would be subject or susceptible to wildland fires, no significant impact related to this issue would occur and no mitigation is required.

*Cumulative Impacts*

The cumulative impact analysis considers development of the proposed Project in conjunction with other development in the City. The *PVCCSP EIR* determined that significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials could occur as the proposed Project would increase the amount of truck traffic in the area as well as the amount of trucks transporting hazardous materials. The proposed Project in combination with other projects of a similar nature has the potential to create a significant cumulative impact related to this issue; however the mitigation measures introduced in the *PVCCSP EIR* and the Project-specific mitigation measures reduce those impacts to below a level of significance. Often, these risks are site-specific and localized and therefore limited to the Project site. However, since the number of trucks containing hazardous materials on the road in a given area at any given time is impossible to estimate and since accidental spills and leaks are unplanned occurrences, it is impossible to predict the occurrence of such events. It is reasonable to assume, however, that with an increase in vehicles transporting hazardous materials, the potential for accidents would be increased, but still within the amount of hazards that can be expected by implementation of the *PVCCSP*, and that was identified in the *PVCCSP EIR*.

As anticipated in the City's General Plan and *PVCCSP*, demographic increases, and the availability of vacant property in the City would lead to new developments in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in population and the number of outlets that transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. Although each project has unique hazardous materials considerations, it is anticipated that future cumulative projects would comply with the local, state, and federal regulations and requirements as these are required for all development projects. As a result, cumulative impacts associated with hazardous materials would be less than significant with mitigation measures included with this Project.

Cumulative aircraft hazard impacts consist of future development within the boundaries of the AICUZ and ALUP accident potential zones. The risk to each future project is based on the specific

accident potential zone. The risks associated with development in these accident potential zones can only be reduced through conformance with land use guidelines and policies identified by the AICUZ and ALUP. However, because the surrounding Cities of Moreno Valley, and Riverside as well as the County of Riverside have implemented comprehensive land use plans that incorporate AICUZ and ALUP recommendations, it is anticipated that cumulative development within the accident potential zones would not create a significant and cumulative impact associated with aircraft accident hazards.



### 5.1.9 HYDROLOGY AND WATER QUALITY

**Substantially Deplete Groundwater Supplies or Interfere Substantially With Groundwater Recharge such that there Would be a Net Deficit in Aquifer Volume or a Lowering of the Local Groundwater Table Level (e.g., the Production Rate or Pre-Existing Nearby Wells Would Drop to a Level Which Would Not Support Existing Land Uses or Planned Uses for Which Permits Have Been Granted)**

The City of Perris General Plan Conservation Element, the *PVCCSP EIR* and the Stratford Ranch Industrial Project ("Stratford Ranch") EIR include comprehensive discussions of water resources within the City. The Water Supply Assessment prepared for the Stratford Ranch EIR concluded that implementation of the existing San Jacinto Groundwater Basin Management Plan would ensure that local groundwater resources are conserved and groundwater overdraft does not occur. The findings from these documents are incorporated into this section of this EIR.

As shown in Figure 4.9-10 of the Draft EIR, *Location Map of the West San Jacinto Groundwater Basin Management Area Plan*, the Project site is located in the Perris North Groundwater Management Zone. Recharge of the Perris North Groundwater Management Zone occurs through infiltration of flow from unlined stream channels, underflow from saturated alluvium and fractures in surrounding bedrock mountains and hills, underflow from the Lower San Jacinto Graben Management Zone in the southeast, underflow from leakage beneath the Lake Perris Dam, and artificial recharge of recycled water in storage/percolation ponds at the Moreno Valley Water Reclamation Facility (MVWRF). According to the City of Perris General Plan Conservation Element, the Project site is not identified as a groundwater recharge area; therefore, the proposed Project would not interfere with groundwater recharge activities. Additionally, the proposed Project does not involve the withdrawal of groundwater; therefore, it would not result in the direct lowering of the local groundwater table.

As discussed in the *PVCCSP EIR*, implementation of the *PVCCSP* will introduce additional impervious surfaces to the planning area. However, the *PVCCSP EIR* also found the proposed land uses under the specific plan consistent with the City's General Plan and that, due to the relative small size of the *PVCCSP* area in relationship to the total size of the groundwater subbasin, there would not be a substantial effect upon groundwater recharge within the groundwater basin.

Additionally, since each implementing development project is required to prepare project-specific WQMPs, it is anticipated that future implementing development projects will incorporate Design Standards and Guidelines as recommended in the *PVCCSP* (e.g., pervious pavement, divert rooftop runoff into landscaped areas to facilitate infiltration and groundwater recharge, etc.) to address water quality and water use. Water quality issues associated with runoff from developed areas are discussed further under Water Quality Impacts above.

The proposed Project includes onsite drainage improvements, which will involve installation of four (4) detention/infiltration basins to treat runoff flows and well as promote continued percolation on the site. Implementation of the proposed Project would not deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.

The *PVCCSP EIR* determined that impacts associated with groundwater were less than significant and no mitigation was required. As such, the proposed Project will result in less than significant impacts to groundwater and no mitigation is required.



**Substantially Alter the Existing Drainage Pattern of the Site or Area, Including through the Alteration of the Course of a Stream or River, or Substantially Increase the Rate or Amount of Surface Runoff in a Manner Which Would Result in Flooding On- or Off-site, or Create or Contribute Runoff Water Which Would Exceed the Capacity of Existing or Planned Storm Water Drainage Systems or Provide Substantial Additional Sources of Polluted Runoff**

The Project site is located within the PVCCSP Master Drainage Plan. As indicated in the PVCCSP EIR, development of the drainage system within the PVCCSP planning area will consist of two (2) basic components: storm drains and detention basins. This system plans to capture surface runoff from within the PVCCSP and surrounding areas and convey the runoff into proposed storm drains and detention basins before continuing to the PVSC. The PVCCSP Master Drainage Plan, dated May, 2010, designates three drainage facilities (Line F Detention Basin, Line F and Line F-5) that will ultimately protect the Project site and proposed development from a 100 year storm event.

The *PVCCSP EIR* concluded that development of the PVCCSP would result in increased impervious surface and storm water flows in the Specific Plan area; however, implementation of Project-specific site-design BMPs and planned storm drain facilities outlined in the revised Perris Valley ADP (i.e., the Perris Valley Storm Channel, storm drain facilities, and detention basins) would accommodate peak storm water flows and would not result in flooding on or off site.

The Project site currently has a low runoff coefficient, meaning that runoff during storms represents a relatively small portion of the total rainfall. The majority of the precipitation, particularly in smaller storms, infiltrates into the subsurface. At present, the Project site is subject to 26 acre of off-site partially developed drainage area which generates approximately 51 cubic feet per second (cfs) during a 100 year storm event. The off-site storm flows are concentrated to an existing cross gutter located on Patterson Avenue approximately 330 feet north of the Patterson Avenue and Markham Street intersection. The concentrated flows enter the Project site and together with existing on-site storm flows, discharge an estimated (100 year) 103 cfs onto unimproved Webster Avenue.

Development of the proposed Project will include construction of two (2) high-cube logistics warehouse distribution buildings totaling approximately 1,037,811 square feet, parking areas, sidewalks, roads and other infrastructure such as storm water, water, and sewer infrastructure features. Because the development of the proposed Project would introduce a greater percentage of impervious surfaces (90% was used in this analysis), the post-development flow volumes that would be generated on site are anticipated to be substantially higher than the pre-development flows. Conditions resulting from this change would include increased runoff volumes and velocity; reduced infiltration; increased flow frequency, duration, and peak; shorter time to reach peak flow; and degradation in water quality. Potential impacts to downstream land uses could result in the event that post-development storm water flows are greater than pre-development storm water flows leaving the site.

As previously identified, existing flows generated on the Project site currently drain as sheet flow in an easterly direction toward Webster Avenue. Proposed drainage for the Project site has been designed so that runoff from the buildings and parking areas will be collected by the onsite drainage system and released into the four (4) proposed detention/infiltration basins.

For the high-cube logistics warehouse component, Building "A" drainage area, as well as the associated parking, drive aisles and sidewalks, will drain to Detention Basin 1 located along the eastern portion of Parcel 1; Building "B" drainage area, as well as the associated parking, drive aisles and sidewalks, will drain to Detention Basin 2 located at the southern portion of Parcel 2. Roof drains are proposed to discharge directly onto the parking areas and will then be collected by the proposed onsite drainage system and released into the four (4) proposed detention/infiltration

basins for water quality treatment and to reduce developed increased peak flow to within acceptable flow rate limits prior to being discharged into underground storm drains (Lateral B-5) and ultimately conveyed to the PVSC.

Once the storm water flows reach the Perris Valley Storm Channel, the storm water will travel approximately 5.4 miles until it joins Reach 3 of the San Jacinto River. This river then travels 5.6 miles to Canyon Lake (Reach 2) and another 7.1 miles through Canyon Lake to Lake Elsinore (Reach 1). Lake Elsinore is essentially the terminus for the San Jacinto River and the San Jacinto Watershed. Although Temescal Creek and the Santa Ana River were included in the ultimate flow path from the Project site, flows that reach Lake Elsinore rarely spill into Temescal Creek and eventually into the Santa Ana River due to topography.

Funding for the ultimate improvement of the drainage lines as designated in the PVCCSP Master Drainage Plan is not available at this time. Therefore, the interim/ultimate improvements are proposed to mitigate any possible flood hazards to adjacent and downstream properties resulting from the development of the proposed Project. Additionally, Site Design BMPs, as identified under the PVCCSP On-Site Design Standards and Guidelines, have been incorporated into the proposed Project to reduce potentially significant impacts to surface and groundwater resources.

As stated in the *PVCCSP EIR*, the PVSC is an MS4 public storm drain system that has been sized to accommodate the increase in runoff generated from the specific plan area, including the proposed Project. Based on the calculations prepared for these storm drains, the proposed storm water facilities, with ultimate development of the tributary areas, necessary connections, and adequate maintenance of the facilities, will convey flows safely through the region in accordance to Riverside County Flood Control requirements.

While the resultant increase in impervious surfaces would contribute to a greater volume and higher velocities of storm flow, the Project site's drainage system (Lateral B-5 in conjunction with proposed onsite detention/infiltration basins) would accept and accommodate runoff that would result from the proposed Project's construction. Therefore, the post-development flows generated on the Project site would not exceed the capacity of the planned storm water drainage systems. Furthermore, the proposed Project would continue the existing drainage pattern of the Project area and result in a reduction in the rate of discharge from the Project site as compared to the pre-development discharge rate. Impacts associated with these issues are less than significant and no mitigation is required.

For additional analysis regarding anticipated construction and operational pollutants, please refer to the discussion under Water Quality Impacts above. As previously identified, flows from the Project site eventually drain to Canyon Lake and Lake Elsinore via the San Jacinto River. Canyon Lake is listed for pathogens and nutrients while Lake Elsinore is listed for nutrients, organic enrichment/low dissolved oxygen, PCBs, and unknown toxicity.

*Place Housing within a 100-year Flood Hazard Area a Mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or Other Flood Hazard Delineation Map*

The Project site is not located within an area identified by the Riverside County Land Information System (RCLIS) requiring floodplain management review or on a Flood Insurance Rate Map (FIRM) as defined by the FEMA (see Figure 4.9-4). No blue-line streams or jurisdictional waters are located on the site. Elevation at the site ranges from approximately 1,500 to 1,480 feet above mean sea level (amsl), descending gradually from west to east, is relatively flat and slopes at approximately 0.80% (0.46 degrees). The site is subject to sheet flow run-on and existing storm runoff exits the property at the site's easterly boundary along Webster Avenue. The PVSC is located approximately 1.8 miles east of the Project area. No residential uses are proposed under

this Project and, since the Project site is not located within a 100-year flood hazard area, the placement of structures within a flood hazard area would not occur, and development of the proposed uses on site would not impede or redirect flood flows. Therefore, no impacts related to this issue would occur with implementation of the proposed Project and no mitigation is required.

*Place Within a 100-year Flood Hazard Area Structures Which Would Impede or Redirect Flood Flows*

The proposed Project is an industrial development on approximately 48.4 net acres. The subdivision will create two (2) parcels to be developed with two (2) high-cube logistics warehouse distribution buildings totaling approximately 1,037,811 square feet, including 17,500 square feet of office space, associated parking and landscaping, and onsite drainage features. Since the Project site is not located within a 100-year flood hazard area, the placement of structures within a flood hazard area would not occur, and development of the proposed uses on site would not impede or redirect flood flows. Therefore, no impacts related to this issue would occur with implementation of the proposed Project and no mitigation is required.

*Expose People or Structures to a Significant Risk of Loss, Injury or Death Involving Flooding, Including Flooding as a Result of the Failure of a Levee or Dam*

As identified in the City of Perris Safety Element, the Project site is not located within a dam inundation area. Therefore, dam inundation impacts associated with the construction and development of the proposed Project are insignificant and no mitigation is required.

*Inundation by Seiche, Tsunami, or Mudflow*

A tsunami is a series of waves generated in a body of water by a pulsating or abrupt disturbance that vertically displaces water. Seiches are oscillations in enclosed bodies of water that are caused by a number of factors, most often wind or seismic activity. Lakes in seismically active areas such as Lake Perris are at risk from seiches. A mudslide (also known as a mudflow) occurs when there is fast-moving water and a great volume of sediment and debris that surges down a slope, stream, canyon, arroyo, or gulch.

The Pacific Ocean lies approximately 38 miles southwest of the Project site; therefore, inundation of the site by tsunami will not occur. The Project site is located approximately 3 miles west of Lake Perris and the probability that a seiche event would affect the site is highly unlikely as water levels in the lake would not be high enough to overtop the Perris Dam. The Project site is relatively flat and no potential of landslides or mudslides occurring at the site exist. Given these factors, impacts associated with tsunami, seiche, landslides or mudflows are not significant and No mitigation is required.

*Cumulative Impacts*

Consistent with the *PVCCSP EIR*, the geographic context for the Hydrology and Water Quality cumulative impact analysis is the Perris Valley/San Jacinto watershed hydrologic unit and the EMWD service area. Cumulative development in the watershed would result in an increase in impervious surfaces in addition to changes in land use and associated pollutant runoff. Increased impervious surface areas are likely to alter hydrology and increase potential pollutant loads. However, all development and future development in the City and throughout the RWQCB, Santa Ana Region, must obtain coverage under and comply with requirements of the NPDES permit program. Although continued growth is anticipated to occur in the City of Perris and surrounding areas, new development and significant redevelopment would have to minimize their individual impacts to water quality and pollutant transport through implementation of BMPs. As noted in the

*PVCCSP EIR*, development throughout the *PVCCSP* and the City would be regulated through the County's *WQMP* requirements and the *NPDES* permit requirements. Because these requirements would be imposed on all developments, it is anticipated that each development would be required to mitigate its own specific impact on water quality and drainage. Consistent with the conclusions of the *PVCCSP EIR*, no significant cumulative impacts related to water quality would occur.

Storm water flow conveyance and flood potential would increase as development would result in greater amounts of impervious surfaces and channelization for conveyance of peak flows. However, the *RCFCWCD* and the County's *MDP* guide and govern local and regional hydrology and hydraulic modifications. The planned drainage capacities have been determined assuming a full build-out scenario. All development in the County of Riverside and the San Jacinto Watershed, including the City of Perris, must comply with the requirements of the applicable *NPDES* permit; the *RCFCWCD* storm water management plan; the *MDP*; and other pertinent local drainage and conveyance ordinances. Existing regulations effectively minimize potential impacts to flow conveyance and flooding and have incorporated necessary elements in the *MDP*. As identified previously, the proposed Project includes site-design *BMPs*, and the drainage system would be designed so that runoff from the Project site is directed to on-site treatment-control *BMPs* and flow volumes exiting the site are within the allowable level of increase when compared to pre-development conditions. Accordingly, the Project-related contribution to impacts associated with storm water flow conveyance would not be cumulatively considerable, and thus less than significant.

Future development within the City of Perris and the *PVCCSP* area could place structures within the 100-year flood hazard area that could impede or redirect flood flows. As discussed under Section 4.9.7, 100-Year Flood Related Impacts, the Project site is not located within an area requiring floodplain review or located on a Flood Insurance Rate Map. However, development of projects within the Specific Plan area and the Perris Valley that does occur within the floodplain is restricted and permitted by the City of Perris to ensure that flood flow is not redirected or impeded to the detriment of properties within the City of Perris or properties upstream or downstream. The *PVCCSP EIR* finds that less than significant impacts would occur relative to the risk to property and life resulting from construction within the 100-year floodplain within the City, which is consistent with City of Perris General Plan *EIR*. As such, no significant cumulative impacts from the proposed Project relating to flooding would result.

As identified in the *PVCCSP EIR*, with the completion of remediation to the Perris Dam, the possibility of failure due to seismic or other factors is considered by the *MWD* to be extremely remote. Since the Project is not located within an area identified by the City of Perris General Plan Safety Element as subject to dam inundation, the Project-related contribution to impacts associated with dam inundation are insignificant.

The cumulative area for groundwater would be the Perris North Management Zone as water for the Project site and other cumulative development projects in the area would utilize groundwater from this particular management zone. Cumulatively, development within the Perris North Management Zone of the West San Jacinto Groundwater Management Plan area would result in an increase in demand on water sources, which includes groundwater supplies. However, because the majority of the projects within the Perris North Management Zone obtain water service from *EMWD*, it is anticipated that the area relies on imported water purchased from Metropolitan with supplements from local groundwater sources.

## 5.1.10 LAND USE, PLANNING, POPULATION, AND HOUSING

### Physically Divide an Established Community

The properties surrounding the proposed Project are partially developed. Additionally, there are pockets of residential, light industrial/manufacturing and industrial uses in proximity to the Project site. Since the existing residential uses southeast of the proposed Project are separated from the site by Webster Avenue and Markham Street, implementation of the proposed Project would not physically divide an established community. Although the vacation of Nevada, Arizona, Oregon, and Washington Streets are proposed, this will not physically divide any established community. No impact would occur and no mitigation is required.

### Conflict With Any Applicable Land Use Plan, Policy, or Regulation of an Agency With Jurisdiction Over the Project (Including, but not Limited to, the General Plan, Specific Plan, Local Coastal Program, or Zoning Ordinance) Adopted for the Purpose of Avoiding or Mitigating an Environmental Effect

The proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect, including the Regional Transportation Plan/Sustainable Communities Strategy, the City of Perris General Plan 2030, the City of Perris Zoning Ordinance, and the PVCCSP. Project impacts would be less than significant.

### Conflict with Any Applicable Habitat Conservation Plan or Natural Community Conservation Plan

The MSHCP is a comprehensive, multi-jurisdictional effort that includes Riverside County and fourteen cities with a goal to provide a regional approach to conservation planning. The Project site is not located in any Criteria Cells; therefore, the proposed Project is not subject to cell criteria identified in the MSHCP. The Project site is not located within any Amphibian, Mammalian, or Special Linkage Areas identified by the MSHCP. However, the Project site is located within areas requiring burrowing owl surveys, within the MSHCP Criteria Area Species Survey Area (CASSA) and Narrow Endemic Plant Species Survey Area (NEPSSA).

Because the Project site is within an MSHCP CASSA and is considered to be a covered activity, the Project is subject to provisions of the MSHCP. In particular, the Project proponent will be required to provide payment of mitigation fees and adhere to the BMPs found in Appendix C of the MSHCP. Pursuant to agreements with the U.S. Fish and Wildlife Service (USFWS) and the CDFG, the payment of the mitigation fees and compliance provisions of the MSHCP provides full mitigation under CEQA, the Federal Endangered Species Act (FESA), and the California Endangered Species Act (CESA) for impacts to the species and habitats covered by the MSHCP. Since the City has adopted the MSHCP and its requirements and provisions, and since the Project is within Perris, the proposed Project would be required to adhere to applicable MSHCP requirements and fees. Therefore, the proposed Project would not conflict with any applicable habitat conservation plan and no significant impacts associated with this issue would occur. No additional mitigation will be required.

### Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)

CEQA requires a discussion of ways in which the proposed Project could be growth inducing. The CEQA Guidelines identify a project as growth inducing if it fosters economic or population growth,



or the construction of additional housing either directly or indirectly in the surrounding environment (CEQA Guidelines Section 15126.2[d]). New employees from commercial or industrial development and new population from residential development represent direct forms of growth. These direct forms of growth have a secondary effect of expanding the size of local markets and inducing additional economic activity in the area.

A project could indirectly induce growth by reducing or removing barriers to growth, or by creating a condition that attracts additional population or new economic activity. However, a project's potential to induce growth does not automatically result in growth. Growth can only happen through capital investment in new economic opportunities by the private or public sectors. Under CEQA, growth inducement is not considered necessarily detrimental, beneficial, or of little significance to the environment.

Typically, the growth-inducing potential of a project would be considered substantial if it fosters growth or a concentration of population in excess of what is assumed in pertinent master plans, land use plans, or in projections made by regional planning agencies (e.g., SCAG). Substantial growth impacts could also occur if a project provides infrastructure or service capacity to accommodate growth beyond the levels currently permitted by local or regional plans and policies. In general, growth induced by a project is considered a significant impact if it directly or indirectly affects the ability of agencies to provide needed public services, or if it can be demonstrated that the potential growth significantly affects the environment in some other way.

A project could indirectly induce growth at the local level by increasing the demand for additional goods and services associated with the increase in project population and thus reducing or removing the barriers to growth. This occurs in suburban or rural areas where population growth results in increased demand for service and commodity markets responding to the new population. This type of growth is, however, a regional phenomenon resulting from introduction of a major employment center or regionally significant housing project. Additional commercial uses may be drawn to the area by the increased number of residents in the area as a result of a project; however, it is expected that any such development would occur consistent with planned growth identified in the General Plan or applicable specific plans.

The City's population has grown steadily over the past few years. Population projections developed by SCAG estimate the City's population will reach approximately 82,000 persons by the year 2020 and approximately 114,000 persons by the year 2035.

The extent to which the new jobs created by a project are filled by existing residents is a factor that tends to reduce the growth-inducing effect of a project. Construction of the proposed Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area. The footprint of the proposed Project is 1,037,811 square feet. Utilizing 1 employee per 2,000 square feet of warehousing space, the proposed Project may employ up to approximately 519 people.

Given the fact that the City and Riverside County are considered to be jobs-poor regions, it is reasonable to assume and therefore expected that the short-term construction jobs and long-term jobs created by the proposed Project will be filled by current local residents; therefore, there would be little migration to the area and, consequently, little effect on local population size. Because of the population of the City and the employment base, even if a large number of people were to relocate to the area because of employment opportunities created within the Project area, no significant effect on the size of the local population would occur.

The Project does not include a residential component. The proposed Project is located within an



area that is currently vacant and planned for industrial uses in accordance with the General Plan and the PVCCSP. Streets, water and sewer utilities, and municipal services would be expanded to serve the proposed Project. The Project is located in close proximity to other existing, planned warehouses and light industrial uses. The proposed modifications to the PVCCSP will not result in impacts beyond those identified in the City General Plan EIR or the *PVCCSP EIR*. Therefore, the Project will not necessitate extension of major infrastructure and the Project will not remove obstacles that will result in substantial population growth.

As discussed under Section 4.10.13.6 of the DEIR, Employment Characteristics, the jobs-to-housing ratio measures the extent to which job opportunities in a given geographic area are sufficient to meet the employment needs of area residents. The City is "jobs poor" (meaning more residents must commute outside the City for employment). Development of the proposed Project will not change the number of residential units in the City because the site is currently vacant and no homes will be removed or residences displaced and the Project is not anticipated to significantly affect the jobs/housing balance in the City.

Development of the proposed Project will create jobs in the local economy. It is estimated that the proposed Project may result in approximately 519 new jobs, plus temporary construction jobs. The new employment opportunities resulting from development of the proposed high-cube logistics warehouse uses will improve the City's current jobs-to-housing ratio by providing jobs to local residents. While the place of residence of the persons accepting employment provided by the proposed uses is uncertain, due to the City's projected jobs/housing ratio, it is reasonable to assume and therefore expect that a large percentage of these jobs would be filled by persons already living within the City or Project area; therefore, no significant increase in population of the City would result from the development or operation of the proposed Project, resulting in a less than significant impact associated with growth inducement and no mitigation is required.

*Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere*

The proposed Project site consists of undeveloped land with no residential structures located within the Project limits. Furthermore, the current use on site is undeveloped and vacant land; therefore, no displacement of housing or residents would occur and construction of replacement housing is not required. No impact associated with this issue would occur and no mitigation is required.

*Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere*

No housing or people are being displaced because the site is currently vacant. The Project would not require a workforce large enough to displace a substantial number of people. It would not necessitate the construction of replacement housing elsewhere; therefore, no impact associated with this issue would occur and no mitigation is required.

*Cumulative Impacts*

The proposed Project would not result in a significant impact on Land Use, Planning, Population and Housing. While implementation of the proposed Project represents the establishment of new land uses within the currently undeveloped Project site, the character and overall intensity of the proposed development is consistent with and comparable with existing land uses within the City and in the Project vicinity.

As indicated by the land use consistency analysis, the proposed Project would not conflict with any

plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Because each cumulative project would be required to identify and mitigate any inconsistencies among the various land use plans, it can be anticipated that these projects would have a less than significant cumulative impact. Additionally, the extension of roadway infrastructure and utilities to this area will facilitate anticipated growth in the area. Therefore, there are no other developments in the Project vicinity that would in combination with the proposed Project create a cumulative impact by dividing an established community, conflicting with applicable land use plans, policies, or regulations, or conflicting with an approved habitat conservation plan.

The Project would not contribute to population growth and therefore would not result in an increased demand on the current or future housing in the region. The Project would not require an influx of new workers who would need to locate temporarily or permanently in the area. Implementation of the proposed Project would not result in a cumulatively significant population or housing impact, nor would the proposed use significantly induce growth in areas where growth was not previously anticipated.

### 5.1.11 MINERAL RESOURCES

#### Result in the Loss of Availability of a Known Mineral Resource That Would be of Value to the Region and the Residents of the State

As identified in the City's General Plan, lands within the City of Perris and its Sphere of Influence are designated MRZ-3, which are not defined as significant mineral resource areas. In addition, no sites have been designated as locally-important mineral resource recovery sites on any local plan.<sup>1</sup> In addition, Figure OS-5 of the Riverside County General Plan also shows that the proposed Project area is located within MRZ-3. No sites within the City of Perris City limits have been designated as locally important mineral resource recovery sites in the Perris General Plan or County of Riverside General Plan. The development of the Project site would not result in the loss of identified regional or local mineral resources, conversion of an identified mineral resource use, or conflict with existing mineral resource extraction activities. Therefore, the development of the Project site would not result in a loss of statewide, regional, or locally important mineral resources. No impacts associated with this issue would occur and no mitigation is required.

#### Result in the Loss of Availability of a Locally Important Mineral Resource Recovery Site Delineated on a Local General Plan, Specific Plan, or Other Land Use Plans

The Project site has not been identified as a locally important mineral resource recovery site on the City's General Plan or in the PVCCSP, adopted by the City in January 2012.

#### Cumulative Impacts

CEQA requires that an EIR discuss and analyze the Project's incremental effects to determine if they are cumulatively considerable. The discussion of cumulative impacts must reflect the severity of the impacts and the likelihood of their occurrence; however, the discussion need not be as detailed as the discussion of environmental impacts attributable to the Project alone. In addition, the discussion must demonstrate practicality and reasonableness.

The cumulative area for mineral resources is the City of Perris. As population levels increase in the region, greater demand for aggregate and other mineral materials will be placed on mineral resources, especially sand and gravel. Similarly, development pressures in areas where these materials are known or expected to occur would result in the loss of availability of these mineral resources. However, because the Project site is not identified as a significant source of sand/gravel deposits and development subsequent to the adoption of the proposed land use actions on any of the sites would not decrease the local or regional availability of mineral resources, potential future development of any of the sites would have no significant cumulative mineral resources impact.

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<sup>1</sup> Section 6.10 Mineral Resources, Section 6.0 Issues Found Not To Be Significant, *Draft Environmental Impact Report for City of Perris General Plan 2030* (SCH No. 2004031135), City of Perris, October 2004.

## 5.1.12 NOISE

### Exposure of Persons to or Generation of Excessive Groundborne Vibration or Groundborne Noise Levels

Vibration refers to groundborne noise and perceptible motion. Typical sources of groundborne vibration are construction activities (e.g., blasting, pile driving, and operating heavy-duty earthmoving equipment), steel-wheeled trains, and occasional traffic on rough roads. Groundborne vibration is almost exclusively a concern inside buildings and is rarely perceived as a problem outdoors, where the motion may be discernable but without the accompanying effects (e.g., shaking of a building). Operation of equipment causes ground vibrations that spread through the ground and diminish in strength with distance. The degree of annoyance is dependent upon type of land use, individual sensitivity to vibration, and the frequency of the vibration events. Problems with groundborne vibration and noise are usually localized to areas within about 100 feet from the vibration source, although there are examples of groundborne vibration causing interference out to distances greater than 200 feet.

The Transportation and Construction Induced Vibration Guidance Manual for the California Department of Transportation has various recommended vibration thresholds for various types of Project's and land uses. According to the Konan Vibration Criteria for Historic and Sensitive Buildings the criteria for transient vibration sources should not exceed 0.3 peak particle velocity (PPV) 0.035 inches per second (in/sec) is barely perceptible (see Section 4.12.2.4 of the DEIR).

Roadways in the vicinity of the proposed Project are either paved or would be paved and would not result in vehicles driving over rough or uneven surfaces, reducing the potential for increased noise levels and groundborne vibration. However, construction activities on and off the site can produce vibration that may be felt by adjacent land uses. The construction of the proposed Project would not require blasting or the use of equipment such as pile drivers, which are known to generate substantial construction vibration levels. The primary source of vibration during construction may be from a bulldozer. A small bulldozer has a vibration impact of 0.003 inches per second PPV at 25 feet (see Table 4.12-S of the Draft EIR, *Vibration Source Levels for Construction Equipment*).

The distance of the construction equipment will be further than 25 feet from any existing building. It is anticipated that no significant vibration impact will occur to any adjacent buildings due to the distance of construction equipment from buildings. Therefore, impacts resulting from the effects of vibration are not considered significant and no mitigation is required. This finding is consistent with the *PVCCSP EIR* which concluded that potential impacts upon persons or structures due to construction-related vibration would be less than significant.

### Result in a substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the Project

The calculated existing noise contours shown in Table 4.12-K of the Draft EIR demonstrate that the noise level at 100 feet from the centerline for the analyzed roadways, range from 43.6 to 71.9 dBA CNEL. RK Engineering conducted a focused traffic noise study to access noise level to residential units along Webster Avenue. The existing traffic noise level at 50 feet from the centerline of Webster Avenue is 62.7 dBA CNEL (see Table 4.12-L of the Draft EIR). This noise level represents the approximately existing level within the front yards of the residential units. It should be noted that front yards are not typically considered outdoor useable areas such as a backyard; however, the study assess the noise impacts to provide decision makers with the quantified results. The existing traffic noise conditions at 50 feet from the centerline of Webster Avenue is below the City's 65 dBA CNEL standard and, therefore, less than significant.

The existing sensitive residential uses along these roadway segments are located at least 60 feet from the centerline and would not be exposed to traffic noise levels exceeding 65 dBA CNEL and would be below the City's exterior 65 dBA CNEL for noise sensitive land uses.

All other roadways in the Project area would have a traffic noise increase of 1.8 dBA or less. Therefore, no mitigation measures for off-site noise-sensitive land uses are required.

To meet the City's interior 45 dBA CNEL standard, the industrial buildings will need to ensure adequate noise attenuation from an acoustical standpoint. The design must ensure that interior noise level does not exceed the City's 45 dBA CNEL standard. Compliance with *California Noise Insulation Standards*, California Code of Regulations, Title 24, Part 2, Section 3501 will ensure that interior noise level do not exceed the City's Noise Standard. Impacts are less than significant and no mitigation is required.

Table 4.12-Y of the Draft EIR indicates the combined level of the operational noise sources to be 66.4 dBA CNEL, which would be 0.3 dBA below the estimated buildout level of 66.2 dBA CNEL level at 50 feet from the centerline of Webster Avenue (shown in Table 4.12-L of the Draft EIR). The criterion for a significant noise increase is 3 dBA. Therefore, the impact would be less than significant and no mitigation is required.

**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**

The proposed Project site is located approximately 1,739 feet south of March Air Reserve Base/March Inland Port (MARB/MIP). The MARB/MIP is a joint-use airport, used both for military and civilian purposes. Existing flight patterns affect a large portion of the City of Perris, along a path that bisects the City in a northwest/southeast alignment. Aircraft operations from the airport currently contribute intermittent single-event noise in the City.

The proposed Project includes development of approximately 1,037,811 square feet of industrial warehouse use in two buildings on approximately 48.4 net acres located at the northwest corner of Markham Street and Webster Avenue. Partially improved Webster Avenue is the Project site's eastern boundary. Due to the Project site's proximity to MARB/MIP, there is potential for single-event noise exposure levels to affect the proposed Project. The exposure levels will vary dependent upon the type of aircraft and flight track flown for each operation at the airport. However, industrial warehouse distribution land uses are not considered to be sensitive receptors, and therefore, the impacts from these single-event noise levels are considered to be below the level of significance. The City's Land Use/Noise Compatibility Guidelines finds that exterior noise levels up to 70 CNEL "normally acceptable" and up to 80 CNEL "conditionally acceptable" for industrial uses. Only a portion of the northeast corner of the Project site falls within the 65 dB CNEL noise contour delineated for the MARB/MIP. This noise level is below the ambient noise level (78.1 Lmax) that currently exists at the Project site. Therefore, the MARB/MIP is not a significant source of noise at the Project site. Development and operation of the proposed Project would not result in the exposure of people working in the Project area to excessive noise levels. Therefore, no impacts associated with this issue would occur and no mitigation is required.

**For a Project within the Vicinity of a Private Airstrip, Would the Project Expose People Residing or Working in the Project Area to Excessive Noise Levels**

There is one private airport facility in the City, the Perris Valley Airport. The privately operated Perris Valley Airport is utilized for skydiving and ballooning activities and has a single airport "Influence Area." Aircraft flying out from this airport typically consists of 20 seat passenger planes

equipped with jet engines and propellers. Aircraft operations from the airport currently contribute intermittent single event noise in the City and the City of Perris General Plan, Noise Element, identifies the Perris Valley Airport and Skydiving Center as a significant noise generator within the City.

The Perris Valley Airport is located approximately 6.5 miles south of the Project site. As identified in the City of Perris General Plan, Safety Element, the Project site is not located within the Influence Area established for Perris Valley Airport. The Project site is not located within the vicinity of a private airstrip; therefore, the proposed Project would not expose people residing or working in the Project area to excessive noise levels. Impacts are less than significant and no mitigation is required.

### Cumulative Impacts

As identified in the *PVCCSP EIR*, the geographic context for the analysis of cumulative noise impacts is the City of Perris. Pursuant to CEQA Guidelines, cumulative impacts are the incremental effects of an individual Project when viewed in conjunction with the effects of past, current, and probable future Project's. The *PVCCSP EIR* identified that implementation of land uses within the specific plan area would result in the introduction of new noise sources and levels. Construction crew commutes and the transport of construction equipment and materials to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. Secondary sources of noise would include noise generated during excavation, grading, and construction on the Project site.

Noise, by definition, is a localized phenomenon and noise levels rapidly reduce exponentially as distance from the noise source increases. Consequently, only Projects and growth due to occur in the immediate area of the proposed Project would be likely to contribute to cumulative noise impacts. The Project construction noise impacts on-site and for the off-site roadway improvements are localized in nature and decrease substantially with distance. Consequently, in order to achieve a substantial cumulative increase in construction noise levels, more than one source emitting high levels of construction noise would need to be in close proximity to a sensitive noise receptor location in question.

Two Projects have been identified in the vicinity of the Project site that could conceivably be under construction concurrently with the proposed Project. Project 07-07-0029 is an approved 1,608,322 square foot industrial complex of five (5) buildings on 93.2 acres located approximately 1000 feet east of the proposed Project, at the northwest corner of Ramona Expressway and Indian Avenue. Project 08-11-0006 is pending approval by the City and consists of a 454,088 square foot expansion of an existing 232,215 square foot distribution facility on approximately 22 acres located at the southeast corner of Ramona Expressway and Webster Avenue. Both of these Projects were found to be consistent with the *PVCCSP* and its corresponding *EIR*. Since noise attenuates with distance, significant increases in noise levels are not anticipated. Furthermore, noise generated by either Project would be required to be mitigated to a less than significant level on a Project-specific basis and, therefore, would not be a cumulatively considerable addition to the Project construction noise. This is consistent with the *PVCCSP EIR* which found that future construction in the area is not expected to result in a cumulatively significant impact in terms of exceeding the noise standards established in the Perris General Plan *EIR* or Noise Ordinance. The City Municipal Code exempts noise generated from construction from noise regulations as long as these activities are limited to between the hours of 7:00 a.m. and 7:00 p.m. Monday through Saturday. Construction is prohibited on Sundays and on all holidays with the exception of Columbus Day and Washington's Birthday. Adherence to the City's Municipal Code and other development standards would render the cumulative impacts of the proposed Project to less than significant levels.



The proposed Project will contribute to the existing ambient noise level through the addition of traffic on local streets. The largest increase in existing noise levels shown is along Patterson Avenue between Harley Knox Boulevard to Markham Street, where an increase of up to 2.7 dBA is predicted with Project-generated traffic. No noise-sensitive receptors are located along this roadway segment of Patterson Avenue. Similarly, Markham Street between Patterson Avenue to Webster Avenue (+2.3 dBA) would also have a measurable difference in existing traffic noise. This increase is primarily due to traffic being routed to Harley Knox Boulevard along Patterson Avenue and away from Ramona Expressway and Webster Avenue. A noise level increase of 3 dBA or more is perceptible to the human ear and would be considered significant. The noise level increases along each of these roadways are below the 3 dBA threshold.

The *PVCCSP EIR* determined that the noise impact of construction of development and infrastructure Project's in the PVCCSP planning area would not be cumulatively considerable or significant. The *PVCCSP EIR* determined that maximum off-site impacts due to traffic from build-out of allowed uses under the PVCCSP would exceed significance thresholds along roadway segments adjacent to sensitive receptors resulting in substantial increase in the ambient noise environment; however, the roadway segments analyzed in the *PVCCSP EIR* that exceeded significance thresholds are not among those affected by the proposed Project. Noise levels within Project affected roadways are within the 65 dBA CNEL noise standard. Therefore, the Project's contribution to cumulative roadway noise is considered less than cumulatively significant.

The noise analysis contained in this report also provides an assessment of on-site stationary noise level impacts onto adjacent existing noise-sensitive uses, both existing and future. The net increase in Project site noise levels generated by these activities and other sources has been quantitatively estimated and compared to the applicable noise standards and thresholds of significance. As described in the preceding analysis, after incorporation of feasible mitigation measures, operational noise from on-site truck activity at loading docks would not be a significant impact on the existing residences east of Webster Avenue. Operational noise from the two Project's identified above would be negligible because of the distance and Project-specific noise mitigation measures that would be required for each Project's approval.

Therefore, there are no Project's that would, in combination with the proposed Project, produce significant noise impacts to noise-sensitive land uses from on-site stationary noise. No significant cumulative noise impacts would occur after implementation of the proposed mitigation measures.

### 5.1.13 PUBLIC SERVICES AND UTILITIES

#### Police

The Project site is undeveloped and does not currently require police protection services. As population increases and as vacant properties are developed with commercial, industrial, and residential uses, the demand on law enforcement personnel and facilities would increase. Other factors to be considered when assessing law enforcement needs are the number and/or type of business and type of clientele served by the business. The Riverside County General Plan establishes a standard of 1 officer per 1,000 residents. The City of Perris does have any additional policies in addition to the County's standards. The RCSD prioritizes calls for service as *Priorities 1 through 4*, with *Priority 1* being emergencies "in-progress" or life-threatening incidents and *Priority 4* being past incidents that may be handled by telephone or a delayed response. The proposed Project would not directly create additional residents, and thus would not increase the demand on County Sheriff services.

The development and operation of 1,037,811 square feet of high-cube logistics warehouse uses would have less than significant impacts on police services. During construction, private security would be utilized during the construction process, similar to other private security services that are utilized for other construction projects in the City. Post construction impacts would also be less than significant and would include the typical operational police protection services involved with warehouse uses include after-hours patrol. Potential impacts would take the form of a need for expanded police protection services routinely associated with industrial growth. Although the proposed warehouse uses would generate new employment opportunities, the new jobs that would be created by the proposed Project would not induce substantial population growth because most of the new jobs would likely be filled by residents of the City and surrounding area, in accordance with the growth planned for the City by the General Plan.

Present response times average approximately 7 minutes for *Priority 1* calls, 19 minutes for *Priority 2* calls, 40 minutes for *Priority 3* calls and up to 60 minutes for *Priority 4* calls. As discussed above, the RCSD tailors services and staff to the needs of individual contracts. The City monitors staffing levels to ensure that adequate police protection continues to be provided as individual development projects are proposed and on an annual basis as part of the City Council's budgeting process. Impacts resulting from new or increased demand for police services from industrial development projects such as the one evaluated in this EIR are generally found de minimis; therefore, the proposed Project would not result in a significant reduction in police response times.

Funding for new or expanded police facilities commensurate with the increased demand for services in the City of Perris would be provided from capital improvement fees levied on new development. Both the City and the RCSD collect fees to offset impacts associated with new development. In the City, developers are required to pay development fees per square foot of development to offset impacts associated with increased demand on law enforcement services. These fees are one-time charges applied to new development and are imposed to raise revenue for the construction or expansion of capital facilities. Development fees enable the City or agency to collect fair-share fees from new development projects to fund new infrastructure and services. Development fees are collected for specific infrastructure needs and are deposited into different accounts representing these requirements.

The development of the proposed Project would not cause police staffing, facilities, or equipment to operate at an unacceptable level of service. The proposed Project would be designed and operated per applicable standards required by the City and RCSD for new development in regard to public safety. In addition, the Project would be required to pay development fees used to fund capital costs associated with constructing new public safety structures, purchasing equipment for

new public safety structures, and hiring new officers. Accordingly, impacts to the environment resulting from new or expanded police facilities would be analyzed when those new facilities are planned. Therefore, there are no environmental impacts resulting from this Project, and thus this Project results in a less than significant impact and no mitigation is required.

### Fire Services

The Project site is currently undeveloped and does not require urban-level fire protection services. Station 90 is approximately 3.0 miles south of the Project site and primarily serves the northern portion of the City of Perris. Station 90 would be the first responding station in the event of an emergency followed by Station 59 (approximately 3.0 miles to the west) and Station 101 (approximately 5.0 miles to the south), as needed. All stations at a minimum are equipped with a Type 1 Engine and a three person engine crew with Advanced Life Support (ALS) capacity. Additional equipment and personnel are utilized from nearby stations on a case-by-case basis depending on the emergency event.

The RCFD has set response time goals based upon its 1986 Master Plan. Although there have been subsequent master plans, the response time goals remain the same. These response time goals are based upon generalized land use categories and are described in Table 4.13-B of the Draft EIR, *Fire Department Response Time Goals*. Station 90 and Station 59 meet the five minute response standard for a "Heavy Urban" land use. The proposed Project would not directly create a source of residents, and thus would not increase the demand on County Fire Department services.

While implementation of the proposed Project would not involve new residential uses or an increase in the City's population, the development and operation of light industrial warehouse uses would increase the demand for fire protection, prevention, and emergency medical services. Time is the critical component in fire/medical emergencies. Reductions in the emergency response time or the distance between fire/medical facilities and the site of an emergency would result in improved service, and saved lives and property. The Project would not significantly impact response times.

The proposed Project would result in the development of 1,037,811 square feet of high-cube logistics warehouse distribution uses. Construction materials for the proposed high-cube logistics warehouse buildings would likely be reinforced concrete and steel as is typically used in tilt-up construction. In its review of new development plans, the RCFD evaluates project plans on its ability to provide proper fire protection to the development. The proposed Project would be designed, constructed, and operated per applicable fire prevention/protection standards established by the RCFD, the City, and/or the State. These requirements may include, but not limited to, those regarding fire prevention and suppression measures; combustible construction; water availability and improvement plans; fire hydrants sizing, pressure and siting; automatic fire extinguishing systems and alarms; building and emergency access; and, adequate emergency notification. Compliance with applicable regulations would be confirmed by the RCFD during its review of development plans to ensure they are able to provide proper fire protection to the development.

During Project construction, buildings would be empty and the fuel loads within the buildings would be minimal to non-existent. Due to the lack of combustible material used in the construction of the buildings and the lack of flammable materials stored at the Project site within the buildings, the potential for fires to occur that would require a fire protection response would be low. Therefore, during construction of the proposed Project, impacts related to the provision of fire protection services and the need for additional facilities would be less than significant.

Additionally, the Project would be required to pay development fees used to fund capital costs

associated with constructing new public safety structures and purchasing equipment for new public safety structures.

Accordingly, impacts to the environment resulting from new or expanded fire protection facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### Schools

Construction of the proposed Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the general area; therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area.

California Government Code (§65995[b]) establishes the base amount of allowable developer fees imposed by school districts. These base amounts are commonly referred to as "Level 1 fees" and are subject to inflation adjustment every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. In certain circumstances for residential construction, school districts can impose fees that are higher than Level 1 fees.

School districts can impose these "Level 2 fees," which are equal to 50 percent of land and construction costs if they:

- (1) Prepare and adopt a school facilities needs analysis;
- (2) Are determined by the State Allocation Board to be eligible to impose Level 2 fees; and,
- (3) Meet at least one of the following four conditions:
  - At least 30 percent of the district's students are on a multi-track year-round schedule;
  - The district has placed on the ballot within the previous four years a local school bond that received at least 50 percent of the votes cast;
  - The district has passed bonds equal to (1) 15 percent of its bonding capacity prior to November 4, 1998, or (2) 30 percent of its bonding capacity after November 4, 1998; or,
  - At least 20 percent of the district's teaching stations are relocatable classrooms.

Districts must meet at least two of these conditions to impose fees in excess of Level 1 fees. Additionally, if the State's bond funds are exhausted, a school district that is eligible to impose Level 2 fees will be authorized to impose even higher fees, which are commonly referred to as "Level 3 fees," equal to 100 percent of land and construction costs of new schools required as a result of new developments.

Unlike residential development where it is possible to ascertain impacts to a particular school or school district, because employees at a warehouse facility could reside in any number of school districts with their children attending a collection of schools, it is difficult to determine with any level of certainty what the potential impacts to a particular school or school district would be. The Project site is located within the jurisdictional boundaries of the (Val Verde Unified School District (VVUSD). The VVUSD imposes development fees of \$0.51 per square foot of industrial development. These development fees are equal to the minimum fee established by the State (Level 1 fees). Per California Government Code (§65995[h]), "The payment or satisfaction of a fee, charge, or other requirement levied or imposed ... are hereby deemed to be full and complete mitigation of the impacts ... on the provision of adequate school facilities."

As previously stated, it is anticipated that most of the new employment opportunities generated by the proposed Project will be filled by persons already residing in the community and surrounding

areas. Because employees of the proposed on-site uses would be drawn from the local area, no substantial increase in population or corresponding increase in students attending local schools will occur. In addition, the Project proponent would be required to pay these development fees in accordance with Government Code §65995 and Education Code §17620.

No residential development is proposed as part of the proposed Project. In addition, the proposed Project would not cause a significant increase in the local population that would increase the number of students attending local schools (see Section 4.10, Land Use, Planning, Population, and Housing). Since payment of the school impact fees is required of all projects within VVUSD boundaries, impacts to school services and facilities would not occur. Accordingly, impacts to the environment resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### Libraries

Construction of the proposed Project will create short-term construction jobs. These short-term positions are anticipated to be filled by workers who, for the most part, reside in the Project area; therefore, construction of the proposed Project will not generate a permanent increase in population within the Project area.

No residential development is proposed as part of the proposed Project. In addition, the proposed Project would not cause a significant increase in the local population that would increase the demand on local libraries. Since payment of the development impact fees are required of all development projects, impacts to library facilities would not occur. Accordingly, impacts to the environment resulting from new or expanded library facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### Public Transportation

The Project would include roadway improvements including sidewalks. Additionally, the Project site is located near existing bus routes and the Downtown Perris Metrolink Station is approximately three miles south of the Project site. The Riverside Transit Agency has not indicated a need for a new bus stop in the Project vicinity. The development of the Project will not have any impacts on the bus routes or the Metrolink system, resulting in a less than significant impact and no mitigation is required.

### Cable, Television, and Telephone

Time Warner provides cable television in the proposed area, and Verizon provides telephone service. Development of the Project will not significantly increase the demand for cable television or telephone services. No impacts are anticipated. No mitigation is required.

### Solid Waste

The proposed Project would be modifying approximately 16 acres of land within the PVCCSP from "General Industrial" to "Light Industrial".

Table 4.11-J of the *PVCCSP EIR* provides the estimated construction-related solid waste generation and contribution. All of the land use designations associated with the Project – General Industrial (GI), and Light Industrial (LI) all have the same Generation Factor for construction-related activities (3.89 lbs./sq. ft.). Therefore, there will be no increase of construction-related solid waste generation associated with the Project over what was calculated for the PVCCSP.



Table 4.11-K of the *PVCCSP EIR* provides the anticipated solid waste generation of each of the land use categories of the Perris Valley Commerce Center Specific Plan area. Both General Industrial (GI) and Light Industrial (LI) has a disposal factor of .0108 tons/sq. ft./year for operational activities. Therefore, there will be no increase of operation-related solid waste generation associated with the Project over what was calculated for the PVCCSP.

### Wastewater

The proposed Project would not discharge wastewater into the domestic sewer system that would cause the Perris Valley Water Reclamation Facility (PVRWRF) to exceed requirements, as determined by the Santa Ana Regional Water Quality Control Board's (RWQCB's) Water Discharge Requirements resulting in a less than significant impact. The EMWD's compliance with conditions, permits, and discharge requirements would further ensure that wastewater treatment requirements would not be exceeded.

Table 4.11-I of the *PVCCSP EIR* provides the anticipated wastewater generation of each of the land use categories of the PVCCSP area. Each of the land use designations associated with the Project: General Industrial (GI), and Light Industrial (LI) have the same generation factor of 1,700 gallons per day per acre (gpd/acre). Therefore, any changes between these land use categories will have no changes in the wastewater generation associated with the Project area. Therefore, the Project is within the anticipated wastewater generation for the PVCCSP and could be adequately treated at the PVRWRF. Consistent with the findings of the *PVCCSP EIR*, there would be a less than significant impact related to wastewater treatment capacity.

### Electricity

Southern California Edison (SCE) provides electricity within the City of Perris. There are overhead and underground transmission corridors throughout the PVCCSP area that service its customers. The Project will tie into the existing electric system, and will have a less than significant impact on the electrical grid. No mitigation is required.

### Natural Gas

The Gas Company provides natural gas to customers within the City of Perris. There are gas lines throughout the PVCCSP area that service its customers, including underneath Webster Avenue. The Project will tie into the gas line, and have a less than significant impact on the existing gas line system. No mitigation is required.

### Water Supply

All impacts to water demand have been previously studied in the WSA for the PVCCSP. There will be no additional impacts from the proposed Project.

There has been a shift in the water demand patterns in the last 15 years in the City of Perris and in the Perris Valley in general, as a residential market has replaced an agricultural market. Metropolitan Water District, based on the IWRP and IRPSIM1 model, has stated that with the addition of all water supplies existing and planned, it would have the ability to meet all of its member agencies' projected supplemental demand through 2035 even under a repeat of a worst drought scenario and with a reduction in deliveries from the SWP as imported sources of water will be supplemented by an increase in desalination of brackish groundwater, recycled water use, and water use efficiency. Based on this assertion, the EMWD has stated it is able to meet an increased demand for water over the next 20 years, even during drought conditions. This is based on continued commitment to conservation programs, additional water recycling, and continued



development of local water resources.

To develop the projections used in the WSA for the PVCCSP, EMWD used a development-tracking database that assesses future water demands for specific projects. EMWD uses this database to help plan for future water supply and infrastructure needs by monitoring new projects through various stages of development. Changes in density and land use are also tracked in this database for planning purposes. The supply for dry years is driven by demand. Demand increases slightly (less than 2%) during dry years, primarily due to the increased demand in winter for landscaping or agricultural water, and can be decreased up to 10 percent due to conservation as dry periods are extended. Neither groundwater production nor recycled water deliveries are expected to increase or decrease significantly during dry years. For water shortages and interruptions, the plans and policies outlined in the RUWMP will be implemented.

It should be noted an element of this Project is to change the land use designation of approximately 16 acres from "General Industrial" to "Light Industrial" within the PVCCSP. However, for EMWD, the water demands of all industrial uses are identical: 2,000 gallons per day per gross acre. Therefore, there is no change in the amount of water demanded in the Project area from the adopted PVCCSP and the proposed Project.

It is anticipated that the majority of water for future development will be supplied by imported water from Metropolitan during single dry years. Typically, Metropolitan does not place imported water limits on a member agency, but predicts the future water demand based on regional growth information. Metropolitan stated in its 2010 RUWMP that with the addition of all water supplies, existing and planned, Metropolitan would have the ability to meet all of its member agencies' projected supplemental demand through 2035, even under a repeat of historic drought scenarios. Since there is existing surplus water supply for the entire Project, impacts associated with this issue are less than significant. Figure 4.13-5 of the Draft EIR, *Water Distribution and Transmission Lines within the PVCCSP*, shows the water transmission and distribution lines within the PVCCSP.

### Cumulative Impacts

#### *Police*

The cumulative areas for police protection services are the service areas for the RCSD. The need for the public services and associated facilities is measured by service area population, or the number of residents and workers within the City's service area. Service population, as well as the type and density of development, determines the need for new or expanded police protection services. Utilizing statistical information, local planning policies, and by interacting with other agencies, police service providers can delineate past patterns, emerging trends, and future issues of concern. Once identified, service providers can redeploy resources to meet future needs.

As additional development occurs in the City of Perris and region, there may be an overall increase in the demand for law enforcement services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. New development within the service areas of the RCSD would be required to adhere to conditions established by police service providers, and pay the applicable development fees to ensure adequate staffing and equipment levels. Therefore, there would be no cumulative impact on police services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded police protection facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### *Fire Services*

The cumulative areas for fire protection services are the service areas for the RCFD. The need for the public services and associated facilities is measured by service area population, or the number of residents and workers within the City's service area. Service population, as well as the type and density of development, determines the need for new or expanded fire protection services. Utilizing statistical information, local planning policies, and by interacting with other agencies, fire and police service providers can delineate past patterns, emerging trends, and future issues of concern. Once identified, service providers can redeploy resources to meet future needs.

As additional development occurs in the City of Perris and region, there may be an overall increase in the demand for law enforcement and fire protection services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these agencies as part of the annual monitoring and budgeting process. New development within the service areas of the RCFD would be required to adhere to conditions established by fire service providers, and pay the applicable development fees to ensure adequate staffing and equipment levels. Therefore, there would be no cumulative impact on fire services in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded fire protection facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### *Schools*

As stated in Section 4.13.3.4.1 of the Draft EIR, because employees at a warehouse facility could reside in any number of school districts with their children attending a collection of schools, it is difficult to determine with any level of certainty what the potential impacts to a particular school or school district would be. While no significant population in the City or region is anticipated to result from the construction and operation of the proposed Project, future development (especially residential development) forecast in the City's General Plan will increase the demand for school facilities and services. New school facilities are currently being constructed to accommodate the growth in the local student population. Additionally, school districts are engaged in planning new facilities in anticipation of future local and regional growth. Each district requires the payment of development fees to provide for new school services and/or facilities. As every new development is mandated to provide the fees applicable to the school district affected, there would be no cumulative impact on school services in the City. Accordingly, cumulative impacts resulting from new or expanded school facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### *Libraries*

As stated in Section 4.13.3.4.1 of the Draft EIR, because employees at a warehouse facility could reside in any area, it is difficult to determine with any level of certainty what the potential impacts to local libraries would be. While no significant population in the City or region is anticipated to result from the construction and operation of the proposed Project, future development (especially residential development) forecast in the City's General Plan will increase the demand for libraries facilities and services. As every new development is mandated to provide the development impact fees, there would be no cumulative impact on library services in the City. Accordingly, cumulative impacts resulting from new or expanded library facilities would not occur, resulting in a less than significant impact and no mitigation is required.

### *Public Transportation*

While no significant population in the City or region is anticipated to result from the construction and operation of the proposed Project, future development (especially residential development)

forecast in the City's General Plan will increase the demand for public transportation. The Riverside Transit Agency (RTA) is responsible for the bus service in the Project area. The Riverside County Transportation Commission (RCTC) is responsible for the Metrolink service that will be serving the Perris area in the near future.

As every new development is constructed in the City, it incrementally increases the demand for public transportation. However, these cumulative impacts have been fully addressed in the EIR for the Perris Valley Line and the PVCCSP. No new impacts would occur that have not already been anticipated.

#### *Cable Television, and Telephone*

Time Warner offers television cable services in the Project area, and Verizon provides telephone services in the Project area.

As additional development occurs in the City of Perris and region, there may be an overall increase in the demand for cable television and telephone services, including personnel, equipment, and/or facilities. Increases in demand are routinely assessed by these companies as part of their annual monitoring and budgeting process. Therefore, there would be no cumulative impact on cable television in the City. Accordingly, cumulative impacts to the environment resulting from new or expanded telecommunication facilities would not occur, resulting in a less than significant impact and no mitigation is required.

#### *Solid Waste*

As stated in Section 4.13.7.7 of the Draft EIR, the proposed Project is consistent with the solid waste generation projection associated with the PVCCSP. Therefore the cumulative impacts of sold waste generation was adequately addressed in the *PVCCSP EIR*, and no further cumulative impacts will occur and no mitigation is required.

#### *Wastewater*

As stated in Section 4.13.7.8 of the Draft EIR, the proposed Project is consistent with the wastewater generation projections associated with the PVCCSP. Therefore, the cumulative impacts of wastewater generation was adequately addressed in the *PVCCSP EIR*, and no further cumulative impacts will occur and no mitigation is required.

#### *Electricity*

As stated in Section 4.13.7.9 of the Draft EIR, the proposed Project is consistent with electricity service projections within the PVCCSP. Therefore, the cumulative impacts of electricity generation was adequately addressed in the *PVCCSP EIR*, and no further cumulative impacts will occur and no mitigation is required.

#### *Natural Gas*

As stated in Section 4.13.7.10 of the Draft EIR, the proposed Project is consistent with the natural gas infrastructure and projections within with the PVCCSP. Therefore, the cumulative impacts of natural gas usage was adequately addressed in the *PVCCSP EIR*, and no further cumulative impacts will occur and no mitigation is required.

### *Water Supply*

As stated in Section 4.13.7.11 of the Draft EIR, the proposed Project is consistent with the water supply assumptions within with the PVCCSP. Therefore, the cumulative impacts to water supply have been adequately addressed in the *PVCCSP EIR*, and no further cumulative impacts will occur. No mitigation is required.

#### 5.1.14 RECREATION AND PARKS

**The Project Increases the Use of Existing Neighborhood and Regional Parks or Other Recreational Facilities Such That Substantial Physical Deterioration of the Facility Would Occur or be Accelerated**

No residential development is being proposed as part of the Project. Therefore, the proposed Project would not result in the increased use of existing neighborhood and regional parks, or accelerate the physical deterioration of existing recreational facilities. Because the proposed Project would create a less than significant demand on existing recreational facilities, it would not cause substantial physical deterioration on existing recreational facilities. A less than significant impact will occur and no mitigation is required.

**The Project Includes Recreational Facilities or Requires the Construction or Expansion of Recreational Facilities That Have an Adverse Physical Effect on the Environment**

The proposed Project, the development of a high-cube logistics warehouse facility on two industrial parcels, does not involve the development of residential uses or include the construction or expansion of a recreational facility. Therefore, the proposed Project would not create a substantial demand on existing recreational facilities thereby resulting in the need for the expansion of existing parks and recreational facilities or the construction of new recreational facilities. A less than significant impact would occur and no mitigation is required.

**Cumulative Impacts**

Implementation of the proposed Project would not increase the use of existing parks and recreational facilities; therefore, the proposed Project would not contribute to cumulative impacts. Additionally, as future residential development is proposed, the City will require developers to provide the appropriate amount of parkland or payment of in-lieu fees, which will contribute to future recreational facilities. Payment of these fees and/or implementation of facilities on a project-by-project basis would offset cumulative parkland impacts by providing funding for new and/or renovated parks equipment and facilities. No impact would result from Project implementation and no mitigation is required.



### 5.1.15 TRAFFIC AND CIRCULATION

#### Result in a Change in Air Traffic Patterns, Including Either an Increase in Traffic Levels or a Change in Location, Which Results in Substantial Safety Risks

The Project site is approximately 0.5 miles south of the March Air Field and is entirely within Airport Influence Area II of the MIP. As part of the standard process for development within airport Influence Areas for MARB, proposed Projects are required to be reviewed by the ALUC for consistency with the ALUP. As a standard condition imposed during ALUC reviews, development located within the boundaries of Influence Area II is required to provide aviation easements. To ensure consistency with the ALUC recommendations is maintained, previously referenced Mitigation Measures 4.8.6.1A through 4.8.6.1F of the Draft EIR have been identified. Adherence to these measures would ensure the proposed Project remains consistent with the General Plan and the ALUC recommendations for MARB. For these reasons, development that would occur within Airport Influence II of MIP would not include any features that would alter air traffic pattern or the level of air traffic at the MIP; therefore, a less than significant air safety impact would occur and no mitigation is required.

On December 11, 2014 the Riverside County Airport Land Use Commission concluded that the proposed Project is consistent with the draft March Air Reserve Base/Inland Airport Land Use Compatibility Plan safety zones and land use standards. Therefore, the Project would not have an impact to air traffic patterns of March Air Reserve Base.

#### Substantially Increase Hazards to a Design Feature (e.g., Sharp Curves or Dangerous Intersections) or Incompatible Uses (e.g., Farm Equipment)

The design of roadways must provide adequate sight distance and traffic control measures. This provision is normally realized through roadway design to facilitate roadway traffic flows. Roadway improvements in and around the Project site would be designed and constructed to satisfy all City and Caltrans requirements for street widths, corner radii, intersection control as well as incorporate design standards tailored specifically to Project access requirements. Adherence to applicable City requirements would ensure the proposed Project would not include any sharp curves or dangerous intersections.

Temporary impacts associated with the construction of infrastructure improvements included as a part this Project may temporarily restrict vehicular traffic or cause temporary hazards. The construction of infrastructure would coincide with roadway improvements, which would include road or lane closures as well as the presence of construction workers and equipment on public roads. Construction operations would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road or lane closures. Site-specific activities, such as temporary construction activities, are finalized on a Project-by-Project basis by the City and are required to ensure adequate traffic flow. At the time of approval of any site-specific plans required for the construction of infrastructure as a part of typical conditions of approval, the Project would be required to implement measures that would maintain traffic flow and access. In the absence of a roadway design hazard, no impact would occur; therefore, no mitigation is required.

#### Result in Inadequate Emergency Access

Construction activities that may temporarily restrict vehicular traffic would be required to implement adequate measures to facilitate the passage of people and vehicles through/around any required road closures. Site-specific activities such as temporary construction activities are finalized on a

Project-by-Project basis by the City and are required to ensure adequate emergency access. The roadway improvements that will take place as a part of this Project will improve the traffic circulation in the area. This will improve the ability of emergency vehicles to access the Project as well as the surrounding properties. Access to the Project site is designed to accommodate large trucks with trailers used for the distribution of goods to and from the warehouses. This would provide ample vehicular access for emergency vehicles. During the operational phase of the proposed Project, onsite access would be required to comply with standards established by the City Public Works Department. The size and location of fire suppression facilities (e.g., hydrants) and fire access routes would be required to conform to Fire Department standards. As required of all development in the City, the operation of the proposed Project would conform to applicable Uniform Fire Code standards. The submittal of such plans would be considered a condition of approval, which would be part of the permitting process initiated by the applicant and approved by the City in accordance with City standards. As with any development, access to and through the Project would be required to comply with the required street widths, as determined in the California Building Code (CBC), Master Plan of Streets, and the Uniform Fire Code.

Part of the proposed Project is a specific plan amendment to eliminate Oregon Street, Washington Street, and Nevada Avenue through the Project site, as well as Arizona Street and Nevada Street off-site. However, eliminating these segments would not hinder emergency vehicles from traversing the site from Patterson Avenue to Webster Avenue, or vice versa. Both Building "A" and Building "B" would be equipped with "knox box" locks that would allow emergency vehicles past any gates on the property.

Additionally, the development of the proposed Project does not hinder emergency vehicles the use of Markham Street from Patterson Avenue to Webster Avenue, nor of North Webster Avenue from Markham Street to Ramona Expressway as an alternate emergency access route.

Therefore, implementation of the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.

**Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities**

The proposed Project would result in the development of employment opportunities and would therefore reduce vehicle miles traveled. Currently, the City of Perris has a jobs/housing balance of 0.80 as compared to Riverside County at 0.85 and the SCAG region at 1.24. This means that the City is in need of employment opportunities to serve City and regional residents. A better jobs/housing balance results in shorter commute times, reduced vehicle miles traveled, and reduced traffic congestion. Locating jobs in areas such as the City is a public policy prerogative of the City, regional governmental entities such as the SCAG, and the State of California as manifested by recent legislation such as SB 375. The Project is consistent with these policies because it will provide employment opportunities and therefore reduce regional commuter traffic. In addition, the Project will be conditioned to provide sidewalks and landscaping treatments to allow for pedestrian access throughout the site.

The proposed Project and corresponding mitigation measures do not propose any changes to the City of Perris Trails and Bikeways Master Plan.

Policy IV.A correlates to the City's general goal of providing "safe and convenient pedestrian access and non-motorized facilities." The City finds that the Project does not cause any significant impacts relating to cyclist safety. This is supported by the fact that the Project is consistent with the City of Perris' Trails and Bikeways Master Plan through payment of development impact fees (e.g., NPRBBD, TUMF, etc.), which may be sources of funding. Additionally, this section of the

Draft EIR identifies the necessary number of lanes and traffic control devices needed to maintain the minimum Levels of Service and mitigate potentially significant impacts at the study intersections. No final design drawings of proposed intersection modifications necessary to comment on the relative safety of such designs; however, final design of the proposed mitigation measure improvements will be subject to review/approval by the applicable agencies to ensure conformance with the applicable jurisdiction standards of engineering pursuant to State and Federal regulations contained in the California adopted version of the Manual of Uniform Traffic Control Devices (MUTCD).

Certain bicycle and pedestrian intersection features, such as bicycle detection, minimum green times, and minimum pedestrian walk phases, are required by State law as prescribed in the California MUTCD. Other features, such as bicycle signal heads and leading pedestrian phases, are not. The City may choose to implement the non-legally mandated features as appropriate; however, such features are not required Project mitigation measures in the Draft EIR since they would not correspond to mitigation of an identified potential significant traffic impact based on the applicable agency-established thresholds of significance. Legally mandated traffic signal operations, including bicycle and pedestrian requirements, will be provided as appropriate and in accordance with State law requirements.

As was previously discussed, RTA routes 19, 41, and 41A are the nearest routes that could service potential employees of the Project. The development of the proposed Project would not interfere with the operation of those routes.

Metrolink currently has plans to extend its services 23 miles into Riverside County, specifically to the City of Perris. The Perris Valley Line (PVL) is anticipated to run on existing freight tracks located near I-215 to serve major employers in Riverside County, such as the MARB and the University of California, Riverside. There are two proposed stations within the City of Perris along the 23-mile extension of the Metrolink 91 line: Downtown Perris Station and the South Perris Station.

The provision of additional employment options in proximity to existing residential development will reduce vehicle miles traveled; therefore, the proposed Project is consistent with City policies that encourage alternative transportation. In the absence of a significant impact related to this issue, no mitigation is required.

### Cumulative Impacts

As shown in Table 4.15-J, *Forecast Date with Project Impacts Peak Hour Intersection Level of Service*, of the Draft EIR, cumulative development along with the proposed Project is forecast to cause the following 4 study intersections to operate at a deficient LOS according to applicable performance criteria. Consequently, a significant cumulative impact would occur at these intersections.

- I-215 Southbound Ramps/Harley Knox Boulevard (both a.m. peak hour and p.m. peak hour);
- I-215 Northbound Ramps/Harley Knox Boulevard (both a.m. peak hour and p.m. peak hour);
- Western Way/Harley Knox Boulevard (p.m. peak hour only); and
- Patterson Avenue/Harley Knox Boulevard (both a.m. peak hour and p.m. peak hour).

The TIA recommends the intersection improvements shown in Table 4.15-K, *Summary of*

*Proposed Project Mitigation Measure Improvements and Funding Sources Prior to Issuance of Certificate of Occupancy*, of the Draft EIR, to address the anticipated future traffic volumes and associated changes in LOS. Also shown in this table is whether the improvements are already included in the adopted NPRBBD Program and what the fair share contribution of the proposed Project would be to the cost of the identified improvements.

As shown in Table 4.15-L of the Draft EIR, assuming implementation of the recommended improvements, the cumulative traffic impacts at all significantly impacted study intersections can be reduced to levels of service that meet City standards.

As shown previously in Table 4.15-K, improvements for three of the cumulatively impacted intersections are already included in the adopted NPRBBD Program. Therefore, the Project's contribution to the improvements would be provided through the required payments to the TUMF and DIF programs. Implementation of the NPRBBD Program by the City of Perris would reduce the significant cumulative impact at the three intersections to less than significant levels. The Project's contribution to the TUMF and DIF programs would ensure that the Project's contribution to the significant cumulative impact at these intersections would not be considerable.

The intersection of Western Way/Harley Knox Boulevard is not included in the NPRBBD Program. As such, there no mechanism to ensure that the improvements necessary to accommodate the cumulative traffic volumes would be implemented by the City of Perris by the time that the improvements are necessary. As shown in Table 4.15-K, the contribution of the proposed Project to the necessary improvements would be only 3.3%. This demonstrates that the significant cumulative impact is not caused specifically by the proposed Project or that the proposed Project is the primary contributor to the significant cumulative impact. It would also be inappropriate for the Project to have to mitigate the significant cumulative impact by constructing the recommended improvements since it is a minor contributor to the impact. In the absence of an adopted program and estimated timeframe for implementing the necessary improvements to this intersection, the cumulative impact would be significant and unavoidable until the improvements are implemented by the City or by another project developer.



## 5.2 **EFFECTS DETERMINED TO BE MITIGATED TO LESS THAN SIGNIFICANT LEVELS**

The Draft EIR found that the proposed Project would result in less than significant impacts for certain impact categories with incorporation of applicable PVCCSP EIR mitigation measures into the proposed Project. Incorporation of PVCCSP EIR mitigation measures into the proposed Project was assumed in the analysis presented in the Initial Study. The City of Perris previously adopted Findings for those impacts and mitigation measures as part of the certification of PVCCSP EIR and approval of PVCCSP; however, the appropriate Findings are restated in this section.

The Project Draft EIR determined that the proposed Project would result in less than significant impacts for certain impact categories based on (1) incorporation of design features into the proposed Project to reduce potential environmental impacts (project design features) and (2) implementation of additional Project-level mitigation measures identified to reduce potentially significant Project impacts to a less than significant level.

PVCCSP EIR mitigation measures incorporated into the proposed Project, Project design features, and additional Project-level mitigation measures will be implemented pursuant to the Mitigation Monitoring and Reporting Program (MMRP) prepared for the proposed Project and included as Section 4.0 of the Final EIR.

The City of Perris having reviewed and considered the information contained in the Final EIR, the Technical Appendices and the administrative record, finds, pursuant to Section 21081(a)(1) of the *California Public Resources Code* and Section 15091(a)(1) of the State CEQA Guidelines that "changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR" for the following categories which are further discussed below.

- **Aesthetics:** A new source of substantial light or glare which would adversely affect daytime or nighttime views in the area (Construction), and Cumulative Impacts.
- **Air Quality:** Violate any ambient air quality standards or contribute substantially to an existing air quality violation, result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (construction).
- **Biological Resources:** Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- **Cultural and Paleontological Resources:** Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5; directly or indirectly destroy a unique paleontological resource or site or unique geologic feature; result in any disturbance of human remains, including those interred outside of formal cemeteries.
- **Geology and Soils:** Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse; be located on expansive soil, creating substantial risks to life or property.
- **Greenhouse Gas Emissions:** Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.
- **Hazards and Hazardous Materials:** 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, result in a safety hazard for people residing or working in the project area.
- **Hydrology and Water Quality:** Violate any water quality standards or waste discharge requirements; otherwise substantially degrade water quality; substantially alter the existing



drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.

- **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; a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project (On-Site Sources).

### **Findings**

**The Planning Commission finds that, based on substantial evidence in the record, the following impacts, to the extent they result from the Project, can be mitigated to less than significant levels.**

## 5.2.1 AESTHETICS

### *A New Source of Light or Glare That Would Adversely Affect Day or Nighttime Views in the Area*

During Project construction, lights may be turned on within the construction staging areas to provide security for construction equipment. Due to the distance between the construction area and nearby sensitive receptors (homes located across Webster Avenue to the east) and motorists on nearby roadways such as Ramona Expressway, and Interstate 215, such security lights may cause a significant impact in the form of a nuisance to the residents and glare to motorists and mitigation is required:

**MM AE 4.1A** Prior to the issuance of grading permits, the Project applicant shall provide evidence to the City that construction staging areas are located in the northern and western portions of the Project site. In addition, any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.

### Findings

- 1. Changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts from light and glare that would adversely affect day or nighttime views in the area have been eliminated or substantially lessened to a level of less than significant by virtue of mitigation measure MM AE 4.1A identified in the Draft EIR (Draft EIR, page 4.1-28).

### Cumulative Impacts

Cumulatively, additional lighting would be introduced into the area by proposed, existing, and future development. As with past and currently proposed development, cumulative lighting-related impacts would be reduced through the adherence to applicable City lighting standards and implementation of Mitigation Measure AE 4.1A. No cumulatively significant lighting impacts would result from implementation of the proposed Project.

## 5.2.2 AIR QUALITY

### Violate Any Ambient Air Quality Standards or Contribute Substantially to an Existing Air Quality Violation (Construction)

**Less than significant with mitigation for construction emissions.** Construction of the proposed Project is expected to occur in several phases lasting approximately 1-½ years (as shown in Table 4.3-B of the Draft EIR). A conservative assumption of an expedited construction schedule with higher impacts than an ordinary construction schedule is used. It is anticipated that construction will begin no sooner than May 2015 with grading activities, during which approximately 98,000 cubic yards of cut and fill would be balanced on site. On-site and off-site construction emissions were estimated using CalEEMod version 2013.2.2 and are estimated on Model 2015 and beyond. Project-specific input was based on general Project information provided in Section 3.0, Project Description, and default model settings as indicated under Section 4.3.2 in Table 4.3-C, *Construction Equipment Assumptions*, Table 4.3-D, *Construction Trip Assumptions*, Table 4.3-F, *Trip Generation Rates*, and Table 4.3-G, *CalEEMod Revised Vehicle Mix Parameters for Warehouse Uses*, of the Draft EIR, to estimate reasonable worst-case conditions. Output emissions include off-road equipment exhaust; on-road vehicle exhaust; fugitive dust from grading and vehicle travel on paved and unpaved roads; and VOCs from asphalt and architectural coatings.

Modeling of construction emissions assumes compliance with SCAQMD Rules 402 – Nuisance, which prohibits the emission of quantities of air contaminants that could cause injury, detriment, nuisance, or annoyance to the public, or that endanger the comfort, repose, health or safety of the public. Construction activities would also be required to comply with SCAQMD Rule 403 – Fugitive Dust, requiring measures such as watering and control of track-out from the site. Project compliance with SCAQMD Rules 402 and 403 are factored into the default CalEEMod model and are not considered mitigation measures.

Table 4.3-R, *Estimated Mass Daily Construction Emissions*, of the Draft EIR, identifies the proposed Project's mass daily construction emissions assuming implementation of required SCAQMD rules and regulations and the applicable measures required by the PVCCSP EIR. The details of phasing, selection of construction equipment, areas to be paved, and other input parameters, including CalEEMod data, are included previously in Table 4.3-C and in Appendix E , of the Draft EIR.

As shown in Table 4.3-R, of the Draft EIR, the mass daily construction-related emissions generated during the Project construction phases would not exceed the thresholds of significance recommended by the SCAQMD. Therefore, this impact of the project would be less than significant.

### Findings

1. **Changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
2. **The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential for the proposed Project to violate any air quality standard or contribute substantially to an existing or projected air quality violation impacts have been eliminated or substantially lessened to a level of less than significant by incorporation of

PVCCSP EIR mitigation measures MM Air 2 through MM Air 7 and MM Air 9 (Draft EIR, pages 4.3-43 through 4.3-44) and additional Project-level mitigation measure MM AQ 4.3A through MM AQ 4.3D (Draft EIR, pages 4.3-44 through 4.3-45).

### **Applicable PVCC Specific Plan Mitigation Measures**

**MM Air 2** 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 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.

**MM Air 3** 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:

- Requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);
- Keeping disturbed/loose soil moist at all times;
- Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;
- Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the Project site;
- Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation;
- Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,
- Replacement of ground cover in disturbed areas as quickly as possible.

**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.

**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 the City of Perris' Building Division prior to issuance of grading permits.

**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 USEPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNO<sub>x</sub> 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.

**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.

**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 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.

#### **Additional Project-Level Mitigation Measures**

**AQ 4.3A** The Project developer shall require that the site preparation and grading contractors limit the daily disturbed area to 5 acres or less.

**AQ 4.3B** The proposed Project developer and its contractors shall ensure that, during construction, contractors shall turn off all diesel-powered construction when vehicles are not in use and contractors shall prohibit idling of vehicles for longer than five minutes.

**AQ 4.3C** The proposed Project developer and its contractors shall ensure that, during construction, no diesel-powered generators shall be used to the extent feasible.

**AQ 4.3D** The proposed Project's warehouse structures shall utilize precoated/natural-colored building materials to reduce emissions from applying architectural coatings.

#### **Result in a Cumulatively Considerable Net Increase of any Criteria Pollutant for Which the Project Region is in Nonattainment Under an Applicable Federal or State Ambient Air Quality Standard (Construction)**

As referenced previously in the threshold regarding ambient air quality standards, impacts are considered less than significant for construction emissions. Mitigation Measures AQ 4.3A through AQ 4.3D and *PVCCSP EIR* Mitigation Measures Air 2 through 7, and 9 would be applicable to this impact.



## **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** Incorporation of PVCCSP EIR mitigation measures MM Air 2 through MM Air 7 and MM Air 9 and additional Project-level mitigation measure MM AQ 4.3A through MM AQ 4.3D, identified previously, into the proposed Project reduces the Project's construction emissions and potential cumulative impact of criteria pollutants to a less than significant level.

### 5.2.3 BIOLOGICAL RESOURCES

*Interfere Substantially With the Movement of Any Native Resident or Migratory Fish or Wildlife Species or With Established Native or Resident Migratory Wildlife Corridors, or Impede the Use of Native Wildlife Nursery Sites*

Habitat fragmentation occurs when a single, contiguous habitat area is divided into two or more areas, or where an action isolates the two or more new areas from each other. Isolation of habitat occurs when wildlife cannot move freely from one portion of the habitat to another or to/from one habitat type to another. Habitat fragmentation may occur when a portion of one or more habitats is converted into another habitat, as when scrub habitats are converted into annual grassland habitat because of frequent burning. Wildlife movement includes seasonal migration along corridors, as well as daily movements for foraging. Examples of migration corridors may include areas of unobstructed movement for deer, riparian corridors providing cover for migrating birds, routes between breeding waters and upland habitat for amphibians, and between roosting and feeding areas for birds.

Mitigation measure B 4.4A (Draft EIR, page 4.4-20) has been incorporated to address migratory birds to ensure that removal of trees and vegetation shall be prohibited during the migratory bird nesting season:

**MM B 4.4A** 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 vegetation clearing. The migratory nesting bird survey 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 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.

### **Findings**

1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

**2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** Incorporation of mitigation measure B 4.4A reduces the Project's impacts to the Movement of Any Native Resident or Migratory Fish or Wildlife Species or With Established Native or Resident Migratory Wildlife Corridors, or Impede the Use of Native Wildlife Nursery Sites to a less than significant level.

*Cumulative Impacts*

The Project site has been previously disturbed and diminished in quality through past agricultural uses. Due to the disturbed condition of the Project site and offsite areas as well as adjacent areas, development of the proposed Project will not result in significant habitat fragmentation or substantially affect established wildlife corridors or wildlife movement. However, a mitigation measure has been added to the Project to ensure that removal of trees and vegetation shall be prohibited during the migratory bird nesting season.

## 5.2.4 CULTURAL RESOURCES

### Cause a Substantial Adverse Change in the Significance of an Archaeological Resource Pursuant to CEQA Guidelines Section 15064.5

The proposed Project has the potential to impact previously undetected subsurface archaeological resources.

The Project site is located in an area identified by the City as having a medium density probability (two or more sites per quarter mile) for cultural resources (see Figure 4.5-12). As such, *A Phase I Cultural Resources Assessment*, dated December 2013, was conducted for the proposed Project that included a records search, a Sacred Lands File search, and field survey. This report is on file with the City of Perris Planning Division and builds on an earlier *Cultural Resources Technical Report* prepared for the PVCCSP by CRM Tech in 2007 (Tang et al.), which also includes the Project site.

The Project site is in a very well-studied area with much of the land within a one-mile radius of the property having been included in one of 24 previous cultural resources studies. During the course of field surveys for these studies, 16 cultural resources properties have been recorded. In addition, there are two extensive complexes of prehistoric sites between one to two miles of the site - one to the northwest and one to the southwest. Forty-four sites have been recorded at the northwestern complex and 170 sites have been recorded at the southwestern complex.

Five (5) Native American Tribes responded to the request for information for the proposed Project: the Pala Band of Mission Indians, the Rincon Band of Luiseño Indians, the Gabrieleño Band of Mission Indians, the Pauma Band of Luiseño Indians, and the Pechanga Band of Luiseño Indians. After consulting their maps, Pala Band of Mission Indians and the Rincon Band of Luiseño Indians determined that the proposed Project was not within their recognized Tribal boundaries or territory considered Traditional Use Area (TUA). As such, they have no objection to continuation of Project activities, deferring to the wishes of tribes closer to the Project area, but request to be informed of any significant Project changes. The Gabrieleño Band of Mission Indians and the Pauma Band of Luiseño Indians have requested that an archaeologist and Native American monitor be present on site during all ground disturbance activities as well as continued Project notification. The Pechanga Band of Luiseño Indians have requested government-to-government consultation with the City of Perris pursuant to SB 18, project notification throughout the entitlement process, and copies of all applicable archaeological reports, site records, proposed grading plans and environmental documents. Further, the Tribe believes that monitoring will be required in areas where resources are not already identified or identified through further study and evaluation.

While it is true that over 200 archaeological sites have been recorded within one to two miles west of the Project site, only sixteen cultural resource properties are within a one-mile radius. Of these, eleven sites are comprised exclusively of bedrock milling features, one is the Val Verde railroad siding, one is the remains of an historical residence, one is March Air Force Base Well No 6, one is a group of post-1913 irrigation features, and one is a sparse historical refuse dump. The vast majority of the 214 recorded archaeological sites west of the subject property are single bedrock milling features. The 2007 archaeological testing program conducted by CRM Tech (Tang et al.) for fifteen of these sites found no cultural materials at thirteen of the sites, five pieces of debitage at one site, and one piece of debitage at a second site. This is consistent with the findings of numerous test excavations conducted at similar sites over the years, that subsurface artifact deposits are very rarely found in association with bedrock milling features. Further, whereas virtually all of the Native American sites recorded within a one to two mile radius of TPM36678 contain bedrock milling features and in fact, most are exclusively comprised of these features, no

exposed bedrock exists within the boundaries of the Project site. However, oral tradition of the Pechanga Band of Luiseño Indians indicates that this is an important area to their cultural heritage. It is entirely possible that, during ground-disturbing activities, artifacts may be discovered that have cultural or archaeological significance to the Pechanga Tribe that were not originally anticipated. As such, certain mitigation measures will be imposed on the Project.

Since no cultural resources or properties of historic significance were observed within the Project site or the Webster ROW, neither further research nor mitigation is recommended beyond recognition of requests made by the Pechanga Cultural Resources Department. It is also recommended that should subsurface cultural resources be encountered during earthmoving activities occurring anywhere within the Project boundaries, said activities be halted or diverted until a qualified archaeologist can evaluate the resources and make a determination of their significance.

**Mitigation Measures.** The following measure has been identified to reduce potential impacts to archaeological resources:

**CUL 4.5A** The Project developer shall retain a professional archaeologist<sup>1</sup> prior to the issuance of grading permits. The task of the archaeologist shall be to monitor the initial ground-altering activities<sup>2</sup> 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 Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from either the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño

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<sup>1</sup> For 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.

<sup>2</sup> For 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.



Indians 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 cannot be avoided or relocated at the Project site shall be prepared in a manner for curation and the archaeological consultant shall deliver the materials to a federally accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), the Western Center for Archaeology and Paleontology, or the Pechanga Cultural Resources Department within a reasonable amount of time.

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 subject 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 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 development have been 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 and the Soboba Band of Luiseño Indians.

## **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts to archaeological resources have been eliminated or substantially lessened to a level of less than significant by incorporation of the PVCCSP EIR mitigation measures and the proposed Project mitigation measures CUL 4.5A, and CUL 4.5C (Draft EIR, 4.5-30-31, and 4.5-34-35).

### **Directly or Indirectly Destroy a Unique Paleontological Resource or Site or Unique Geologic Feature**

The proposed Project has the potential to impact previously undetected subsurface paleontological resources.

As discussed under Section 4.5.3, the Project site is located on the Perris Block, a fault-bound structural block located in the northwestern portion of the Peninsular Range Geomorphic Province. The surface of the Perris Block consists of granitic exposures that have been tectonically tilted eastward, leaving granitic outcrops elevated and exposed on the west side of the Perris Block (Jurupa Hills) and allowing Pleistocene sediments to cover the east side, filling the eastern San Bernardino, Lakeview, Perris, and San Jacinto Valleys.

According to the *Preliminary Geotechnical Investigation* prepared by South Shore Testing & Environmental and the *PVCCSP EIR*, the Project area is located primarily upon subsurface deposits of QVOAL (very old alluvium), QUF (undocumented fill), and QRF (road fill), as shown on Figure 4.5-12 of the Draft EIR, *Geologic Map of the Perris Valley Commerce Center*. Soils maps produced by the Natural Resources Conservation Service indicate that two very common soils types; PaA (Pachappa fine sandy loam) and RaA (Ramona sandy loam) cover the majority of the site. All of these soils types are classified as sub-types of Early to Middle Pleistocene Alluvium (Qvofa).

The Pleistocene Alluvium that exists in the subsurface of the Project site has produced paleontological resources in many areas of the Inland Empire and southern California area. It is considered to have a high paleontological sensitivity and the site is identified in the Perris General Plan Conservation Element as located within an area with a "high" sensitivity for Paleontological resources. Therefore, impacts are considered potentially significant and mitigation measures are required.

The following mitigation measure has been identified to reduce potential impacts to paleontological resources that may be located within the Project limits:

**CUL 4.5B** 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 trained 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 approval of the City of Perris Director of Development Services and no grading activities shall occur at the site until the paleontologist has been approved by the City. Monitoring shall be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The approved 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.

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, would signify completion of the program to mitigate impacts to paleontological resources.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts to archaeological resources have been eliminated or substantially lessened to a level of less than significant by incorporation of the PVCCSP EIR mitigation measures and the proposed Project mitigation measure CUL 4.5B, (Draft EIR, 4.5-33).

### **Disturb Any Human Remains, Including Those Interred Outside of Formal Cemeteries**

The Project site is currently undeveloped. As part of the *Cultural Resources Assessment* prepared for the Project, a records search, a Sacred Lands File search, and field survey was conducted. It was observed that virtually all of the subject property has been altered by agricultural endeavors and periodic vegetation clearance. No evidence suggesting the proposed site has been utilized in the past for human burials has been identified.

The proposed site is located within the boundaries of the PVCCSP. The *PVCCSP EIR* concludes that, with implementation of identified mitigation measures, development of allowed uses and infrastructure projects identified in the specific plan would not conflict with or cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the State CEQA Guidelines. *PVCCSP EIR* MM Cultural 4 is identified in the event that human remains are discovered at the site during grading or earthmoving; however, in the unlikely event human remains are discovered during grading or construction activities within the Project site, compliance with State law (H&SC Sections 7050.5) would be required. These requirements are imposed on any construction activity in which human remains are detected, and include the following provisions, and are included in Mitigation Measure CUL 4.5C below.

Compliance with existing State law would ensure that impacts related to the discovery of buried human remains would be less than significant and no mitigation is required. Because adherence to provisions of H&SC Section 7050.5 is required of all development projects, and because adherence to the requirements in State law sufficiently mitigates for potential impacts to human remains, no significant impact related to this issue will occur. No mitigation is required. Although not considered to be significant, the following measure is included for the City to monitor compliance with State law and to ensure that the interests of the MLD are respected:

**CUL 4.5C** 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).<sup>3</sup> 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 disagreement 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.

As shown above, most of the revisions recommended by the Tribe have been incorporated into the revised mitigation measure. The aspects that have not been incorporated are the actions of the County Coroner. The City of Perris can only enforce actions that are directly under its regulatory authority. This includes the actions of developers of projects within its jurisdiction. The City can require that a project developer provide access to the County Coroner to assess discovered human remain, but it cannot require the coroner to examine the remains within 24 hours or notify the NAHC within 24 hours. That is the legal responsibility of the coroner over which the City of Perris has no control. As such, the mitigation measure is worded to ensure that the project developer provides access to any discovery of human remains within the timeframe required for the corner to comply with his requirements.

## **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

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<sup>3</sup> The "Most Likely Descendent" (MLD) is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code, Section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

**Facts in Support of Findings:** The potential impacts to archaeological resources have been eliminated or substantially lessened to a level of less than significant by incorporation of the PVCCSP EIR mitigation measures and the proposed Project mitigation measure CUL 4.5C (Draft EIR, 4.5-34-35).

### Cumulative Impacts

As defined in the CEQA Guidelines, cumulative impacts are the incremental effects of an individual project when viewed in connection with the effects of past, current, and probable future projects. Consistent with the *PVCCSP EIR*, the cumulative area for cultural resources is the City of Perris. Other cumulative development within the City would be subject to the same resource protection requirements as the proposed Project as outlined in the City of Perris General Plan EIR and *PVCCSP EIR*, as applicable. If there is a potential for significant impacts on cultural or paleontological resources, an investigation will be required to determine the nature and extent of the resources and identify appropriate mitigation measures, including requirements such as those identified in this section. The proposed Project includes measures to identify, recover, and/or record any cultural and/or paleontological resource that may occur within the Project limits resulting in less than significant impacts. Although unlikely to occur, potential impacts associated with human remains would be reduced to a less than significant level with adherence to existing State law.

The proposed Project requires grading and excavation that could potentially affect unknown archaeological or paleontological resources or unknown buried human remains. Therefore, the proposed Project has the potential to result in a cumulative impact due to the loss of unknown cultural or paleontological resources. However, incorporation of the mitigation measures identified in this section would ensure that disturbance of any previously unknown resources will be properly identified and appropriately treated. Therefore, with this mitigation, the proposed Project will not result in a cumulatively considerable contribution to the impacts of archaeological or paleontological resources or human remains, and Project impacts to these resources are considered less than cumulatively significant.



## 5.2.5 GEOLOGY AND SOILS

*Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse*

The Project site lies on a relatively flat surface and no areas of land sliding or mass movement were observed on site. No steep topographical features are located on site. As originally defined by the UBC, the Project site is located within Seismic Zone 4. The proposed Project does not include any activity known to cause damage by subsidence (e.g., oil, gas, or groundwater extraction). Settlement generally occurs within areas of loose, granular soils with relatively low density. The Project site is underlain by relatively dense alluvial and dense sedimentary bedrock materials and the potential for settlement is considered low. On-site conditions consist of medium-dense to dense well-graded alluvial soils, and there is no evidence of historic groundwater within 50 feet of the ground surface. No free water was detected during the drilling of any borings conducted for the *Preliminary Geotechnical Investigation* of the site. Based on the Perris General Plan Safety Element, and the County of Riverside Liquefaction Hazard Zone (RCLIS website, 2014), the Project site is not located within an area identified as susceptible to liquefaction.

However, the Project site is located in an area susceptible to subsidence. Although the Project site does not exhibit characteristics of a high potential for subsidence or settlement, development of the Project site will include the grading of approximately 51 gross acres and require the cut and fill of approximately 98,000 cubic yards of soil. Site preparation will require the overexcavation and recompaction of older alluvial soils. The *Preliminary Geotechnical Investigation* found that the soils encountered within the exploratory trenches are generally classified as Type "C" soil in accordance with the CAL/OSHA (State of California, 2007) excavation standards. Based on a soil classification of Type "C", temporary excavations should not be inclined steeper than 1.5:1 (horizontal:vertical) for a maximum depth of 20-feet unless specifically evaluated by a qualified soil engineer. The Preliminary Grading Plan indicates that no fill slopes over 3-feet in vertical height are planned at the site. Cut slopes for the proposed detention basins are anticipated to be constructed at 2:1 slope ratios to a maximum vertical height of less than 10-feet. Slopes constructed in accordance with recommendations in the *Preliminary Geotechnical Investigation* are anticipated to be superficially and grossly stable.

The *Preliminary Geotechnical Investigation* makes site-specific recommendations as to site development and design that would be incorporated into the grading plan prepared for the proposed Project. In the event imported fill material is required, a qualified soil engineer to determine their feasibility for use as structural fill should test soils. Foundation elements for any proposed structures should be founded entirely in compacted fill materials. Prior to placement of reinforcement, footings should be inspected to insure that excavations and reinforcement have been constructed in accordance with the recommendations in the *Preliminary Geotechnical Investigation*.

In accordance with the City's General Plan Safety Element (Implementation Measure 1.E.1), Project development will require geological and geotechnical investigations by State-licensed professionals. The geotechnical investigations provide siting, site preparation, and construction standards to ensure that potential site development impacts are appropriately mitigated. To ensure that proposed development is not located on soil that is unstable, or that would become unstable as a result of the proposed Project, and potentially result in onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse, adherence to the measures identified in the CBC, applicable standards of the City's Grading Ordinance, as well as compliance with Mitigation Measure GEO 4.6A, will reduce potential impacts resulting from unstable soil conditions to less than significant.



**GEO 4.6A** Prior to the issuance of grading permits, the Project proponent shall demonstrate to the City that the siting, design and construction of all structures and facilities within the Project limits are in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code. These California Building Codes are specifically designed to ensure structural safety in the event of a seismic event.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the Initial Study have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts to structures due to unstable soils are less than significant, and have been further reduced by incorporation of mitigation measure GEO 4.6A into the proposed Project.

#### **Be located on expansive soil, creating substantial risks to life or property**

As previously identified, expansive soils generally have a substantial amount of clay particles, which can give up water (shrink) or absorb water (swell). The change in the volume exerts stress on buildings and other loads placed on these soils. The extent or range of the shrink/swell is influenced by the amount and kind of clay present in the soil. The occurrence of these soils is often associated with geologic units having marginal stability. Expansive soils can be widely dispersed and they can occur in hillside areas as well as low-lying alluvial basins. On-site soils (PaA and RaA soils) are identified as having only a slight shrink-swell potential.

Expansion index testing was performed on representative on-site soil samples collected during the *Preliminary Geotechnical Investigation*. The results, which are included in Appendix H, indicate that the expansion index for the on-site soils is a 2, which is considered Non Expansive (Expansion Index  $\leq 20$  - 2010 CBC, Section 1803A.5.3). However, development of the Project site will include the grading of approximately 51 gross acres and require the cut and fill of approximately 98,000 cubic yards of soil. Site preparation will require the overexcavation and recompaction of older alluvial soils.

The *Preliminary Geotechnical Investigation* makes site-specific recommendations as to site development and design, which would be incorporated into the grading plan prepared for the proposed Project. If development of the proposed site should require the importation of fill material, some of which may have different expansive properties than existing onsite soils, expansion index testing should be conducted prior to any import material being utilized as fill. In accordance with the City's General Plan Safety Element (Implementation Measure I.E.1) and as indicated previously, development of the Project will require geological and geotechnical investigations by State-licensed professionals. To ensure that proposed development is not located on expansive soils, adherence to the measures identified in the CBC, applicable standards of the City's Grading Ordinance, as well as compliance with Mitigation Measure GEO 4.6A, will reduce potential impacts resulting from expansive soil conditions to less than significant.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect**

as identified in the Final EIR.

2. The effects identified in the Initial Study have been determined not to be significant.

**Facts in Support of Findings:** The potential impacts to structures due to expansive soils are less than significant, and have been further reduced by incorporation of mitigation measure GEO 4.6A into the proposed Project.

Cumulative Impacts

Mitigation Measure GEO 4.6A has been proposed to ensure that recommendations contained in the *Preliminary Geotechnical Investigation* prepared for the proposed Project are incorporated into final Project plans. Incorporation of this mitigation measure will minimize or avoid potential hazards due to on-site and off-site geologic factors and ensure that the Project's geological impacts are considered less than cumulatively considerable.

## 5.2.6 GREENHOUSE GAS EMISSIONS

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

Future development of the Project site would generate GHG emissions during construction and operation activities. It is anticipated that the majority of energy consumption (and associated generation of GHG emissions) would occur during the proposed Project's operation. Typically, more than 80 percent of the total energy consumption takes place during the use of buildings and less than 20 percent is consumed during construction (UNEP 2007). As of yet, there is no study that quantitatively assesses all of the GHG emissions associated with each phase of the construction and use of an individual development.

The proposed Project will comply with existing State and federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which will reduce the Project's electricity demand compared to older buildings. The proposed warehouse buildings will be built in compliance with the new 2013 Title 24 California Building Code (CBC) to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a positive environmental impact and encouraging sustainable construction practices. The new 2013 Title 24 Building Codes are called California's "Green Building" codes because they create energy efficiencies of up to 30 percent in some categories above and beyond the energy efficiencies achieved under the previous versions of Title 24. The CEC adopted the 2008 changes to the Building Energy Efficiency Standards for a number of compelling reasons as follows:

1. To provide California with an adequate, reasonably-priced, and environmentally-sound supply of energy.
2. To respond to Assembly Bill 32, the Global Warming Solutions Act of 2006, which mandates that California reduce its GHG emissions to 1990 levels by 2020.
3. To pursue California policy that energy efficiency is the resource of first choice for meeting California's energy needs.
4. To act on California's Integrated Energy Policy Report (IEPR) findings that Standards are the most cost effective means to achieve energy efficiency, that the Building Energy Efficiency Standards will continue to be upgraded over time to reduce electricity and peak demand, and that the Standards will play a role in reducing energy related to meeting California's water needs and in reducing greenhouse gas emissions.
5. To meet the Executive Order in the Green Building Initiative to improve the energy efficiency of nonresidential buildings through aggressive standards.

In order to ensure consistency with statewide greenhouse reduction strategies, mitigation measures shall be incorporated into the proposed Project.

The *PVCCSP EIR* included specific mitigation measures to reduce potential greenhouse gas emissions impacts to less than a significant level. These mitigation measures are required during the construction and operation of the proposed Project:

**GHG 4.7A** The project applicant shall require that all building structures meet Green Building Code Standards (CalGreen) and that all project buildings shall be designed to exceed 2008 Title 24 requirements by thirty percent (30%) or exceed current (2013) Title 24 standards by five percent (5%) (meets *PVCCSP EIR* MM Air 20).

**GHG 4.7B** The project applicant shall require that any future tenants institute a ride sharing program and employee vanpool/shuttle that is open to all employees (same as AQ

- 4.3L).
- GHG 4.7C** The project applicant shall encourage all future tenants to institute recycling programs that reduces waste to landfills by a minimum of 50 percent and includes designated recycling bins at each proposed structure and requires all green waste to be processed at a recycling or composting facility.
- GHG 4.7D** The project applicant shall require that at least 209 new trees are planted on site.
- GHG 4.7E** The project shall incorporate a water conservation strategy of 25% or higher (meets *PVCCSP EIR MM Air 20*).

In addition to those mitigation measures identified above, all of the mitigation measures identified as AQ 4.3J through AQ 4.3Q of this EIR are also incorporated by reference.

### Findings

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the Initial Study have been determined not to be significant.**

**Facts in Support of Findings:** Adherence to Mitigation Measures GHG 4.7D through 4.7E, and mitigation measures AQ 4.3J through AQ 4.3Q of this EIR, the proposed Project's direct, individual and cumulative GHG emissions would be reduced to a less than significant level.

### Cumulative Impacts

Individual projects would incrementally contribute toward the potential for global climate change on a cumulative basis in concert with all other past, present, and probable future projects. While individual projects are unlikely to measurably affect global climate change, each of these projects incrementally contributes toward the potential for global climate change on a cumulative basis, in concert with all other past, present, and probable future projects.

Given the findings of AB 32, of SB 97, and the requirements of CEQA, the Lead Agency must determine whether a project will or will not have a cumulatively considerable contribution to global climate change.

As of the date that this Draft EIR was produced, the SCQMD Governing Board has not taken any action to formally adopt the draft thresholds of significance. However, that does not preclude lead agencies from utilizing the draft thresholds to evaluate the potential impacts associated with general development projects. The City of Perris utilizes these draft thresholds to determine the significance of new developments within its jurisdiction.

This EIR concludes that the proposed Project will not, individually or cumulatively, have a significant impact on global warming or climate change with implementation of the proposed mitigation measures. Further, it should be noted that the proposed Project's GHG emissions would not exceed the 10,000 MTCO<sub>2e</sub> threshold as established for Tier 3 projects.

CEQA Guidelines Sections 15065(a)(3) and 15130 requires lead agencies to determine whether a project's GHG emissions will be cumulatively considerable. CARB is currently in the process of designing regulations to monitor, limit, and ultimately reduce California GHG emissions, but there are as yet no adopted standards for assessing the significance of cumulative impacts from

projects.

Cumulatively, the emissions from energy sources would comprise approximately 16.9 percent of the proposed Project's total CO<sub>2</sub>e emissions. Water usage and solid waste disposal emissions comprise approximately 20.2 percent of the Project's total CO<sub>2</sub>e emissions while the emissions from vehicle exhaust (includes amortized construction emissions) would comprise approximately 64.6 percent of the proposed Project's total CO<sub>2</sub>e emissions. The emissions from vehicle exhaust are controlled by the State and federal governments and are outside the control of the City. The remaining CO<sub>2</sub> emissions are primarily associated with building systems. The proposed Project is required to comply with existing State and Federal regulations regarding the energy efficiency of buildings, appliances, and lighting, which would reduce the Project's electricity demand. The new buildings, constructed to exceed current energy efficiency standards, would be more energy efficient than older buildings.

Even with implementation of the strategies and programs described previously, the Project as proposed will meet WRCOG CAP reduction goal of 15% from year 2020 emissions.

## 5.2.7 HAZARDS AND HAZARDOUS MATERIALS

### 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, Result in a Safety Hazard for People Residing or Working in the Project Area

The Project site is approximately 0.4 miles south of the March Air Reserve Base (MARB). As part of the standard process for development within Airport Influence Areas for MARB, proposed projects are required to be reviewed by the Riverside County Airport Land Use Commission (ALUC) for consistency with the County of Riverside Airport Land Use Plan (ALUP). On December 11, 2014, the ALUC Development Review determined the Project to be consistent with the 2014 March Air Reserve Base / Inland Port Airport Land Use Compatibility Plan (ALUCP) as applied to the Airport Influence Area of the March Air Reserve Base/March Inland Port. The ALUC found that the Specific Plan Amendment (SPA), and the Tentative Parcel Map (TPM) were consistent with the County of Riverside ALUP, but are subject to the conditions described in the mitigation measures below. However, the ALUC found the Development Plan Review (DPR) as proposed inconsistent with the ALUCP based on Building "B" not complying with the Compatibility Zone B1 APZ1 average acre criterion of 25 people based upon the building code method of analysis. Accordingly, the ALUC placed another condition on the Project requiring that no more than 2,500 of office space be allowed within Building "B." Since this condition requires a modification to the site plan, and not a true environmental mitigation measure, it is not included in the mitigation measures listed below.

As a standard condition imposed during ALUC reviews, development located within the boundaries of Influence Areas I and II are required to provide avigation easements to the March Joint Powers Authority (MJPA). To ensure consistency with the ALUC recommendations is maintained, Mitigation Measures HH 4.8A through HH 4.8F have been identified. Adherence to these measures would ensure the proposed Project remains consistent with the General Plan and the ALUC recommendations.

Mitigation Measures. Adherence to conditions identified by the ALUC is required for this Project, the incorporation of these requirements as Mitigation Measures HH 4.8A through HH 4.8F ensures that standard requirements are included as part of the Project's MMRP.

**HH 4.8A** Prior to the issuance of building permits for the Project, the Project proponent shall provide evidence to the City through submittal of a lighting plan that any outdoor lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible.

**HH 4.8B** Prior to the issuance of building permits for the Project, the Project proponent shall provide evidence to the City through submittal and agreement of additional conditions of approval that the following uses shall be prohibited on site:

- a. 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.
- b. Any use which would cause sunlight to be reflected 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.



- c. 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. Such uses include landscaping utilizing water features, aquaculture, production of grain, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.
- d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- e. Children's schools, day care centers, libraries, hospitals, congregate care facilities, hotels/motels, and restaurants, places of assembly (including churches and theaters), noise sensitive outdoor nonresidential uses, and hazards to flight.

**HH 4.8C** Prior to recordation of a final map, the issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act for the Project site, whichever occurs first, the landowner of the Project site shall convey an avigation easement to the MARB/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded.

**HH 4.8D** Prior to the transfer of any real property or the finalization of a lease agreement for property associated with the Project, the transferor (or leaser) shall provide to the transferee (or lessee), notification required by Condition 4 of the Riverside County Airport Land Use Commission's consistency determination.

**HH 4.8E** Prior to issuance of building permits for the Project, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,525.5 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA determination shall be provided to the City of Perris Planning Department and the Riverside County Airport Land Use Commission.

**HH 4.8F** Prior to the issuance of occupancy permits for the Project, the Project proponent shall provide evidence to the City that vegetation proposed for in and around the proposed detention/retention basins does not provide food or cover for bird species that would be incompatible with airport operations.

### Findings

1. **Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
2. **The effects identified in the Initial Study have been determined not to be significant.**

**Facts in Support of Findings:** Adherence to Mitigation Measures HH 4.8A through HH 4.8F would ensure that impacts associated with airport hazards would be less than significant.

### Cumulative Impacts

The cumulative impact analysis considers development of the proposed Project in conjunction with other development in the City. The *PVCCSP EIR* determined that significant cumulative impacts associated with the routine transport, use, and disposal of hazardous materials could occur as the proposed Project would increase the amount of truck traffic in the area as well as the amount of trucks transporting hazardous materials. The proposed Project in combination with other projects of a similar nature has the potential to create a significant cumulative impact related to this issue; however the mitigation measures introduced in the *PVCCSP EIR* and the Project-specific mitigation measures reduce those impacts to below a level of significance. Often, these risks are site-specific and localized and therefore limited to the Project site. However, since the number of trucks containing hazardous materials on the road in a given area at any given time is impossible to estimate and since accidental spills and leaks are unplanned occurrences, it is impossible to predict the occurrence of such events. It is reasonable to assume, however, that with an increase in vehicles transporting hazardous materials, the potential for accidents would be increased, but still within the amount of hazards that can be expected by implementation of the *PVCCSP*, and that was identified in the *PVCCSP EIR*.

As anticipated in the City's General Plan and *PVCCSP*, demographic increases, and the availability of vacant property in the City would lead to new developments in the City and surrounding area. While the project-specific hazardous material impacts of individual development projects will be addressed separately in future CEQA documents, anticipated future development will contribute, through increases in population and the number of outlets that transport, or dispose of hazardous materials, to a cumulative increase in risk for hazardous material incidents. Although each project has unique hazardous materials considerations, it is anticipated that future cumulative projects would comply with the local, state, and federal regulations and requirements as these are required for all development projects. As a result, cumulative impacts associated with hazardous materials would be less than significant with mitigation measures included with this Project.

Cumulative aircraft hazard impacts consist of future development within the boundaries of the AICUZ and ALUP accident potential zones. The risk to each future project is based on the specific accident potential zone. The risks associated with development in these accident potential zones can only be reduced through conformance with land use guidelines and policies identified by the AICUZ and ALUP. However, because the surrounding Cities of Moreno Valley, and Riverside as well as the County of Riverside have implemented comprehensive land use plans that incorporate AICUZ and ALUP recommendations, it is anticipated that cumulative development within the accident potential zones would not create a significant and cumulative impact associated with aircraft accident hazards.

## 5.2.8 HYDROLOGY AND WATER QUALITY

*Violate any Water Quality Standards or Waste Discharge Requirements, Otherwise Substantially Degrade Water Quality, or Substantially Alter the Existing Drainage Pattern of the Site or Area, Including Through the Alteration of the Course of a Stream or River, in a Manner which Would Result in Substantial Erosion or Siltation On- or Off-site*

### Construction Impacts

Environmental factors that affect erosion include topographic, soil, and rainfall characteristics. As indicated under existing conditions, there are no drainage courses on the Project site; therefore, the proposed Project would not alter the course of a stream or river. Also, given the current depth of groundwater at the site (greater than 50 feet below ground surface), it is not expected that groundwater will be encountered.

Development of the two (2) industrial sites has the potential to result in impacts to water quality. The construction and grading phases would involve the disturbance of surface soils and removal of the existing, limited vegetative cover. Grading activities would result in exposure of soil to storm runoff, potentially causing erosion and sedimentation in runoff. Sediments also transport substances such as nutrients, hydrocarbons, and trace metals, which are conveyed to the receiving waters. Nonsediment-related pollutants that are also of concern during construction include waste construction materials; chemicals, liquid products, and petroleum products used in construction or the maintenance of heavy equipment; and concrete-related waste streams. These pollutants could enter storm runoff and be transported to nearby surface waterways in storm water runoff, wash water, and dust control water, potentially reducing the quality of the receiving waters and potentially resulting in impairment of downstream water sources (see Table 4.9-B of the Draft EIR).

Since development of the proposed Project will be in excess of one acre, the proposed Project is required to obtain coverage under the NPDES Construction General Permit, discussed under Section 4.9.4.2. Additionally, due to the proposed land use, the proposed Project will be required to obtain coverage under the NPDES Industrial General Permit. The NPDES permits require the applicant to develop and implement a SWPPP, which must include Erosion and Sediment Control BMPs that would meet or exceed measures required by the Construction and Industrial General Permits, as well as BMPs that control other potential construction-related pollutants. Erosion Control BMPs are designed to prevent erosion, whereas sediment controls are designed to trap sediment once it has been mobilized. The NPDES permits require the SWPPP to include a menu of BMPs to be selected and implemented to address erosion and sediment control as well as control of other potential construction site materials. The BMPs are based on the phase of construction and the weather conditions. BMPs on this menu are expected to include, but are not limited to: the use of gravel bags, silt fences, hay bales and check dams; hydroseed and soil binders; and construction material management (e.g., cover and containment of construction materials and wastes). An NPDES permit would generally specify an acceptable level of pollutant or pollutant parameter in a discharge. The permittee may choose which technologies to use to achieve that level. Some permits, however, do contain generic BMPs. Table 4.9-G, *General Best Management Practices*, in the Draft EIR lists BMPs for runoff control, sediment control, erosion control, and housekeeping that may be used during the construction phase of the proposed Project.

The construction contractor is required to operate and maintain these controls throughout the duration of on-site activities. A Construction Site Monitoring Program is a required component of the SWPPP to ensure proper installation, functionality and maintenance of BMPs, training of

construction personnel and to identify sampling requirements during construction. In addition, the construction contractor would be required to maintain an inspection log and have the log on site to be reviewed by the City and representatives of the RWQCB.

The construction-phase BMPs would ensure effective control of not only sediment discharge, but also of pollutants associated with sediments so as to prevent or minimize environmental impacts and to ensure that discharges during the construction phase of the proposed Project would not cause or contribute to exceedance of water quality standards in the receiving waters (i.e., Lake Elsinore). Implementation of Mitigation Measures 4.9A through 4.9C would ensure compliance with applicable regulatory requirements, including preparation of an SWPPP, and would reduce short-term general construction-related water quality impacts to less than significant levels.

### **Operational Impacts**

The Project site is currently undeveloped and the proposed Project would result in the conversion of existing on-site permeable surfaces to impermeable surfaces, thereby altering the current drainage pattern of the site. Upon development of the proposed on-site uses and associated roadway improvements, storm runoff from the roadways, parking lots, and buildings may carry a variety of pollutants. Potential pollutants of concern that could be generated by long-term operation of the proposed Project include sediment, nutrients, bacteria and viruses, oxygen-demanding substances, petroleum products, heavy metals, toxic chemicals, and floatables which may lead to the degradation of storm water in downstream channels (see Table 4.9-A of the Draft EIR). It should be noted that there would be a reduction in sediments with implementation of the proposed Project as urbanized landscaping, impervious surfaces, and BMPs would reduce suspended sediment in runoff compared to the undeveloped existing condition.

Pollutant concentrations in urban runoff are extremely variable and are dependent on storm intensity, land use, elapsed time since previous storms, and the volume of runoff generated in a given area that reaches a receiving water. As such, potential water quality impacts are related to the increase in the peak runoff, new urban uses, and the sensitivity of the receiving water. The primary receiving waters for runoff from the Project site are identified in Table 4.9-B of the Draft EIR. As shown, Canyon Lake is impaired for nutrients and pathogens, and Lake Elsinore is impaired for polychlorinated biphenyls (PCBs), nutrients, organic enrichment, sediment toxicity, and unknown toxicity. These pollutants and their impacts on water quality and aquatic habitat are described in Table 4.9-C of the Draft EIR.

Satisfaction of MS4 Permit requirements for new development establishes compliance with water quality regulatory requirements applicable to storm water runoff. The effectiveness of storm water quality controls is primarily based on two factors: (1) the amount of runoff that is captured by the controls and (2) the selection of BMPs to address identified pollutants of concern. Selection and numerical sizing criteria for new development treatment controls are included in the MS4 Permit.

As previously noted, a WQMP is required to reduce or eliminate water pollution caused by runoff that flows from storm water drainage systems into receiving waters. A Preliminary WQMP has been prepared for the proposed Project (included in Appendix L to identify appropriate BMPs for the proposed Project. A Final WQMP will be prepared which would identify BMPs to be implemented based on final site design (refer to Mitigation Measure 4.9D).

According to the Preliminary WQMP, LID BMPs (e.g., infiltration, harvest and use, bioretention and biotreatment) are not feasible for the Project site due to the detention volume necessary to mitigate increased runoff. In compliance with the Standards and Guidelines identified in the PVCCSP, the Preliminary WQMP identifies site-design BMPs, structural and non-structural source-control BMPs, and treatment-control BMPs that would be implemented for the proposed Project. As shown on

Figure 4.9-9, *Post-Construction BMP Site Plan*, in the Draft EIR the proposed Project would implement pollution prevention controls through the following site-design BMPs:

- Roof runoff and pavement runoff would be directed to the four (4) detention/infiltration basins via the proposed on-site storm drain system prior to release into proposed Lateral B-5, and ultimately to the City of Perris MS4 storm drain;
- Landscaped areas would either be self-treating or self-retaining, resulting in the roof areas drains and hardscape areas being the only areas that drain to the detention basins; and,
- Approximately 15 percent of the site would be used for landscaping and detention/infiltration BMPs. Some landscaped areas would be depressed 3 inches to serve as self-retaining areas; however the entire site would rely on the four (4) detention/infiltration basins for removal of the pollutants of concern.

Source-control BMPs would be incorporated into the Project to reduce the amount of pollutants released into the environment. Source-control BMPs include permanent, structural features that would be included in Project plans and operational BMPs to be implemented by the site's occupant or user. Table 4.9-H, *Permanent and Operational Source Control Measures*, of the Draft EIR lists permanent and operational source-control BMPs that have been incorporated into the Project, as identified in the Preliminary WQMP.

The proposed detention/infiltration basins would treat potential pollutants in runoff from the Project site, including bacterial indicators, metals, nutrients, pesticides, toxic organic compounds, sediments, trash and debris, and oil and grease. Based on the Preliminary WQMP, the water quality volume for the entire Project site is capable of being treated through detention and filtration by the four (4) proposed detention/infiltration basins. These facilities have a high removal efficiency percentage (equal to or greater than 80 percent for High). An on-site storm drain system would convey all runoff to the basins.

Adherence to NPDES requirements is required of all development within the City and would ensure that Project impacts are less than significant. BMPs have been incorporated into the proposed Project in compliance with these standard regulatory requirements; however, incorporation of Mitigation Measures HW 4.9A through HW 4.9D is designed to track implementation of these standard requirements as part of the proposed Project's Mitigation Monitoring and Reporting Program.

By complying with the NPDES permits and WQMP requirements (refer to Mitigation Measure HW 4.9D) and by incorporating Standards and Guidelines from the PVCCSP related to water quality, the proposed Project would not provide substantial additional sources of polluted runoff to receiving waters.

**Mitigation Measures.** The following measures have been identified to reduce potential impacts to water quality:

**HW 4.9A** Prior to grading plan approval and the issuance of a grading permit, the Project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities.

**HW 4.9B** Prior to grading plan approval and the first issuance of a grading permit by the City, the Project proponent shall submit to the City of Perris a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control on-site and off-site



erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:

- Sediment discharges from the site may be controlled by the following: bags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.
- No materials of any kind shall be placed in drainage ways.
- Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.
- All loose piles of soil, silt, clay, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounded by silt fences.
- The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.
- Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.
- The SWPPP will be kept on site for the entire duration of Project construction and will also be available to the local RWQCB for inspection at any time.

In the event that it is not feasible to implement the above BMPs, the City of Perris can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.

**HW 4.9C** Prior to issuance of grading permits, the Project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the Project:

- The Construction Contractor shall be responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment-control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Perris and the representatives of the Regional Water Quality Control Board.

**HW 4.9D** Prior to grading plan approval and issuance of a grading permit by the City, the Project proponent shall receive approval from the City of Perris for a Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. Source control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table 4.9-H. Treatment-control BMPs shall include on-site detention/infiltration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Perris can make a determination that other BMPs shall provide equivalent or



superior treatment either on or off site.

Compliance with Mitigation Measures HW 4.9A through HW 4.9D will ensure that potential impacts to water quality would be reduced to a less than significant level. This conclusion is consistent with the findings of the *PVCCSP EIR*.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts to water quality resources have been eliminated or substantially lessened to a level of less than significant by incorporation of the *PVCCSP EIR* mitigation measures and the proposed Project mitigation measures HW 4.9A through HW 4.9D (Draft EIR, 4.9-38-39).

### **Cumulative Impacts**

Consistent with the *PVCCSP EIR*, the geographic context for the Hydrology and Water Quality cumulative impact analysis is the Perris Valley/San Jacinto watershed hydrologic unit and the EMWD service area. Cumulative development in the watershed would result in an increase in impervious surfaces in addition to changes in land use and associated pollutant runoff. Increased impervious surface areas are likely to alter hydrology and increase potential pollutant loads. However, all development and future development in the City and throughout the RWQCB, Santa Ana Region, must obtain coverage under and comply with requirements of the NPDES permit program. Although continued growth is anticipated to occur in the City of Perris and surrounding areas, new development and significant redevelopment would have to minimize their individual impacts to water quality and pollutant transport through implementation of BMPs. As noted in the *PVCCSP EIR*, development throughout the *PVCCSP* and the City would be regulated through the County's WQMP requirements and the NPDES permit requirements. Because these requirements would be imposed on all developments, it is anticipated that each development would be required to mitigate its own specific impact on water quality and drainage. Consistent with the conclusions of the *PVCCSP EIR*, no significant cumulative impacts related to water quality would occur.

Storm water flow conveyance and flood potential would increase as development would result in greater amounts of impervious surfaces and channelization for conveyance of peak flows. However, the RCFCWCD and the County's MDP guide and govern local and regional hydrology and hydraulic modifications. The planned drainage capacities have been determined assuming a full build-out scenario. All development in the County of Riverside and the San Jacinto Watershed, including the City of Perris, must comply with the requirements of the applicable NPDES permit; the RCFCWCD storm water management plan; the MDP; and other pertinent local drainage and conveyance ordinances. Existing regulations effectively minimize potential impacts to flow conveyance and flooding and have incorporated necessary elements in the MDP. As identified previously, the proposed Project includes site-design BMPs, and the drainage system would be designed so that runoff from the Project site is directed to on-site treatment-control BMPs and flow volumes exiting the site are within the allowable level of increase when compared to pre-development conditions. Accordingly, the Project-related contribution to impacts associated with storm water flow conveyance would not be cumulatively considerable, and thus less than significant.

Future development within the City of Perris and the *PVCCSP* area could place structures within

the 100-year flood hazard area that could impede or redirect flood flows. As discussed under Section 4.9.7, 100-Year Flood Related Impacts, the Project site is not located within an area requiring floodplain review or located on a Flood Insurance Rate Map. However, development of projects within the Specific Plan area and the Perris Valley that does occur within the floodplain is restricted and permitted by the City of Perris to ensure that flood flow is not redirected or impeded to the detriment of properties within the City of Perris or properties upstream or downstream. The *PVCCSP EIR* finds that less than significant impacts would occur relative to the risk to property and life resulting from construction within the 100-year floodplain within the City, which is consistent with City of Perris General Plan EIR. As such, no significant cumulative impacts from the proposed Project relating to flooding would result.

As identified in the *PVCCSP EIR*, with the completion of remediation to the Perris Dam, the possibility of failure due to seismic or other factors is considered by the MWD to be extremely remote. Since the Project is not located within an area identified by the City of Perris General Plan Safety Element as subject to dam inundation, the Project-related contribution to impacts associated with dam inundation are insignificant.

The cumulative area for groundwater would be the Perris North Management Zone as water for the Project site and other cumulative development projects in the area would utilize groundwater from this particular management zone. Cumulatively, development within the Perris North Management Zone of the West San Jacinto Groundwater Management Plan area would result in an increase in demand on water sources, which includes groundwater supplies. However, because the majority of the projects within the Perris North Management Zone obtain water service from EMWD, it is anticipated that the area relies on imported water purchased from Metropolitan with supplements from local groundwater sources.

## 5.2.9 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

As shown under Section 4.12.3, the City of Perris' Land Use/Noise Compatibility Guidelines finds for industrial uses that CNEL noise levels of up to 70 dB as "Normally Acceptable" and up to 80 dB as "Conditionally Acceptable" (see Figure 4.12-6 of the Draft EIR).

Potential long-term stationary noise impacts would primarily be associated with operations at the proposed warehouse distribution facility. The on-site uses would generate noise from truck delivery, loading/unloading activities at the loading dock areas, heating, ventilation, and air conditioning (HVAC) equipment and other noise-producing activities within the parking areas (e.g., doors slamming, vehicle engine start-ups, and loud conversations). These activities are potential point sources of noise that could affect noise-sensitive receptors in proximity of the loading and parking areas. As noise spreads from a source, it loses energy; therefore, the farther away the noise, spreading causes the sound level to attenuate or be reduced, resulting in a 6 dBA reduction in the noise level for each doubling of distance from a single-point source of noise, such as an idling truck, to the noise-sensitive receptor of concern.

As identified in section 4.12.4.2 of the Draft EIR, the threshold for on-site operational noise (e.g. truck delivery, loading, and unloading) is 80 dBA Leq during the day, 60 dBA Leq during the night, and 60 dBA CNEL at the property line of a sensitive receptor. The proposed Project is anticipated to operate 24 hours a day; therefore, the more restrictive noise ordinance level of 60 dBA Leq will be applied to the on-site noise level portion of the analysis. The 60 dBA CNEL is applicable for determining overall land use compatibility with residential uses adjacent to the site, per the City's General Plan Noise Element. 60 dBA Leq is the nighttime maximum for stationary noise sources generated by the Project at the residential property line, per the City's Municipal Code section 7.34.040 and 7.34.050. This assessment compares Project operations and impacts to both standards.

The Noise Impact Study, prepared by RK Engineering Group, Inc., found that the nearest noise-sensitive land use (i.e., sensitive receptor) to the proposed Project are the residential homes located on the east side of Webster Avenue, south of Markham Street. During the on-site field investigation, RK Engineering determined that the distance to this sensitive receptor, as measured from the future loading docks on the east side of Building "B" to the property line of the nearest residential use, is approximately 475 feet southeast of the loading docks and 350 feet north of the loading docks (see Figure 4.12-4 of the Draft EIR). This distance is in excess of the distance specified in the City's General Plan Noise Element requiring that new industrial facilities located within 160 feet of sensitive land uses identify specific measures to ensure that operations of the proposed facility do not exceed the 60 dBA CNEL noise standard. The Noise Impact Study includes an analysis of construction-related and operational noise impacts to the nearest residential home located to the north of the site (approximately 165 north of the Project site's northern property line and 350 feet north from the Project site's midpoint loading/unloading area).

To determine the existing noise level environment, RK Engineering conducted short-term noise measurements on October 13, 2014, recorded at four (4) different locations on or near the boundaries of the Project site. The noise monitoring locations were selected based on the proximity of the location to adjacent sensitive receptors (see Figure 4.12-3). Noise measurement data indicates that traffic noise propagating from the I-215 Freeway, Ramona Expressway, and Webster Avenue as well as overhead air traffic from MARB/IPA are the primary sources of noise impacting the Project site and existing residential uses.

As shown in Table 4.12-J of the Draft EIR, the daytime ambient noise level at noise monitoring location #4, nearest to the existing residential units, was measured at 49.0 dBA Leq; at location #3, near the northern property line west of Washington Street cul-de-sac, at 58.8 dBA Leq; at location #2, near the southwest corner of the Project site, at 53.6 dBA Leq; and, at location #1, south of Markham Street and east of Patterson Avenue, at 52.3 dBA Leq. Nighttime ambient noise level near the existing residential units (location #4) was measured at 44.0 dBA Leq; at 53.8 dBA Leq at location #3; at 48.6 dBA Leq at location #2; and at 47.3 dBA Leq at location #1. This short-term noise data indicates that both the existing daytime ambient noise levels and the existing nighttime ambient noise levels are within the City's 80 dBA Leq daytime and 60 dBA Leq nighttime standards, respectively.

To estimate the future on-site stationary noise levels resulting from daily operations of the proposed Project, RK Engineering adjusted the reference noise levels as indicated in Table 4.12-I of the Draft EIR. Reference noise levels were then projected southeast, from the future loading docks on the east side of Building "B," across Webster Avenue to the property line of the existing residential units. The noise levels assume that the stationary sources are operating continuously when in reality noise sources will operate intermittently throughout daily operations.

As previously stated, on-site noise would be generated during loading and unloading activities by the trucks' diesel engines, exhaust systems, and low gear shifting during braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks as well as from the rooftop HVAC units. Loading/unloading activities would occur at the north and south side of Building "A" and on the east side of Building "B." Delivery trucks would generate a maximum noise similar to noise readings from loading/ unloading activities. Primary access for trucks delivering to the Project site will be from Patterson Avenue, Markham Street and Webster Avenue, north of Markham Street. Driveways and access to the site would occur at Patterson Avenue (away from Webster Avenue where existing sensitive receptors exist) and Markham Street. Per the City of Perris, no trucks will be allowed to utilize Webster Avenue via Ramona Expressway to access the Project site. This will reduce potential noise impacts on the residential uses located east of and adjacent to Webster Avenue resulting from truck delivery during daytime and nighttime hours.

To assess impacts at the Webster Avenue residences, the following scenarios for a typical hour were assumed:

#### Daytime/Nighttime Hours

- 30 minutes of 20 trucks idling at the southern loading docks of Building "A" approximately 1,410 feet away from the residential units southeast of the site, and approximately 350 feet away from the residential unit north of the site; and
- 30 minutes of 10 trucks idling at the loading docks of Building "B," approximately 475 feet away from residential units southeast of the site, and approximately 1,085 feet away from the residential unit north of the site.

In reality, diesel trucks delivering to the site would idle no more than 5 minutes during each loading/unloading operation per the requirement of the South Coast Air Quality Management District (SCAQMD) and the California Air Resources Board (CARB) for truck idling.

Table 4.12-P of the Draft EIR, *Projected Stationary Noise Exterior Noise Levels at Residential Units Along Webster Avenue (dBA)*, indicates the daytime and nighttime stationary noise levels associated with operations at the site respectively. In addition, the estimated operational CNEL was projected to residential units along Webster Avenue.

During loading and unloading activities, noise would be generated by the trucks' diesel engines, exhaust systems, and brakes during low gear shifting' braking activities; backing up toward the docks; dropping down the dock ramps; and maneuvering away from the docks. Loading/unloading activities would occur at the north and south side of Building "A" and on the east side of Building "B." Driveways and access to the site would occur at Patterson Avenue (away from Webster Avenue where existing sensitive receptors exist) and Markham Street.

As stated in Section 4.12.4.2 of the Draft EIR, stationary noise sources shall not exceed 60 dBA CNEL at the residential property line. Residences to the east of the Project site are approximately 1,410 feet from the center of Building "A's" southern loading/unloading area and approximately 475 feet from the center of Building "B's" loading/unloading area. These closest residences would experience truck noise levels of approximately 38.3 dBA Leq. Intermittent noise levels in the 55 to 60 dBA range would be expected when trucks are maneuvering in the auxiliary parking area.

These noise levels generated by truck operations would not exceed the City's daytime or nighttime noise standards of 80 dBA and 60 dBA Leq respectively. When combining the existing ambient noise level to the stationary noise level the Project would increase the existing ambient noise levels by a maximum of 0.7 dBA during the daytime and 2.0 dBA during the nighttime, as indicated in Table 4.12-P of the Draft EIR.

The residential home to the north of the Project site is approximately 165 feet north of the Project site's northern property line and approximately 350 feet from center of Building "A's" northern loading/unloading area and approximately 1,085 feet from the center of Building "B's" loading/unloading area. This closet resident would experience truck noise levels of approximately 61.7 dBA Leq. Intermittent noise in the 55 to 60 dBA range would be expected when trucks are maneuvering in the auxiliary parking area. When combining the existing ambient noise level to the stationary noise level the project would increase the existing ambient noise levels to the residential unit north of the site by a maximum of 0.2 dBA during the daytime and 0.6 dBA during the nighttime as indicated in Table 4.12-Q of the Draft EIR, *Projected Stationary Noise Exterior Noise Levels at Residential Units North of Project (dBA)*.

Table 4.12-R of the Draft EIR, *Combined Buildout Operational Noise Level Impact (dBA CNEL)*, provides the operational noise level impact and the projected traffic noise levels to the sensitive receptors along Webster Avenue and the residential unit to the north. Residences along Webster Avenue will experience a combined noise level of 66.4 dBA CNEL, which is 0.2 dBA above the estimated traffic buildout level of 66.2 dBA. The criterion for a significant noise increase is 5 dBA. Therefore the impact would be less than significant and no mitigation is required.

The resident to the north of the Project will experience a noise level of 61.9 dBA from proposed Project operations and negligible traffic noise. According to the PVCCSP, the land use where the residential unit is located is zone general industrial and this amount of noise would be acceptable given the land use zoning. It should also be noted that the residential unit to the north and the project site are in the direct flight path of the March Air Force Base noise contours and are located within the 65 dBA CNEL contour. Noise associated with the flight path would exceed Project operational noise levels.

It takes a change of 3 dBA or more for the human ear to hear a discernible difference and a change of 10 dBA will sound twice as loud to the ear. The Project is located within the 60 to 70 dBA CNEL noise contours for of the March Air Force Base, and as indicated in Tables 4.12-Q and 4.12-R, the project is not expected to increase noise levels beyond the existing noise levels by more than 2 dBA.



Project design also incorporates a 14-foot high concrete tilt-up screening wall along the perimeter of areas designated for truck parking/loading. This includes the loading/unloading docks and truck parking area east of Building "B." With incorporation of this design consideration, no significant noise impacts would occur to off-site noise sensitive land uses from operational activities at the Project site.

On-site stationary noise also includes the operation of rooftop heating, ventilation, and air conditioning (HVAC) or condenser equipment. Air conditioning units are typically electrically powered devices that are located on the roof of a building. The unit dissipates the heat from the mechanical ventilation system to the outside of the building. HVAC equipment generates a sound pressure level (SPL) of up to 95 dBA at 1 foot.

The proposed Project would have rooftop heating, ventilation, and air conditioning (HVAC) or condenser equipment. HVAC equipment will be located approximately 535 to 1,260 feet from the nearest residences (southeast). With the distance divergence, noise generated by HVAC equipment would be reduced to 30.0 to 37.5 dBA Leq at the closest residences. The noise levels generated by the HVAC equipment would be below the City's daytime/nighttime exterior standard of 80 dBA and 60 dBA Leq or 60 dBA CNEL. Further, the Project will incorporate parapet screening walls for any rooftop HVAC condensers that are within a 600 foot radius of residential units. The wall shall be positioned shielding the residential area from equipment and be as tall as or taller than the equipment. With incorporation of these design considerations, no significant noise impacts would occur to off-site noise sensitive land uses from rooftop HVAC equipment.

Typical activities within a parking area include noise from moving vehicles, engine start-ups, door and trunk slams, and conversation. Noise levels of this type generally produce maximum noise levels ranging from 60 to 70 dBA Lmax at a distance of 50 feet. The closest on-site vehicle parking is located in excess of 200 feet from the existing residences along Webster Avenue. Given that most parking area activities are intermittent and last only seconds, and that their noise levels would be lower than that of the truck loading/unloading noise, they would not accumulate or contribute significantly to the ambient noise dominated by the truck loading/unloading noise or existing traffic noise. Therefore, no significant noise impacts would occur to off-site noise-sensitive land uses from activities within the vehicle parking areas. No mitigation measures are required.

**Mitigation Measures.** The following design considerations have been included as mitigation measures to reduce potential impacts on adjacent noise-sensitive receptors from on-site stationary noise and operational activities at the proposed warehouse distribution facility:

- N 4.12A** A 14-foot high concrete tilt-up screening wall will be constructed along the perimeter of areas designated for truck parking/loading. This includes the loading/unloading docks and truck parking area east of Building "B" and an 8-foot high wrought iron fence on top of retaining wall along the northern property line of Parcel 1 (Building "A"), as shown in Figure 4.12-7, *Mitigation Measures*.
- N 4.12B** Project design shall incorporate screening walls for any rooftop HVAC condensers that are within a 600 foot radius of residential units. The wall shall be positioned to shield the residential area from equipment and be as tall as or taller than the equipment.
- N 4.12C** An 8-foot concrete tilt-up or solid masonry wall shall be constructed along the northern property line from the northeast corner to the west approximately 400 feet to shield the residence to the north from truck noise levels at the Project site.

Compliance with Mitigation Measures N4.12A through N4.12C will ensure that potential impacts to



adjacent noise-sensitive land uses from operations at the Project site would be reduced to a less than significant level. This finding is consistent with the *PVCCSP EIR* which concluded that development of the PVCCSP land uses would not expose people to noise levels that exceed City noise standards and that impacts would be less than significant.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**
- 2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** The potential impacts related to noise levels in excess of established standards have been eliminated or substantially lessened to a level of less than significant by implementation of additional Project-level mitigation measures N 4.12A through N 4.12C (Draft EIR, pages 4.12-37).

#### ***A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels without the project (On-Site Sources)***

Operational activities that generate noise can be separated into two categories: transient or continuous in nature. Each category can also result in varying degrees of ground vibration, depending on the equipment used on the site. Operation of equipment causes ground vibrations that spread through the ground and diminish in strength with distance. Buildings in the vicinity of the Project area respond to these vibrations with varying results ranging from no perceptible effects at the low levels to slight damage at the highest levels. The effects of groundborne vibration are discussed in the preceding impact analysis.

The Noise Impact Study evaluates potential exterior noise impacts as a result of construction at the Project site. Construction activities would occur only during the daytime hours and would result in an increase in ambient noise due to construction crew commutes, transport of construction equipment, excavation, grading, and construction on the site. The degree of construction noise will vary depending on the phase of construction, type of construction activity and type of equipment being used. The existing residential units east of Webster Avenue, south of Markham Street, are the closest noise-sensitive receptors to the Project site.

Construction noise is considered a short-term impact and would be considered significant if construction activities are undertaken outside the allowable time as described by the City's Municipal Code and exceeds the City's 80 dBA Lmax standard (Section 7.34.060). Construction noise levels will vary significantly based upon the size and topographical features of the active construction zone, duration of the workday and types of equipment employed.

The construction noise analysis utilizes the Federal Highway Administration (FHWA) Roadway Construction Noise Model, together with several key construction parameters. Key inputs include distance to the sensitive receiver, equipment usage, % usage factor (= % full throttle) and baseline parameters for the Project site. Table 4.12Z of the Draft EIR, *Typical Construction Noise Levels*, has the construction noise levels for various pieces of equipment. Construction noise will be loudest during the grading, concrete and building phases of construction. The construction noise calculation worksheet outputs are located in Appendix M. The following assumptions relevant to short-term construction noise impacts were used:

- It is anticipated that construction will occur over an approximate one (1) to two (2) year time period. Construction noise is expected to be the loudest during the grading, concrete and building phases.

All roadways in the vicinity of the Project site are either paved or would be paved and would not result in traffic driving over rough roads, reducing the potential for increased noise levels and groundborne vibration. Construction activities for the Project site do not include blasting or pile driving.

The transport of construction equipment and materials as well as construction crew commutes to the site for the proposed Project would incrementally increase noise levels on access roads leading to the site. Construction itself is completed in discrete steps, each of which has its own mix of equipment, and consequently, its own noise characteristics. These various sequential phases would change the character of the noise generated on the site, and therefore, the noise levels surrounding the site as construction progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow construction-related noise ranges to be categorized by work phase. The site preparation phase, which includes excavation and grading of the site, tends to generate the highest noise levels, because the noisiest construction equipment is earthmoving equipment (e.g., bulldozers, graders and scrapers). Typical operating cycles for these types of construction equipment may involve one or two minutes of full-power operation followed by three to four minutes at lower power settings. Therefore, construction noise is related primarily to the use of heavy equipment. The analysis of construction noise considers both maximum and average noise levels. Average equipment noise levels are less than maximum levels because equipment is operated at full power for only part of an operating period. If a piece of equipment operates at full power for 50 percent of the time, then the average noise level is approximately 3 dBA less than the maximum noise level.

As stated previously, the level at which changes in community noise levels become discernible is likely to be some value greater than 1 dBA, and 3 dBA appears to be appropriate for most people. For the purpose of this EIR, the Project creates a significant noise impact if the Project-related noise increase at an existing noise-sensitive receptor is greater than 3 dBA and the resulting noise level is greater than the standards cited above or if the Project-related increase in noise is greater than 5 dBA yet the resulting noise levels are within the applicable land use compatibility standards for the sensitive use.

Typical operating cycles for these types of construction equipment may involve one or two minutes of full power operation followed by a few minutes at lower idling speeds. Although the single event exposure, resulting in higher intermittent annoyance noise levels, the effect in the long-term ambient noise levels would be small when averaged over a longer time period.

RK Engineering calculated the estimated construction noise levels by estimating the equipment usage during the loudest phases of construction. The site's eastern boundary is approximately 200 feet from the nearest residences (located at the east side of Webster Avenue and south of Markham Street). Table 4.12-AA of the Draft EIR, *Project Construction Related Noise Levels (dBA)*, outlines the estimated noise levels during construction. Noise levels will be loudest during the grading, concrete and building.

The Project's eastern boundary is approximately 200 feet from the nearest residences (located across the street of Webster Avenue). The residences located directly east of the Project site's eastern boundary would be exposed to construction noise levels of 67.3 dBA Leq, which is below the City's 80 dBA Leq standard.

The Project's northern boundary is approximately 160 feet from the nearest residences (located

north of the site). The residences located directly north of the Project site's northern boundary would be exposed to construction noise levels of 69.7 dBA Leq, which is below the City's 80 dBA Leq standard.

Compliance with the hours specified in the City's Municipal Code regarding construction activities would ensure that noise from construction activities would be minimized. Therefore, short-term temporary construction noise impacts on adjacent residential use would be less than significant.

**Mitigation Measures.** The *PVCCSP EIR* included specific mitigation measures to reduce potential construction noise impacts to less than a significant level. These mitigation measures, as well as those mitigation measures identified in the Noise Impact Study prepared for the proposed Project, are required during the construction of the proposed Project:

- N 4.12D** Construction will be limited to the hours of 7:00 a.m. to 7 p.m., Monday through Saturday, in accordance with the City of Perris Municipal Code Section 7.34.060. No construction activities are permitted outside of these hours or on Sundays and legal holidays, except for Columbus Day and Washington's Birthday.
- N 4.12E** During all Project site excavation and grading on site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards. Construction equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Equipment shall be turned off when not in use and not allowed to idle. 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.
- N 4.12F** During construction, stationary construction equipment, stockpiling and vehicle staging areas would be placed a minimum of 446 feet away from the closest sensitive receptor.
- N 4.12G** 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.
- N 4.12H** Construction contractors of implementing development Project's 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.

Compliance with Mitigation Measures N 4.12D through N 4.12H will ensure that potential impacts to adjacent noise-sensitive land uses from construction at the Project site would be reduced to a less than significant level. This finding is consistent with the *PVCCSP EIR* which concluded that construction-generated noise resulting from development of land uses identified in *PVCCSP* could be potentially significant but with implementation of the specified mitigation measures would be reduced to less than significant.

## **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**

**2. The effects identified in the EIR have been determined not to be significant.**

**Facts in Support of Findings:** Compliance with Mitigation Measures N 4.12D through N 4.12H (Draft EIR, pages 4.12-48 and 49) will ensure that potential impacts to adjacent noise-sensitive land uses from construction at the Project site would be reduced to a less than significant level. This finding is consistent with the PVCCSP EIR which concludes that construction-generated noise resulting from development of land uses identified in PVCCSP could be potentially significant but with implementation of the specified mitigation measures would be reduced to less than significant.

### **5.3 ENVIRONMENTAL EFFECTS WHICH REMAIN SIGNIFICANT AND UNAVOIDABLE AFTER MITIGATION AND FINDINGS**

The purpose of this section is to present the Findings and Facts in the Support of Findings relative to those Project impacts that cannot be reduced to a level considered less than significant with the incorporation of PVCCSP EIR mitigation measures into the proposed Project, and implementation of Project-specific project design features, and/or additional Project-level mitigation measures.

The City of Perris, having reviewed and considered the information contained in the Final EIR, Technical Appendices and the administrative record, finds, pursuant to California Public Resources Code 21081 and CEQA Guidelines 15091, that:

- Changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effect as identified in the EIR.
- Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.
- Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.

Therefore, the Project would cause significant unavoidable impacts for the following categories. The City must adopt a Statement of Overriding Consideration as a condition of Project approval and identify overriding economic, legal, social, technological, or other benefits of the Project that outweigh the significant effects of the Project (refer to Section 7.0 of this document).

#### **Air Quality**

- Violate Any Ambient Air Quality Standards or Contribute Substantially to an Existing Air Quality Violation (NOx) and
- Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or state ambient air quality standard.

#### **Traffic and Circulation**

- Cumulative impacts related to intersections, roadway segment capacity, freeway mainline segments, and freeway merge/diverge.

### 5.3.1 AIR QUALITY

#### Violate Any Ambient Air Quality Standards or Contribute Substantially to an Existing Air Quality Violation (NO<sub>x</sub>)

Long-term air pollutant emission impacts are those associated with area sources and mobile sources resulting from implementation of the proposed Project. The area source emissions from the proposed Project would come from landscape maintenance equipment, consumer (cleaning) products, and the reapplication of architectural coatings. The energy source emissions from the proposed Project would come from the consumption of natural gas for on-site buildings. Mobile source emissions would come from vehicular emissions from automobiles and trucks traveling to and from the site. Another area source of emissions is off-road equipment such as yard trucks and forklifts operating within the project site. Based on trip generation factors included in the Traffic Impact Analysis and in the Institute of Transportation Engineers' (ITE) Trip Generation Manual, Ninth Edition, which is the default trip generation factors included in CalEEMod, long-term operational emissions associated with the proposed Project are shown in Table 4.3-S, *Regional Significance – Operational Emissions*, of the Draft EIR. Table 4.3-S shows that the increase of all criteria pollutants as a result of the proposed Project would be less than the corresponding SCAQMD daily emission thresholds except for NO<sub>x</sub>. This exceedance is due to the extensive haul truck travel distance (60 miles) of diesel-powered trucks resulting from warehouse operations. This would be a significant impact.

It should be noted that the tenants of the proposed Project may be subject to SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation Options. Rule 2202 applies to any employer who employs 250 or more employees on a full or part-time basis at a worksite for a consecutive six-month period calculated as a monthly average with some exceptions. The purpose of this rule is to provide employees with a menu of options to reduce employee commute vehicle emissions. Tenants with less than 250 employees or tenants with 250 or more employees who are exempt from SCAQMD Rule 2202 (as stated in the Rule) shall either (a) join with a tenant who is implementing a program in accordance with Rule 2202 or (b) implement an emission reduction program similar to Rule 2202 with annual reporting of actions and results to the City. The tenant-implemented program would include, but not be limited to the following:

- Appoint a Transportation Demand Management (TDM) coordinator who would promote the TDM program, activities, and features to all employees.
- Create and maintain a "commuter club" to manage subsidies or incentives for employees who carpool, vanpool, bicycle, walk, or take transit to work.
- Inform employees of public transit and commuting services available to them (e.g., social media, signage).
- Provide on-site transit pass sales and discounted transit passes.
- Guarantee a ride home.
- Offer shuttle service to and from public transit and commercial areas/food establishments, if warranted.
- Coordinate with the Riverside Transit Agency and employers in the surrounding area to maximize the benefits of the TDM program.



At the present time it is not known how many tenants would operate from the Project site and how many employees each tenant would have. Therefore, not reduction in employee trips has been assumed in the Table 4.3-S calculations. However, any implementation of a Rule 2202 program would reduce the mobile source emissions associated with the proposed Project.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project that avoid or substantially lessen the significant environmental effect as identified in the EIR.**
- 2. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR.**
- 3. Impacts associated with long-term operational air quality emissions from implementation of the proposed Project have been reduced to the extent feasible. However, after implementation of mitigation measures contained in the EIR, the impacts would constitute a significant and unavoidable impact.**

**Facts in Support of Findings:** Incorporation of PVCCSP EIR mitigation measures MM Air 11 through MM Air 14 and MM Air 18 through MM Air 20 and additional Project-level mitigation measure AQ 4.3E through AQ 4.3M, into the proposed Project reduces the Project's construction emissions and potential cumulative impact of criteria pollutants to a less than significant level.

### **Applicable PVCC Specific Plan Mitigation Measures**

- 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.
- 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.
- 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.
- 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.

- 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.
- MM Air 19** 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.
- MM Air 20** 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.

#### **Additional Project-Level Mitigation Measures**

- AQ 4.3E** Either High-Volume, Low-Pressure (HVLP) spraying equipment or manual application techniques shall be used to reapply architectural coatings. Paints shall have a VOC content no higher than 10 g/L.
- AQ 4.3F** The facility operator shall require by lease agreements that any future building tenants shall utilize only electric yard trucks and forklifts.
- AQ 4.3G** The Project applicant shall require that any future tenants institute a ride sharing/van pool program that is open to all employees.
- AQ 4.3H** Prior to issuance of a building permit, the Project proponent shall provide the City with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles. Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated.
- AQ 4.3I** Prior to the issuance of building permits, the Project proponent shall provide evidence to the City that loading docks are designed to be compatible with SmartWay trucks.
- AQ 4.3J** Upon occupancy, the facility operator shall require tenants that do not already

operate 2010 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, SmartWay Finance, or other similar funds. If awarded, the tenant shall be required to accept and use the funding. Tenants shall be encouraged to consider the use of alternative fuelled trucks as well as new or retrofitted diesel trucks. Tenants shall also be encouraged to become SmartWay Partners, if eligible. This measure shall not apply to trucks that are not owned or operated by the facility operator or facility tenants since it would be infeasible to prohibit access to the site by any truck that is otherwise legal to operate on California roads and highways. The facility operator shall provide an annual report to the City of Perris Development Services Department. The report shall: one, list each engine design; two, describe the effort made by each tenant to obtain funding to upgrade their fleet and the results of that effort; and three, describe the change in each fleet composition from the prior year.

**AQ 4.3K** Upon occupancy and annually thereafter, the facility operator shall provide information to all tenants, with instructions that the information shall be provided to employees and truck drivers as appropriate, regarding:

- Building energy efficiency, solid waste reduction, recycling, and water conservation.
- Vehicle GHG emissions, electric vehicle charging availability, and alternate transportation opportunities for commuting.
- Participation in the Voluntary Interindustry Commerce Solutions (VICS) "Empty Miles" program to improve goods trucking efficiencies.
- Health effects of diesel particulates, State regulations limiting truck idling time, and the benefits of minimized idling.
- The importance of minimizing traffic, noise, and air pollutant impacts to residences on Markham Street and Webster Avenue.

**AQ 4.3L** Prior to issuance of an occupancy permit, the project proponent shall install a sign on the east side of the property with telephone, email, and regular mail contact information for a designated representative of the tenant who would receive complaints about excessive noise, dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Code violations. The tenant's representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The tenant's representative shall endeavor to resolve reasonable complaints within 24 hours.

**AQ 4.3.M** Prior to the issuance of building permits, the Project proponent shall submit lighting plans to the City of Perris Building Division demonstrating that outdoor lighting is limited to levels needed for safety and security.

Mitigation measure AQ 4.3-F would reduce emissions of NOx by 23.6 pounds per day. However, there is no feasible mitigation beyond that identified above that would reduce the operational emissions of NOx associated with the proposed Project to levels that do not exceed the SCAQMD's threshold of significance. Therefore, the operational air quality impact of the proposed Project would be significant and unavoidable.

*Result in a Cumulatively Considerable Net Increase of any Criteria Pollutant for Which the Project Region is in Nonattainment Under an Applicable Federal or State Ambient Air Quality Standard (NOx)*

As referenced previously in the threshold regarding ambient air quality standards, the long-term operational emissions of NO<sub>x</sub> associated with the proposed Project would be significant event with mitigation incorporated. Therefore, they would also be cumulatively considerable. Mitigation Measures AQ 4.3E through AQ 4.3M and *PVCCSP EIR* Mitigation Measures Air 11 through 14 and 18 through 20 would be applicable for this impact.

### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect as identified in the EIR.**
- 2. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or Project alternatives identified in the final EIR.**
- 3. Impacts associated with cumulative criteria pollutants and have been reduced to the extent feasible. However, after implementation of the mitigation measures contained in the EIR, the impacts would constitute a significant and unavoidable impact.**

**Facts in Support of Findings:** Incorporation of PVCCSP EIR mitigation measures MM Air 11 through MM Air 14 and MM Air 18 through MM Air 20 and additional Project-level mitigation measure AQ 4.3E through AQ 4.3M, into the proposed Project reduces the Project's construction emissions and potential cumulative impact of criteria pollutants to a less than significant level.

### **Cumulative Impacts**

The long-term operations of the Project would exceed the SCAQMD's threshold of significance for NO<sub>x</sub>. There is no feasible mitigation beyond that identified above that would reduce the operational emissions of NO<sub>x</sub> associated with the proposed Project to levels that do not exceed the SCAQMD's threshold of significance. Therefore, the operational air quality impact of the proposed Project would be significant from a project-specific and cumulative standpoint.

### 5.3.2 TRAFFIC AND CIRCULATION

*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 Not Limited to Intersections, Streets, Highways, and Freeways, Pedestrian and Bicycle Paths, and Mass Transit, or 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*

#### **Findings**

- 1. Changes or alterations have been required in, or incorporated into, the proposed Project, which avoids or substantially lessens the significant environmental effect as identified in the EIR.**
- 2. Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can or should be adopted by such other agency.**
- 3. Specific economic, legal, social, technological, or other considerations, including provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the final EIR.**
- 4. Cumulative traffic impacts from implementation of the proposed Project have been reduced to the extent feasible. However, the impacts would constitute a significant and unavoidable impact.**

**Facts in Support of Findings:** The intersection of Western Way/Harley Knox Boulevard is not included in the NPRBBD Program. As such, there no mechanism to ensure that the improvements necessary to accommodate the cumulative traffic volumes would be implemented by the City of Perris by the time that the improvements are necessary. As shown in Table 4.15-K of the Draft EIR, the contribution of the proposed Project to the necessary improvements would be only 3.3%. This demonstrates that the significant cumulative impact is not caused specifically by the proposed Project or that the proposed Project is the primary contributor to the significant cumulative impact. It would also be inappropriate for the Project to have to mitigate the significant cumulative impact by constructing the recommended improvements since it is a minor contributor to the impact. In the absence of an adopted program and estimated timeframe for implementing the necessary improvements to this intersection, the cumulative impact would be significant and unavoidable until the improvements are implemented by the City or by another project developer.

## **5.4 ALTERNATIVES TO THE PROPOSED PROJECT**

The Draft EIR addresses the environmental effects of alternatives to the proposed Project. A description of these alternatives, a comparison of their environmental impacts to the proposed Project, and the City's findings are listed below. These alternatives are compared against the Project relative to the identified Project impacts summarized in Section 5.2 and Section 5.3 of this document, above, and to the Project objectives, as stated in Section 2.3 of this document.

In making the following alternatives findings, the City of Perris certifies that it has independently reviewed and considered the information on alternatives provided in the Draft EIR, including the information provided in the comments on the Draft EIR and the responses thereto.

### **5.4.1 ALTERNATIVE 1: REDUCED INTENSITY ALTERNATIVE**

With the intent of avoiding land use conflicts introduced by the proposed Project's requirement for an amendment to the PVCCSP created by the proposed Project, the City has considered a Reduced Intensity Alternative. This alternative includes an approximately 912,338 square foot high-cube logistics warehouse building at the Project site. The existing PVCCSP General Plan designation and PVCCSP zoning would be proposed to be modified in exactly the same way as the proposed Project.

#### **Findings**

- 1. The findings of the proposed Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of this alternative from further consideration.**

#### **Facts in Support of Findings:**

Under the Reduced Intensity Alternative, the site development would have similar environmental impacts to the Proposed Project; however, due to a lesser amount of development, there would generally have a decrease in Project-specific environmental impacts (traffic, air, noise, and greenhouse gas emissions). However, this alternative would also reduce the amount of jobs produced in a job-poor area. It would also result in an underutilization of a site that has been planned for the development of industrial uses. Underdevelopment of a site could increase pressure to develop other sites in Perris and surrounding area.

### **5.4.2 ALTERNATIVE 2: NO PROJECT ALTERNATIVE**

Under the No Project Alternative, no development would take place within the Project site limits. No ground-disturbing activities would take place, nor would any form of structure or facility be erected. Impacts associated with this alternative, when compared to the proposed Project, would not occur. In the absence of development, most impacts would not occur and this alternative would be the superior alternative solely from an environmental perspective. However, the fair share traffic mitigation measures required by a Project at this location would also not occur. Four study intersections are projected to operate at an unacceptable level of service prior to the in the long term. Without a Project mitigating these impacts by paying fair share fees, those intersections would continue to operate at an unacceptable level of service.

Additionally, no development of the site, as suggested by this alternative, would not fulfill the primary objectives of the proposed Project or the development of the City as envisioned under the PVCCSP. Retention of the Project site in its current condition would not expand employment



opportunities to residents of the City. Retaining the site in its current undeveloped condition would not generate the revenue (e.g., property tax) that could augment the City's current revenue stream.

### **Findings**

- 1. The findings of the proposed Project set forth in this document and the overriding social, economic and other issues set forth in the Statement of Overriding Considerations provide support for the proposed Project and the elimination of this alternative from further consideration.**

#### **Facts in Support of Findings:**

Pursuant to CEQA (§15126.6[e][2]), the analysis of the No Project Alternative should discuss what would reasonably be expected to occur, based on current plans and consistent with available infrastructure and community services, in the foreseeable future. The Project site is currently zoned Specific Plan, with an underlying land use of Heavy Industrial and Light Industrial. The Project site is currently designated by the General Plan as the PVCCSP. Given the goals and objectives of the City of Perris, it is highly reasonable in the event the proposed Project were not approved, the site would be the subject of another development proposal for some type of industrial use in the near future. However, it is not assured that the site would develop with a pattern similar to the proposed Project. For this reason, this Draft EIR assumes the No Project Alternative would result in no development on the Project site, and continued use of the land for agricultural purposes would remain.

## **SECTION 6.0 CERTIFICATION OF THE FINAL EIR**

The Planning Commission declares that no new significant information as defined by the CEQA Guidelines, Section 15088.5, has been received by the Planning Commission after circulation of the Draft EIR that would require recirculation. The Planning Commission certifies the Final EIR based on the findings and conclusions discussed below.

### **6.1 FINDINGS**

The Project would have the potential for creating significant adverse impacts. These significant adverse environmental impacts have been identified in the EIR and will require mitigation as set forth in the Findings. As described in Section 5.3 of this document, significant adverse impacts which cannot be mitigated to a level of insignificance after mitigation include operational air quality emissions (NOx) and cumulative transportation/traffic (intersections, roadway segments, freeway segments and freeway ramps).

### **6.2 CONCLUSIONS**

1. Except as to those impacts stated above relating to air quality and transportation/traffic, all other significant environmental impacts from the implementation of the proposed Project have been identified in the EIR and, with implementation of the project design features and mitigation measures identified, will be mitigated to a level considered less than significant.
2. Alternatives to the proposed Project, which could potentially achieve the basic objectives of the proposed Project, have been considered and rejected in favor of the proposed Project.
3. Environmental, economic, social, and other considerations and benefits derived from the development of the proposed Project override and make infeasible any alternatives to the proposed Project or further mitigation measures beyond those incorporated into the proposed Project.

## SECTION 7.0 STATEMENT OF OVERRIDING CONSIDERATIONS

### 7.1 INTRODUCTION

The California Environmental Quality Act (CEQA) and the State CEQA Guidelines provide in part the following:

- a) CEQA requires that the decision maker balance the benefits of a proposed project against its unavoidable environmental risks in determining whether to approve the project. If the benefits of the proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."
- b) Where the decision of the public agency allows the occurrence of significant effects that are identified in the Final EIR but are not mitigated, the agency must state in writing the reasons to support its action based on the Final EIR and/or other information in the record. This statement may be necessary if the agency also makes the finding under Section 15091(a)(2) or 15091(a)(3) of the State CEQA Guidelines.
- c) If an agency makes a statement of overriding considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination (Section 15093 of the State CEQA Guidelines).

The Planning Commission, having reviewed and considered the information contained in the Final EIR for the Project, Responses to Comments and the public record, adopts the following Statement of Overriding Considerations that have been balanced against the unavoidable adverse impacts in reaching a decision on this Project.

### 7.2 SIGNIFICANT UNAVOIDABLE IMPACTS

Although all potential Project impacts have been substantially avoided or mitigated as described in the preceding findings, there is no complete mitigation for the following impacts. These impacts are considered significant and unavoidable.

- **Operational Air Quality Impact.** Maximum daily emissions from Project operations would exceed the South Coast Air Quality Management District (SCAQMD) CEQA significance thresholds for nitrogen oxides (NOx) resulting in a significant and unavoidable impact.
- **Cumulative Air Quality Impact.** Result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is in nonattainment under an applicable federal or state ambient air quality standard.
- **Cumulative Traffic Impacts.** The proposed Project would result in significant and unavoidable cumulative impacts related to intersections, roadway segment capacity, freeway mainline segments, and freeway merge/diverge.

Details of these significant unavoidable adverse impacts were discussed in the EIR and are summarized, or were otherwise provided in Section 5.3, Environmental Effects Which Remain Significant and Unavoidable after Mitigation and Findings, in this document.

### 7.3 **OVERRIDING CONSIDERATIONS**

To the extent that the significant effects of the Project are not avoided or substantially lessened to below a level of significance, the City of Perris Planning Commission, having reviewed and considered the information contained in the proposed Project EIR and the public record, and having balanced the benefits of the Project against the unavoidable effects which remain, finds that such unmitigated effects to be acceptable in view of the following overriding considerations. The Planning Commission finds that any one of these Project benefits standing alone would be sufficient to sustain the Statement of Overriding Considerations.

1. **The City of Perris finds that all feasible mitigation measures have been imposed to lessen Project impacts to less than significant levels. Furthermore, the City of Perris finds that alternatives to the Project are infeasible because, while they have similar or fewer environmental impacts, they do not provide the benefits of the Project, or they are otherwise socially or economically infeasible when compared to the Project, as described in the Statement of Facts and Findings.**

*With the exception of air quality and traffic, impacts, based on the analysis presented in the Initial Study and Draft EIR, potential Project impacts are adequately reduced to less than significant levels through implementation of the identified PVCCSP mitigation measures, Project design features, and additional Project-level mitigation measures developed for the proposed Project. The proposed Project would result in significant unavoidable operational and cumulative air quality impacts and cumulative traffic impacts. For those impacts found to be significant and unavoidable, mitigation is identified to the extent feasible. The following sections of the Draft EIR identify why each impact cannot be fully mitigated to a less than significant level: Sections 4.3, Air Quality; 4.15, Traffic and Circulation; and 5.1, Significant Environmental Effects which Cannot be Avoided if the Proposed Project is Implemented.*

*The significant and unavoidable Project and cumulative air quality impacts resulting from the Project are associated with NOx emissions resulting from the Project's mobile sources (vehicular emissions). There is no feasible mitigation to reduce these impacts to a less than significant level. The Reduced Intensity Alternative and the No Project Alternative would not avoid the Project and cumulative air quality impacts. Elimination of these significant impacts would require reducing the number of vehicle trips through a reduction in the size of the Project to a level that would not meet the Project objectives.*

*The proposed Project does not result in any direct (Project-specific) traffic impacts. However, the Project's cumulative traffic impacts remain significant and unavoidable for one or more of the following reasons, as further discussed below: (1) the intersection or freeway facility is under the jurisdiction of another agency (e.g., California Department of Transportation [Caltrans]) and the City of Perris cannot require that agency to approve and implement physical improvements (planned or other) and cannot implement the improvements without Caltrans' approval; and/or (2) the identified non-program improvements that are needed for intersections and roadway segments to operate at an acceptable level of service (LOS) are not covered by an existing adopted traffic mitigation fee program, and payment of an additional fee does not ensure that the physical improvements would ultimately be completed.*

*The Project applicant is required to pay fees as required by established traffic mitigation fee programs (NPRBBD, which includes TUMF and DIF). The payment of the required fees for these established programs reduces the Project's impact to a less than significant level, unless the intersection or roadway is not solely under the jurisdiction of the City of Perris or the required improvement is not covered by an established program.*

*Although the City of Perris makes every effort to ensure that needed non-program improvements are constructed prior to that time at which the LOS is forecasted to fall below the performance levels established by the City and to ensure that significant impacts are avoided, the additional fee payment policy is not an established traffic mitigation fee program, does not identify the timing of the implementation of specific improvements, and does not guarantee that specific roadway or intersection improvements would be made. Additionally, there is no certainty that the City would be able to obtain sufficient funding through the additional fee pay policy to implement the physical improvements. Therefore, while the payment of the additional local fee ensures that the Project developers, including the Project applicant, have paid their "fair share" toward non-program improvements needed to mitigate cumulative impacts, it would not reduce these impacts to a less than significant level. The Reduced Intensity Alternative and the No Project Alternative would not avoid these significant cumulative impacts.*

*The Project's cumulative impacts to intersections, roadway segments, freeway mainline segments, and freeway ramps would occur by forecast year 2035. Improvements to the I-215 (intersection, freeway segments and ramps) can reduce impacts; however, these physical improvements would require approval from Caltrans. The City of Perris cannot require Caltrans to approve implementation of mitigation measures and cannot construct planned or other improvements without Caltrans approval. The City of Perris has no control over State facilities, including the timing or implementation of freeway segment, intersection and ramp improvements and, because the State facilities funded and planned to be developed under future traffic conditions are already anticipated to operate at an unacceptable LOS even without the proposed Project, there are no further improvements or mitigation that can be imposed upon the Project to mitigate its small cumulative contribution to significant impacts to I-215 traffic conditions. Therefore, these impacts would be significant and unavoidable.*

*The Reduced Intensity Alternative and the No Project Alternative would not avoid the cumulative traffic impacts resulting from the proposed Project. Elimination of these significant impacts would require reducing the number of vehicle trips through a reduction in the size of the Project to a level that would not meet the Project objectives.*

- 2. The proposed Project is consistent with and will contribute to achieving the goals and objectives established by the Perris General Plan and the PVCCSP. Implementing the City's General Plan as a policy is a legal and social prerogative of the City.**

*The proposed Project implements the approved PVCCSP on the Project site per the amended specific plan. The PVCCSP EIR concludes that implementation of the PVCCSP, of which the proposed Project is a part, would not result in inconsistencies with the General Plan goals and policies. Because the proposed Project has been determined to be consistent with, and implements the PVCCSP, it can be concluded that it is also consistent with the General Plan. Further, the proposed Project is consistent with the intent of the PVCCSP "to provide high quality industrial, commercial, and office land uses to serve the existing and future residents and businesses of the City of Perris", and specifically with the land use designation of General Industrial. Therefore, the proposed Project is also consistent with the General Plan land use designation (Specific Plan) for the Project site.*

*The proposed Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Project adopted for the purpose of avoiding or mitigating an environmental effect. Notably, the proposed Project specifically implements Goal III of the Land Use Element, which is "Commerce and industry to provide jobs for residents of all economic levels" and Policy III.A which is "Accommodate diversity in the local economy".*

- 3. Development and construction of the proposed Project will create both temporary and permanent on-site jobs and will indirectly support local and regional jobs. Additionally, construction spending will create a one-time stimulus to the local and regional economies. Once the proposed Project is completed, the facility will ultimately spur the creation of both local and regional jobs, and there would be additional output and earnings to the local and regional economies.**

*Temporary construction and long-term operational jobs created by the Project would result in increased spending throughout the region, including in the City of Perris. During the construction phase of the proposed Project, direct jobs, that would be created, further increase indirect jobs in the City and in the economic region. Additionally, over the construction period, construction spending would add revenue to local and regional output. Construction spending would also increase local earnings and regional earnings. After construction, the development would create new on-site jobs as well as indirect jobs in the City and in the economic region.*

- 4. The Optimus Logistics Center 2 Project will contribute towards maximizing employment opportunities in the City to improve the jobs-housing balance and to reduce systemic unemployment within the City. Jobs for residents at a variety of income levels will be provided.**

*There are numerous methodologies for estimating employment generation from individual projects. As identified in Section 4.10, Land Use Planning, Population and Housing, of the Draft EIR, the proposed Project would generate approximately 519 new jobs, plus temporary construction jobs. The actual number of employees would vary based on the operation of the proposed Project as a high-cube distribution warehouse or an e-commerce fulfillment center. This employment estimate is based on the employee generation rates used in the PVCCSP EIR. The proposed Project would result in the creation of new jobs, which would be an increase over existing conditions where no employment opportunities currently exist. This increase in jobs would be an overall benefit to the local and regional economy.*

*Based on the most recent adopted housing and employment growth forecast data available from the Southern California Association of Governments (SCAG), the estimated 2020 jobs-to-housing ratios for the City of Perris is 0.98. In 2035, the future jobs-to-housing ratios for the City is 0.86. The jobs-to-housing ratio refers to the ratio of residents and jobs in an area. Because these ratios are below 1.0, they indicate that the City of Perris is "jobs poor". Therefore, the provision of additional jobs by maximizing employment on the Project site would support a better jobs-to-housing ratio and would reduce unemployment in the City. New jobs associated with the Project are expected to include both manual occupations (e.g., trucking, dock work, and freight handling) and other office-based occupations (e.g., logistics, sales, management, and freight forwarding). Both manual and office-based occupations have the potential to pay relatively high wages, thereby contributing to the provision of jobs for a variety of income levels. Additionally, as discussed previously in the discussion for Item 3, the proposed Project would generate short-term construction-related and long-term operational jobs.*

- 5. The proposed Project will provide new development that will assist the City in obtaining fiscal balance in the years and decades ahead. Once construction is completed, the facility will annually generate additional City revenue. This increased revenue from the development will be driven by indirect sales tax, property tax, and business license fees.**

*The Project would have a positive fiscal impact on the City of Perris through construction and*



*development of the Project, as well as throughout the life of the Project. As noted above in the discussion for Item 3, the construction and development of the site would produce a temporary economic stimulus as a result of one-time construction-related spending in the form of one-time development fees. These fees include city fees, school fees, sewer and water fees, and permits. In addition to the one-time payment of fees, property taxes and indirect sales taxes would be collected during this time and paid to the City of Perris. During the operational phase of the Project (during which time the building is fully constructed and functional), additional revenues will be paid to the City in the form of property taxes, indirect sales tax, and business license fees.*

- 6. The proposed Project will help meet the existing demand for high-quality, large-scale, Class A high cube warehouse/distribution center or e-commerce/fulfillment center within a geographic area that allows for access to a multi-modal transportation system.**

*The proposed Project has been designed to maximize the size of the on-site building, taking into consideration site constraints and development standards outlined in the PVCCSP.*

*Further, according to market trends, the positive demand for warehouses over 500,000 sf has been spurred by the shift to internet sales and the increase in e-commerce retailers. E-commerce sales were more than doubled from 2005 to 2012, and future e-commerce sales are projected at \$327 billion in 2016. Based on an Inland Empire Market Overview prepared in September 2013<sup>20</sup> and (reference Integra Final EIR - Attachment D), tenants continue to look for modern, large warehouse facilities to house their regional distribution centers that can accommodate the increase in e-commerce. The proposed Project would allow a major retailer or combination of tenants to take advantage of new, modern construction that can accommodate large inventory handling and racking systems, and which can provide high parking ratios and a high number of dock doors. Additionally, the location within the City of Perris would provide access to UPS and FedEx hubs, which would support the growing trend of same-day delivery models.*

*Access to efficient modes of transportation is also critical in the success of a large industrial warehouse facility. The Project's location within the City of Perris in the Inland Empire would provide access to a full range of transportation infrastructure. The Inland Empire geographic region, which includes the Project site, is served by a large freeway system that connects to points within and outside the region, including the San Bernardino Freeway (I-10), which acts as a transcontinental highway connecting Los Angeles to the rest of the nation, as well as I-210, I-215, I-15, SR-60, SR-71, and the 241 Toll Road, which connects to SR-91. Truck traffic is able to load and unload goods at the Los Angeles and San Bernardino BNSF Intermodal Container Facilities, which are rail hubs that allow for the efficient transfers of international and domestic cargo to and from trains and trucks. Additionally, the Project site is located near two international airports: Ontario International Airport and Los Angeles International Airport, and to the Ports of Los Angeles and Long Beach. All of these facilities are critical in the movement of freight throughout Southern California and support the demand for warehouse facilities.*

*These factors were taken into consideration by the City of Perris in its decision to establish the PVCCSP. As identified in Section 1.1 of the PVCCSP, "The Perris Valley Commerce Center Specific Plan area and its surroundings are in transition from land use as an undeveloped agricultural area to a modern-day commerce center providing for the needs of an ever-expanding regional market... The area offers convenient access to a multi-directional freeway system via Interstate-215 traveling north and south, and State Route-60 traveling east and west." As demonstrated through the PVCCSP land use designations (shown on Figure 2.0-1 of the PVCCSP and Exhibit 3.0-1 of the Draft EIR), the Specific Plan area is primarily designated for General Industrial uses. With the approval of the PVCCSP in January 2012, the City of Perris made the decision to provide, among other uses, high quality industrial uses in this area*

*of the City, thereby accommodating the anticipated demand for this type of use in the region.*

- 7. The proposed Project will provide infrastructure improvements required to meet Project and vicinity needs in an efficient and cost- effective manner.**

*The PVCCSP includes an Infrastructure Plan, which identifies the utility infrastructure necessary to serve the allowed development within the PVCCSP area. Each individual development, including the proposed Project, is required to implement the infrastructure needed to serve its proposed uses. Water, wastewater, drainage, and dry utility lines that would be installed as part of the proposed Project are described in Section 3, Project Description, of the Draft EIR.*

*Additionally, as described in Section 4.15 of the Draft EIR, the proposed Project would include roadway improvements to accommodate Project circulation needs. The environmental impacts associated with these improvements have been evaluated in the Draft EIR for the proposed Project. The proposed Project will install improvements as well as provide its fair-share contribution to other intersections. In addition to the construction of roadways, the Project developers would pay applicable traffic mitigation fees (e.g., North Perris Road and Bridge Benefit District [NPRBBD] fees) that would fund additional traffic improvements to General Plan roadways in the Project area and would go toward the maintenance of roadway infrastructure in the Project area.*

Although significant impacts will remain, the City of Perris will mitigate any significant adverse impacts to air quality and transportation/traffic to the maximum extent practicable. In its decision to approve the Project, the City of Perris Planning Commission has considered the Project benefits to outweigh the environmental impacts.

Johnson & Sedlack

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November 18, 2015

Planning Commission  
c/o Kenneth Phung  
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Planning Division  
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VIA E-MAIL and U.S. MAIL

Re: **Item 7.A. Optimus Logistics Center II, Final Environmental Impact Report 14-01-0017 (SCH # 2014051034); Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016, Specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002**

Greetings:

On behalf of concerned area residents and Center for Community Action and Environmental Justice (CCA EJ), I hereby submit these comments in opposition to certification of its Final Environmental Impact Report 14-01-0017 (SCH # 2014051034) and approval of the Optimus Logistics Center II Project, Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016, Specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002.

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Please note that, in order to conserve paper, any citations herein are provided electronically, where available. I ask that you please include the documents cited electronically in your review of this letter as if they were attached. If for whatever reason an electronic link does not function properly, please contact Johnson & Sedlack and I will be happy to provide you with a hard copy of the document.

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**I. FINAL EIR**

**RESPONSES TO COMMENTS ARE INADEQUATE**

CEQA requires that the final EIR provide a good faith, reasoned analysis in response to comments made on the draft EIR raising environmental issues. (Guidelines § 15088 (c).) "Conclusory statements unsupported by factual information will not suffice." (Guidelines §

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**ATTACHMENT 5**

15088 (c.) The Final EIR here is unresponsive to the comments made by local, regional, and state agencies. Instead of revising the EIR to address the concerns of commenters; or providing a good faith, reasoned analysis for not accepting such comments; the Final EIR either ignores or rejects the comments made without a reasonable basis. The following responses to comments are unresponsive to the comments made and fail to evince a good faith effort at addressing the issues raised:

- Response to Comment B-5: RCFCWCD commented the site involves a FEMA mapped floodplain. In response, the FEIR states it does not. The EIR Figure 4.9-4 shows the northeast portion of the site is located in FEMA Zone D, delineating possible but undermined hazards that should be evaluated in the EIR. The EIR fails to discuss the “Zone D” designation or investigate this potential hazard, despite RCFCWCD’s comment. (DEIR p. 4.9-48, FEIR p. 2.0-9)
- Responses to Comments E-1 and E-2: EMWD commented the EIR states that on- and off-site improvements will be completed with the Project, but fails to provide any information about these improvements. In response, the FEIR states that these comments pertain to the “permit” stage of development, and fails to provide any further information. Not so. CEQA requires an EIR evaluate the whole of the action being proposed that has the potential to result in a direct or reasonably foreseeable indirect physical change in the environment. (Guidelines § 15378(a)). Inarguably potential construction of improvements for water, sewer, recycled water, etc. may cause environmental impacts on- or off-site. The EIR must disclose and evaluate the potential effects of the development of these facilities. This response to comment is inadequate.
- Response to Comment G-3: the City of Riverside commented the cumulative project list does not include the recently approved World Logistics Center. The response states, “This is beyond the 3-mile radius of the cumulative projects list for the proposed Project.” CEQA requires an EIR evaluate the cumulative effects of a project and, if utilizing a list, the factors to be considered include the nature of the resource, its location, and its type. (Guidelines § 15130(b)(1)(B)(2)) Here, cumulative traffic impacts, at a minimum, will interact between the WLC (which will generate some 14,000 daily truck trips and 68,000 vehicle trips) and this Project where both will place vehicles on the state highway system between I-215 and the ports of Los Angeles and Long Beach. Simply citing a “3-mile radius” absent giving a reason for the use of that radius to the exclusion of the WLC fails to respond in good faith to Riverside’s comment.
- Response to Comment G-4: the City of Riverside commented the traffic analysis should include a Horizon Year analysis (build-out study) to establish General Plan conformance. The response states the Project is consistent with the land use designations in the PVCCSP. This is false. The Project proposes a Specific Plan

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Amendment from General Industrial to Light Industrial. A buildout analysis should be required as commented by Riverside.

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- Response to Comment G-5: Riverside commented the driveways should include physical improvements to ensure truck compliance with designated circulation patterns north towards Harley Knox instead of south. This is important to mitigate impacts to the residential community south of the site. The response is generally unresponsive to the comment by stating, that trucks will travel north and no physical improvements were identified. Physical improvements that may be used, and should be incorporated into the Project as mitigation for noise, health risk, and other effects, include: curb cuts, bulbouts on Webster Ave., partial street closure of Webster., etc.
- Response to Comment G-6: Riverside commented the DEIR fails to evaluate impacts to freeway mainline segments or merge/diverge. The Response states this is accurate; the EIR did not evaluate the Project's traffic impacts to freeways based on individual trip forecasts. This, however, omits consideration of cumulative impacts of the Project to these freeways. The EIR is inadequate for failing to consider these highway impacts.
- Responses to Comments H-4, H-5, and H-6: SCAG commented the EIR cites the 2008 RTP and 2008 RCP, but omits disclosure of the 2012 RTP/SCS goals. These goals should be disclosed in the EIR. The Responses state that PVCCSP EIR considered these factors. The PVCCSP EIR, however, also evaluated the 2008 documents. In any event, the 2012 RTP should be provided to the public and decision makers as an EIR is foremost an informational document.
- Response to Comment I-5: SCAQMD commented the EIR shows a minimum distance of 15 meters to the nearest sensitive receptor residence to the south of the site, and expressed concerns that significant health risk/air quality impacts would be experienced at these receptors. The Response states the health risk model was re-run per SCAQMD's comments and were deemed less than significant. First, the Response completely ignores the erroneous statements throughout the EIR about the actual proximity of the nearest sensitive receptors—just across Markham Street from the Project.

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The Response is also inaccurate. SCAQMD commented at comment I-10 that modeling should be performed using a receptor grid rather than separate discrete receptors, yet the modeling was again run with the use of discrete receptors. In addition, no trucks were modeled travelling on Webster south or Markham east, despite the EIR's statement that the Ramona Expressway would provide an access route to the site and the refusal to install infrastructure to ensure all trucks travel north to Harley Knox.

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- Response to Comment I-6: SCAQMD commented the Air Quality Impact Analysis is inaccurate for using the ITE trip generation rates but substituting in the Fontana Study rates for fleet vehicle mix percentages. The Response states the Fontana rate is more region-specific and argues it is more accurate. SCAQMD, however, has conducted a recent study (2013-2014) of 34 high-cube facilities in the South Coast Air Basin, predominantly in the Inland Empire. The SCAQMD study found an average truck trip rate of 0.53/ tsf, well above the 0.343/tsf Fontana rate based on a 2003 study of just a few high-cube warehouses. ((*SCAQMD High Cube Warehouse Truck Trip Study, White Paper Summary of Business Survey Results* (June 2014) <<http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/business-survey-summary.pdf?sfvrsn=2>>, see also, <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/high-cube-warehouse>; compare, *Truck Trip Generation Study*, City of Fontana (August 2003), <http://www.fontana.org/DocumentCenter/Home/View/622>, p. A-1)

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As an interim measure, SCAQMD recommends continues use of the ITE truck trip rate absent substantial evidence supporting deviation. Where this Project is being built without a tenant in mind, no substantial evidence supports deviation from the ITE trip rate. The revisions requested by SCAQMD should be incorporated into the EIR.

- Response to Comment I-7: SCAQMD commented the trip length was understated by swapping the C-W and C-NW designation, so instead of 80% of trucks traveling 60 miles one way the EIR evaluates 80% of trucks traveling only 6.9 miles one way. The EIR states the Table 4.3-E inputs have been revised. No revision to this Table has been included in the errata, section 3.0 of the FEIR.
- Response to Comment I-8: SCAQMD commented there should be a mitigation measure limiting the warehouse use to unrefrigerated uses since the EIR uses unrefrigerated emissions factors. The response states the Project is proposed as an unrefrigerated warehouse, and declines to adopt mitigation limited to only unrefrigerated uses. As the Project is being built without a tenant; and no mitigation or condition limits to unfrigerated use; the response is unsupported and not made in good faith. Either SCAQMD's proposed mitigation precluding refrigeration of MM Air-12 should be incorporated into the Project.
- Responses to Comments I-10 and I-13: SCAQMD commented the Health Risk Assessment should be re-run using a receptor grid and evaluating truck movement on Webster and South to Ramona Expressway. Response to comment I-10 says the HRA was re-run according to SCAQMD specifications; yet the receptor grid was not used. Response to Comment I-13 states trucks are prevented from using

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Webster by signs identifying the truck route and prohibiting access on Webster. The efficacy of signage and likelihood of violation enforcement should be addressed. Mere installation of signs is insufficient, especially where the Optimus I project proposes an access from Webster. Differentiating the trucks legally and illegally using this street would be impossible. As noted by the City of Riverside, trucks should be physically prevented from using Webster.

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- Response to Comment I-15: SCAQMD recommended 5% of all vehicle parking, including for trucks, install EV charging stations. Also, that electrical hookups be provided for truckers to plug in onboard auxiliary equipment. The response states the City has considered the request for EV but is “declining to apply them.” CEQA requires all feasible mitigation be adopted for significant impacts. There is no reason supported by fact that the installation of EV is infeasible where electric trucks are available and will likely be used in the lifespan of this Project. (See, <http://www.cleanairactionplan.org> [Port programs to deploy new technologies], <http://www.theverge.com/2015/2/27/8119981/electric-trucks-wrightspeed-ian-wright>)

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The response also ignores SCAQMD’s proposed mitigation measure of providing electrical hookups for auxiliary equipment.

- Response to Comment I-15a.: SCAQMD recommended requiring the use of 2010 compliant diesel trucks or alternatively fueled trucks at the site. The Response states the City requires this recommendation “beyond the scope of this Project-level EIR.” There is no factual, legal, or other adequate basis cited for finding this infeasible pursuant to CEQA.
- Response to Comment I-15c: the response fails to cite a reason SCAQMD’s proposed mitigation is infeasible.
- Response to Comment I-15g: the response fails to cite a reason SCAQMD’s proposed mitigation is beyond the scope of the Project where the Project will result in significant air quality impacts from mobile sources.
- Response to Comment I-15i: The Response states the City requires this recommendation “beyond the scope of this Project-level EIR.” There is no factual, legal, or other adequate basis cited for finding this infeasible pursuant to CEQA.
- Response to Comment I-18: SCAQMD recommended installing the maximum possible number of solar arrays. The Project requires some solar, but not the maximum possible amount. The response to this comment’s statement the Project is consistent with the project features is unresponsive to this proposed mitigation measure.

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ADDITIONAL COMMENTS ON THE EIR

Project Description

The proposed Project site is comprised of 48.4 gross acres located at the northeast corner of Patterson Avenue and Markham Street. The Project proposes development of a high-cube logistics warehouse development at the site encompassing 1,037,811 square feet in two buildings. The westerly parcel (Parcel 1 of TPM 36678) would be approximately 41.7 acres, with a 912,338 square-foot building; the easterly parcel (Parcel 2 of TPM 36678) would be approximately 6.7 acres with a 125,473 square-foot building. Parking at the Project site will be provided on site for 316 trucks and trailers and 288 parking stalls for passenger vehicles.

The Project is described in the EIR to include the following:

- A high-cube logistics warehouse development site encompassing 1,037,811 square feet in two buildings on 48.4 acres (Reference Figure 1.0-2, *Proposed Site Plan*);
- Two industrial parcels to allow each high-cube warehouse to sit on its own parcel surrounded by parking, landscaping, and other ancillary activities. The westerly parcel (Parcel 1 of TPM 36678) would be approximately 41.7 acres, with a 912,338 square-foot building as shown on the conceptual site plan. The easterly parcel (Parcel 2 of TPM 36678) would be approximately 6.7 acres with a 125,473 square-foot building as shown on the conceptual site plan;
- The abandonment (i.e. Street Vacation) of unimproved Oregon Street from Patterson Avenue to Nevada Street, unimproved Arizona Street from Patterson Avenue to Nevada Avenue, unimproved Nevada Avenue from Markham Street to Nance Street, and unimproved Washington Street from Nevada Avenue to approximately 540 feet easterly of Nevada Avenue; and,
- Other infrastructure improvements include the ultimate half street construction of Webster Avenue, Markham Street, Patterson Avenue, and Washington Street along the Project site frontage. The construction of infrastructure improvements for water, sewer, storm drain and dry utilities required to service the Project limits.

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The EIR fails generally to evaluate the effects of the proposed street vacations and infrastructure improvements required to service the Project.

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The EIR repeatedly describes the nearest residences to the Project as being “165 feet north of the Project site’s northern property line.” As commented by SCAQMD (Comment I-5) and clearly shown on any map of the site, residences to the south are just 60 feet (~15 meters) or less from the Project and adjacent to Markham Street and Webster Avenue. The EIR provides little to no information in the Project Description concerning the residences to the south and south-east of the site such as their proximity to the site or roads to be used by the Project. The EIR is misleading by omitting consideration of these residences and presenting the Project as distant from residential uses. The EIR must be revised to disclose the actual proximity of these residences to the Project and routes used to access the Project in order to adequately disclose its adverse effects.

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Cumulative Impacts

The EIR states it relies on both a list of past, present, and probable future projects producing related or cumulative impacts, and (2) a summary of projections contained in the City's General Plan to evaluate the cumulative effects of the Project, in order to provide a "conservative" analysis of impacts. The impact evaluations in the EIR, however, generally do not rely on both methods, or even one of the methods, but rather fail to actually analyze the cumulative effects of the Project.

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Moreover, the list of cumulative projects is extremely limited in scope without reason. Particularly for evaluation of air quality, traffic, and health risk impacts, the scope of the cumulative projects should at least include those projects aligned along I-215 and SR-60. Attached is a cumulative map and list from the EIR for Modular Logistics Center from 2014. The projects to the south along Nuevo Road (95- 97, 99- 110) and north of Cactus Ave. (e.g. 3, 4, 7, 9, 20, 23-25, 34, 35, etc.) should be included for their potential for cumulative traffic and air quality impacts.

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The cumulative impact analysis is deficient for failing to consider the World Logistics Center project, where that project will have regional traffic implications. The City of Riverside commented to this effect at Comment G-3. The response states it was not considered because it was "beyond the 3-mile radius of the cumulative project list for the proposed Project." (Response to Comment G-3) CEQA does not establish a 3-mile radius limitation for evaluation of cumulative projects but instead establishes the factors to be considered include the "nature of the environmental resource being examined, the location of the project and its type," among other things. (Guidelines § 15130 (b)(1)(B)(2)) Where the WLC will have traffic and air quality impacts that, jointly with this Project, will impact at least the SR-60 and I-215 and the air basin, there is no reasonable explanation for its omission.

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In general, the EIR inadequately evaluates cumulative construction impacts contending, without factual basis, that cumulative construction impacts would not occur. This argument is unsupported and contradicted by the fact that the Integra Perris Project is likely to be constructed at the same general time having recently resolved its litigation; and the Optimus I Project may also be constructed in the same timeframe. Cumulative construction impacts should be reevaluated.

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Aesthetics

The EIR finds less than significant will result from the Project regarding impacts to scenic vistas, scenic resources, degradation of the existing visual character and quality of the site, and construction lighting.

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The EIR acknowledges the Project site is located at the junction of two Major Roadway Visual Corridors, for Markham Street and Webster Ave, deemed "scenic," but concludes without

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further discussion that potential impacts to these corridors would be less than significant. According to the PVCCSP:

“This viewshed and public areas with the most visibility and access shall be considered the ‘Visual Zone’ as depicted in Figure 4.0-18. Site design should strive to place considerable attention to aesthetics in the visual zone. The visual zones are for Primary and Secondary Arterials, as well as Expressways. While parking in front of buildings should be limited to the greatest extent possible, when buildings must be oriented to face a public roadway with parking, berms and enhanced landscape treatments should be used creating a greater aesthetic appearance.”

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Development in a visual zone requires development consistent with the following policies, which the Project fails to meet for the reasons expressed below in italics:

- **Enhanced Landscape Setback Areas.** Landscaped setback areas must incorporate enhancements that include accent accessories such as boulders, trellises, or garden walls, beyond basic plant material.

*The EIR states this will be met by the “large detention basins, located just outside of Webster Avenue and Markham Street right-of-ways.” (EIR p. 4.1-18) While there are some small detention basins fronting Webster Ave, the large detention basin occurs between Building A and Building B. There is no enhanced landscape setback area for Building A along Markham Street, but rather frontage trees and a planned wall or wrought-iron fence. This planned lack of enhanced landscape setback fails to comply with the PVCCSP.*

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*To reduce aesthetic impacts, Building B should be reoriented to provide the detention basin to the east of the building fronting Webster and truck parking and dock doors on the west side of the building. If Building A requires a separate detention basin, it should be oriented to front Markham St.*

*The Project proposes inadequate landscape screening /setback along Webster Ave. and Markham St. Along the east and west property lines, the Project is reliant on 8'-14' high retaining walls and berms for screening, not enhances landscaping. Along the southern and northern property lines, the EIR variously states wrought iron fences are used in conjunction with more limited landscaping; or that a 14' noise wall is proposed at the southern property line. Again, the EIR fails to show enhanced landscaping within this visual zone.*

- **Screening or offset views into loading/service area or locate service areas away from street frontages to the rear of the property, next to truck loading.**

*Along the southern and northern property lines, the EIR variously states wrought iron fences may be used in conjunction with more limited landscaping; or that a 14' noise wall is proposed at the southern property*

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*line. Wrought iron fences will not provide adequate screening into loading areas on Markham Street.*

- **Limit or Eliminate Landscaping Along Side or Rear Setbacks.** To achieve greater front yard landscaping, landscaping along side or rear setbacks may be limited unless necessary to screen and buffer loading activity areas from adjacent non-industrial use or public view. Overall percent of landscaping required must be provided, but may be consolidated towards the Visual Zone areas.

*The proposed Project would provide a detention basin/ landscape setback along the site of Building B, between Building A and B, non-compliant with this requirement.*

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- **Heavily Landscape Parking Lot.** If adjacent to major roadway street frontage, parking lots shall be heavily landscaped.

*The Project proposes truck parking along Markham Street and Webster Ave. without heavy landscaping.*

- **Limited Parking Fields.** Parking fields shall be limited between street frontage and building to the greatest extent possible as shown in Figure 4.0-20.

*The Project would provide parking along the both street frontages contrary to this requirement.*

Absent evidence of compliance with these various requirements, the Project may result in significant visual impacts to scenic resources and from degrading the visual quality/ character of the site.

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The Project is also subject to, and not clearly compliant with, PVCCSP's general requirement for Parking Lot Screening: "Parking lots shall be screened from the public rights-of-way to a height of 36 inches by use of primary structures or combination of earthen berms, shrubs, and garden walls as depicted in Figure 6.0-1. If walls are incorporated into the design, they must be aesthetically compatible with the project design and no taller than 36 inches within the setback area, as measured from ground surface to top of wall." The parking area on Washington Street proposes screening only by a wrought iron fence and vegetation. It is not clear how screening will occur for the parking area on Patterson Ave. to the West of the site. Absent evidence of compliance with this parking lot screening requirement, the Project may result in significant visual impacts by degrading the visual quality/ character of the site.

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#### Agriculture

"[O]ur Legislature has repeatedly stated the preservation of agricultural land is an important public policy." (*Masonite Corp. v. Cnty. of Mendocino* (2013) 218 Cal. App. 4th 230, 240 -241, Pub. Res. Code § 10201(c).) "The conversion of agricultural lands to nonagricultural uses threatens the long-term health of the state's agricultural industry" (*Id.*, citing Civ. Code § 815, Stats. 1993, ch. 812, § 1, p. 4428.) CEQA plays an important role in effectuating the preservation of agricultural land. (*Id.*)

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The Project site has historically been used for dry-farming and livestock grazing, and is currently used for dry, non-irrigated farming. The entire Project site is designated as Prime Farmland. The Project site is adjacent to Prime Farmland to the north; Farmland of Local Importance to the south; and Prime Farmland to the east.

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Despite this evidence of significant agricultural resources on and around the Project site and the conversion of productive agricultural land to non- agricultural uses, the EIR finds the Project would have a less than significant impacts re: resulting in the conversion of Prime, Unique, or Statewide Important Farmland as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use. This proposed finding is unsupported by facts and analysis. What is more, absolutely no mitigation is proposed to reduce or avoid impacts to agricultural resources.

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First, in determining the site's LESA score, the EIR relies on the absolute minimum "Zone of Influence" where the "Zone of Influence" is the "amount of surrounding lands up to a minimum of one-quarter mile from the Project boundary." By so limiting, the EIR and LESA score fail to assign an accurate Surrounding Agricultural Land score and accurately reflect the agricultural land in the Project vicinity. For instance, the parcel south of the Project site (proposed for development with the Optimus I project) is not included.

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Second, in determining the site's LESA score the EIR only accounts for rainwater with no possibility of irrigation. This assumption is undermined by a potential well having been historically located on the site and potential provision of recycled water to the site. The lack of water also has little to no impact to the site's historic use for dry-farming and grazing.

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Third, the EIR fails to evaluate potential indirect individual and cumulative impacts from hastening the conversion of farmland to non- agricultural uses from increased development pressures. The EIR's contention that generally several factors effect conversion of agricultural land does not dictate the conclusion *this Project's* impact is less than significant in this area. Many of the listed factors do not strongly apply to dry farming and livestock grazing in any event, e.g. water costs, labor costs, etc. Development pressure and urbanization has arguably had the greatest impacts to agricultural conversion in the City. The Project and cumulative impacts to conversion of Farmland to non-agricultural use should be deemed significant.

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Fourth, cumulative impacts are inadequately addressed and unmitigated. The cumulative impact analysis relies only on a summary of projections in the General Plan, not an analysis of both the General Plan and a list of projects (as previously stated at p. 2.0-8) In any event, mitigation infeasible at the General Plan level may be feasible at the Project level.

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An EIR must identify any and all feasible mitigation measures even if they will not reduce the impact to a less than significant level. CEQA Guidelines § 15126.2(b). To compensate for the direct and growth inducing/ cumulative loss of agricultural land, it is feasible to implement mitigation permanently preserving agricultural land at a ratio of at least 1:1 by one of the following methods:

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- a. The purchase and preservation of farmland of equal or greater quality in the area;
- b. The purchase of conservation easements; or
- c. Donation of mitigation fees to a local, regional, or statewide organization that provides for acquisition and stewardship of agricultural conservation easements.

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### Air Quality and Health Risks

LSTs were evaluated at 50 meters in the EIR, the distance to the nearest sensitive receptors. (EIR p. 4.3-49) In fact the nearest sensitive receptors are around 15 meters away across Markham Street, as commented by SCAQMD and shown on maps. LSTs should be estimated and compared to the 25 meter threshold.

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Access to the warehouses would be provided via two driveways on Patterson Avenue, one on Markham Street, and three on Washington Street. Health risk impacts failed to evaluate any truck trips on Markham St. east of the site of Webster Ave. to the south. At least some vehicles would likely use one or both of these roadways to travel south to/from the Ramona Expressway.

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Cumulative health risk impacts must be considered with this Project, Integra Perris, and Optimus I. While this Project's individual risk may be insignificant, jointly impacts may be great.

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The EIR should be revised to evaluate and disclose additional non-cancer health risks of diesel PM. While impacts to asthma and respiratory responses from air pollutants have long been studied, numerous recent studies concerning diesel PM have found significant risks of heart disease and cardiac problems, including from ultrafine particles which are currently unregulated. ("California Scientists link tiny particles in car exhaust to heart disease," Los Angeles Times, February 25, 2015. <http://www.latimes.com/local/lanow/la-tiny-pollutants-linked-to-heart-disease-deaths-20150225-story.html>; Ostro, Bart et al, *Associations of Mortality with Long-Term Exposures to Fine and Ultrafine Particles, Species and Sources: Results from the California Teachers Study Cohort*, Environmental Health Perspectives, January 23, 2015. <http://ehp.niehs.nih.gov/wp-content/uploads/advpub/2015/1/ehp.1408565.acco.pdf>; Kleinman, Michael, *Cardiopulmonary Health Effects: Toxicity of Semi-Volatile and Non-Volatile Components of PM*, Prepared for CARB, April 12, 2013. < <http://www.arb.ca.gov/research/apr/past/07-307.pdf>>; Baja, Emmanuel S., et al. "Traffic-Related Air Pollution and QT Interval: Modification by Diabetes, Obesity, and Oxidative Stress Gene Polymorphisms in the Normative Aging Study," Environmental Health Perspectives, March 2010. < <http://ehp.niehs.nih.gov/0901396/>>)

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Another study found links between PM 2.5 exposure during pregnancy and increased odds of autism spectrum disorder in children. (Raz, Raanan, et al, "Autism Spectrum Disorder and Particulate Matter Air Pollution before, during, and after Pregnancy: A Nested Case-Control Analysis within the Nurses' Health Study II Cohort" Environmental Health Perspectives, March 2015. <<http://ehp.niehs.nih.gov/wp-content/uploads/123/3/ehp.1408133.alt.pdf>>) Other studies

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have found links between air pollution and diabetes. (“Air Pollution and Diabetes Risk: Assessing the Evidence to Date.” Environmental Health Perspectives, May 5, 2015. <<http://ehp.niehs.nih.gov/wp-content/uploads/123/5/ehp.123-A134.alt.pdf>>; Eze, Ikenna C., et al, “Association between Ambient Air Pollution and Diabetes Mellitus in Europe and North America: Systematic Review and Meta-Analysis,” Environmental Health Perspectives, May 5, 2015. <http://ehp.niehs.nih.gov/wp-content/uploads/123/5/ehp.1307823.alt.pdf>)

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Still other research has found particulate matter associated with gastrointestinal disorders and gastrointestinal inflammation responses as well. (e.g. “Effect of Exposure to Atmospheric Ultrafine Particles on Production of Free Fatty Acids and Lipid Metabolites in the Mouse Small Intestine” Environmental Health Perspectives, January 2015.< <http://ehp.niehs.nih.gov/wp-content/uploads/123/1/ehp.1307036.alt.pdf>>)

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In sum, even if the cancer risk impacts of the Project may be below SCAQMD quantitative standards, the non-cancer risks associated with increased PM emissions from diesel trucks and cumulative emissions should be disclosed to the public and decision-makers.

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Cumulative construction, operational, and health risk impacts are inadequately evaluated where they omit the adjacent Integra Perris Project (approved January 27, 2015) and Optimus I Project (reasonably foreseeable). (Table 4.3-AA) This Projects’ additional cancer burden would add to Integra’s approximately 8 cancers per million at the nearest southerly residence and Optimus I’s 5.1 cancers per million. (See EIRs for those Projects, in City’s possession) It is thus probable or at least possible that jointly the 10/ million threshold would be exceeded.

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AQ 4.3C is uncertain and unenforceable where it states no diesel-powered generators shall be used “to the extent feasible.” It is feasible to prohibit the use of diesel-powered generators entirely. In addition, each of the mitigation measures recommended by SCAQMD should be adopted to reduce this Project’s air quality impacts.

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### Cultural Resources

The EIR states a small portion of historical site CA-RIV-8390 is located in the right of way of Patterson Ave, but concludes a CEQA determination cannot be made at this time, deferring a focused Phase II Historical Resources Investigation to a later date. CEQA generally prohibits the deferral of such a needed study as it precludes informed decision-making and the implementation of certain mitigation measures. (Public Resources Code § 21081.6 (b); California Code of Regulations, tit. 14 § 15097) Such is the case here. The EIR is insufficient for deferring this needed study.

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The Project site is located in an area of high paleontological sensitivity (EIR p. 4.5-18). The EIR improperly proposes to defer the preparation of a Paleontological Resource Impact Mitigation Program where there is no reason such a program cannot be now prepared and incorporated in the EIR. This mitigation is improperly deferred.

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### Geology/ Soils

The EIR states the Project will include improvements to adjacent roadways, Patterson

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Avenue, Markham Street, Webster Avenue, and a proportion of Washington Street, construction of five (5) onsite drainage facilities, and water, sewer, and utility infrastructure. As discussed above, these improvements and their effects must be detailed in the EIR, and other than this brief conclusion that these activities have the potential to cause erosion on- and off-site, these improvements are overlooked.

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GHGs

The Governor recently issued Executive Order B-30-15, which sets a target emission reduction of 40% below 1990 emissions by 2030. (Executive Order B-30-15, <http://gov.ca.gov/news.php?id=18938>) Will the Project comply with these new target emission reductions? This new information should be added to the EIR where it may show a significant GHG impact.

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The GHG quantification finds the Project would generate 9,102 MTCO<sub>2e</sub>/ year, just below the 10,000 MTCO<sub>2e</sub>/year threshold. If the ITE truck rate is used pursuant to SCAQMD guidance, what impact on these total emissions? GHG emissions are likely significant.

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Hydrology/Water Quality

At page 4.9-46 of the EIR, the EIR states funding for ultimate improvements in the PVCCSP Master Plan is not available at this time, so interim improvements are proposed. Table 4.9-M shows post-Development Conditions. Are these the interim conditions? If no, interim conditions should be disclosed in the EIR.

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Land Use/ Planning/ Population/ Housing

Collectively the proposed Project, Integra Perris Project, and Perris Optimus I Project would substantially reduce the amount of within the PVCCSP not planned for light industrial uses. The majority of the PVCCSP is already planned for Light Industrial, and this Project would add to this LI designation via the proposed Specific Plan Amendment. An alternative evaluating an Alternative Site within the Light Industrial planned portion of the PVCCSP should be considered to reduce effects to land use, conflicts with the PVCCSP, and potentially greater impacts not planned for arising from siting light industrial uses in this part of the SP.

59

From a planning perspective, the City should consider the long-term implications of throwing all the City's eggs in one basket of Light Industrial- distribution warehousing. How is this compliant with the PVCCSP's stated objective to, "Ensure a balance of land uses that maintain and enhance the City's fiscal viability, economic diversity and environmental integrity"? (PVCCSP EIR) Potential blighting and urban decay impacts should be, and have not been, considered in the EIR, especially with the planned and current logistics/warehousing growth of adjacent Moreno Valley, Riverside County, and March JPA.

60

Growth inducing and sprawl impacts of the Project should also be evaluated in the EIR. The Project individually and cumulatively has the potential to open up for additional Light

61

Industrial uses this western portion of the PVCCSP and City designated for General Industrial, Commercial, and Business Professional Office development.

61

Figures 4.10-1 and 4.10-2 are identical. Figure 4.10-2 must be updated to reflect the proposed Specific Plan Amendments.

62

Noise

The Noise evaluation in the EIR states the nearest sensitive receptors to be 475 to 1,410 feet from the Project. (Table 4.12-1, Figure 4.12-4) This distance is false where residences are located just across the street from both Building A and B, a maximum 60 feet. In any case, the measurements fail are from the homes to the dock doors, not from noise generating sources at the property line to residential uses. Noise level measurements are inaccurate.

63

The Project will significantly increase ambient noise. Existing levels are stated from 49 dBA Leq to 58.8 dBA Leq. (EIR p. 4.12-32, Table 4.12-P) Noise levels would be increased up to 66.4 dB with the Project (p. 4.12-36). This is well above the stated 3 dBA criterion. (EIR p. 4.12-45)

64

The EIR omits evaluation of whether traffic noise would cause exceedences of the General Plan noise standards. The EIR also omits evaluation of whether construction noise would cause exceedences of the General Plan noise standards. The EIR omits whether stationary noise sources would cause a significant permanent increase in ambient noise levels.

65

The EIR provides vibration levels for construction equipment at 25 feet and states that the criterial for vibration should not exceed 0.3 PPV. (EIR p. 4.12-39) Several pieces of equipment have high PPV at 25 feet (1.58 PPV, 0.734 PPV), and there is no evidence this would be reduced below 0.3 PPV at the 60 foot distance of nearby residences. (EIR p. 4.12-40) The conclusion vibration impacts will be less than significant is not established by fact or reasoning.

66

The EIR evaluates construction noise as occurring "approximately 200 feet from the nearest residences" at the site's eastern boundary. (EIR p. 4.12) The residences to the south are clearly closer than 200 feet from the property line so noise levels would be far greater than disclosed in Table 4.12-AA. In addition, temporary increases in ambient levels would be significant where construction noise is acknowledged to be at least 70.4 dBA Leq, far above the existing ~49- 58 dBA Leq.

67

Mitigation has been adopted for construction noise impacts, but there is no evidence of the efficacy of these measures to reduce noise below significant levels.

68

Cumulative construction noise impacts with Integra Perris and Optimus I were not evaluated in the EIR despite the potential such construction occur at the same time.

69

Cumulative traffic noise impacts with Integra Perris and Optimus I were not evaluated in the EIR despite the use of the same roadways to access those projects.

70

It is unclear from reviewing the EIR where screening walls will be used. The EIR variously states wrought iron fence will be used or a 14' noise wall at the southern property line.

71

It should be ensured that either a berm with a 36-inch garden wall or 14' noise wall protects residences to the south and southeast from Project noise to the greatest extent possible.

71

The following additional mitigation should be implemented for noise impacts:

1. Require the use of rubberized asphalt for construction of all roadways and parking areas.
2. Maintain quality pavement conditions that are free of bumps, pot holes, pavement cracks, differential settlement in bridge approaches or individual pavement slabs, etc.
3. Require resurfacing of roads.
4. Ban heavy trucks near vibration sensitive uses.
5. Use alternate construction methods and tools to reduce construction vibrations. Examples are predrilling of pile holes, avoiding cracking and seating methods for resurfacing concrete pavements near vibration sensitive areas, using rubber tired as opposed to tracked vehicles, placing haul roads away from vibration sensitive areas. Scheduling construction activities (particularly pile driving) for times when it does not interfere with vibration sensitive operations (e.g. night time).
6. The construction contractor shall locate equipment staging in areas at least 300 ft from noise-sensitive receivers nearest the Project site during all Project construction.
7. The quietest construction equipment owned by the contractor shall be used. The use of electric powered equipment is typically quieter than diesel, an hydraulic powered equipment is typically quieter than pneumatic power. If compressors powered by diesel or gasoline engines are to be used, they shall be contained or have baffles to help abate noise levels.

72

### Public Utilities and Water Supply

No information is provided about the Project's electricity use or energy impact. All that is said is the Project will obtain electricity from SCE. This is non-compliant with CEQA.

73

No Water Supply Assessment was prepared for this Project. The EIR states that impacts to water demand were evaluated in the PVCCSP. However, the PVCCSP requires a WSA for, "industrial parks housing more than 1,000 persons, occupying more than 40 acres of land or having more than 650,000 square feet of floor area." This Project meets that requirement. A WSA must be prepared.

74

Precipitation levels in California have been well below average, exacerbating a severe, 4-year long drought that is anticipated to continue into the foreseeable future. In addition, California snow pack levels are at a disturbing low: just 2% of normal, 2% of peak. According to NASA's senior water scientist, California has only one year of water supply left in its reservoirs, and groundwater levels are at their lowest point in more than a decade. The State Water Project has also cut supplies to water agencies to *zero* following the drought emergency announcement in 2014. Hence water agencies received just 5 percent of their contractual water amounts in 2014. The drought has become so severe that on April 1, 2015 the Governor issued an Executive Order B-29-15 requiring further immediate mandatory water use reductions of 25%. (Executive Order B-29-15, [http://gov.ca.gov/docs/4.1.15\\_Executive\\_Order.pdf](http://gov.ca.gov/docs/4.1.15_Executive_Order.pdf))

75



The EIR must evaluate water supply impacts in light of the fact that contractual rights and obligations cannot and are not being satisfied, and do not reasonably represent the state of water supplies. As water supplies *on paper* no longer accurately reflect available water supplies, the EIR should be modified and recirculated to determine this Project's impact to tangible available supplies. The EIR must also be modified to evaluate whether the Project is consistent with Gov. Brown's Order to cut urban water use by 25%, where this Project will require 64,772,900 gallons of water per year. This new information must be incorporated into the EIR.

76

Traffic

The PVCCSP states:

"Regional east-west access to the Perris Valley Commerce Center Specific Plan area is provided by through points of entry along Interstate-215 from the Ramona Expressway/Cajalco Road, Harley Knox Boulevard, Rider Street and future Placentia Avenue along the southern boundary. The Ramona Expressway and Harley Knox Boulevard also provide direct and indirect regional access to Interstate-15, State Route-60, and Interstate-10. ...Regional north-south access to the Perris Valley Commerce Center Specific Plan area is provided via Interstate-215, Perris Boulevard and Indian Avenue." (PVCCSP Section 3.0-1)

77

The EIR understates truck use of Indian Ave. from Ramona Expressway. The EIR states, "The major roads that currently provide access to the proposed Project site are Ramona Expressway, Patterson Avenue, Webster Avenue, Markham Street and Harley Knox Boulevard, with the nearest I-215 interchanges at Ramona Expressway and Harley Knox Boulevard." (EIR p. 3.0-1) Indian Avenue is an approved route to access the Ramona Expressway, yet impacts to that roadway were not addressed in the EIR. Indian Ave. would be the only north-south route to Ramona Expressway if the connector at Patterson is vacated with the Optimus I project; and if trucks are actually restricted from using Webster. As discussed above, the roadway should be developed in such a manner to physically restrict truck access to Webster to the greatest possible extent.

As noted by the City of Riverside, impacts to I-215 were erroneously omitted. Likewise, the impacts to Ramona Expressway were not evaluated in the EIR. These roadways should be considered with respect to a Project and build-out scenario.

78

The Traffic evaluation fails to evaluate opening year plus project impacts before all needed improvements have been made as part of the PVCCSP; existing plus project; and buildout with and without the Project. The traffic impacts of the Project have not been adequately evaluated.

79

Figure 4.15-11 shows truck turning paths, omitting use of the "fire lane" of Building A. Is there anything preventing use of this lane? If no, additional truck use of the Markham Street driveway should be considered.

80



There is no evaluation of impacts pursuant to the first impact threshold; rather only the standards for LOS performance criteria are listed. (EIR p. 4.15-37)

81

The EIR does not consider any traffic impacts on- or off- site of street vacations proposed with the Specific Plan Amendment. What increase in emergency response time for using “knox box” locks to traverse the site?

82

Alternatives

The EIR fails to consider a reasonable range of alternatives. The EIR considers only one alternative beyond the required no project alternative, “Alternative 1: Reduced Intensity Alternative” in which Building “B” would be removed from the Project and replaced by a trailer parking lot. Warehouse space would be reduced from 1,037,811 sf to 912,338 sf. Trailer parking would be increased from 316 to 501 spaces. Other alternatives should be evaluated including an alternative site which would not require a Specific Plan Amendment (to reduce planning and other impacts); developing a General Industrial use at the site in manufacturing or other non-logistics uses (which would reduce traffic and air quality effects); and developing a reduced scope project that incorporates landscape setbacks in lieu of parking spaces (which would reduce aesthetic, noise, traffic, GHG, health risk, and other effects).

83

In any event, the Reduced Intensity Alternative reduces the significant effects of the Project while still achieving most of the Project goals to at least some extent. If the City intends to approve the Project, the Reduced Intensity Alternative should be selected instead of the Project as proposed.

84

THE EIR MUST BE REVISED AND RECIRCULATED

The EIR for the Project must be revised and recirculated to comply with the California Environmental Quality Act (CEQA) (Pub. Res. Code § 21000 *et seq.*). A lead agency is required to recirculate an EIR when significant new information is added after notice of its availability but before certification. (Guidelines §§ 15088, 15088.5(a), (f).) Likewise, an agency should determine whether new information occurring before certification is “significant” so as to trigger the need to revise and recirculate the EIR. The decision not to revise or recirculate an EIR must be supported by substantial evidence. (Guidelines § 15088.5(e); *Western Placer Citizens for an Agric. & Rural Env’t v. County of Placer* (2006) 144 Cal.App.4th 890, 899-904; *Cadiz Land Co. v. Rail Cycle* (2000) 83 Cal.App.4th 74, 95.)

85

“New significant information” includes, for example: (a) A new significant environmental impact would result from the project or from a new mitigation measure proposed to be implemented; (b) A substantial increase in the severity of an environmental impact would result unless mitigation measures are adopted that result unless mitigation measures are adopted that reduce the impact to a level of insignificance; (c) A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the proponents decline to adopt it; (d) the draft EIR was so fundamentally inadequate and conclusory in nature that meaningful public review and comment were precluded. (Guidelines § 15088.5(a).) New significant information may include

86

changes in the project or environmental setting as well as additional data or other information. (Guidelines § 15088.5(a).)

86

The EIR here is so fundamentally inadequate and conclusory in nature that meaningful public review and comment has been precluded. The EIR must be revised and recirculated to address the concerns expressed herein and in the Draft EIR comments. Absent revision to adequately evaluate, disclose, and mitigate Project impacts, the EIR fails as an informational document. (*Laurel Heights Improvement Ass'n v. Regents of Univ. of Cal.* (1993) 6 Cal. 4th 1112, 1123)

87

#### FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATION

The findings of fact and statement of overriding consideration cannot be made for this Project where all feasible mitigation has not been incorporated. The first two overriding considerations are not Project benefits so much as findings the project complies with CEQA and the General Plan. The jobs estimate of 519 permanent jobs is likely overstated. Sketchers in Moreno Valley caused net job loss, and Aldi recently held a hiring fair for 100 jobs, despite a statement of 900 jobs in its [West Ridge Logistics Center] EIR. (See, <http://www.pc.com/articles/moreno-649749-valley-skechers.html>, and <http://www.pc.com/articles/aldi-786212-moreno-turnout.html> )

88

#### II. CONCLUSION

For the reasons detailed herein, the evaluations and analyses in the EIR must be revised and recirculated before the City considers whether to approve this Project. CEQA was adopted to ensure disclosure and transparency concerning the environmental consequences of a project, and this EIR is wholly lacking as an informational document. Moreover, feasible mitigation is proposed to be rejected without adequate reason. The Project and its EIR should be denied as presently proposed.

89

Additional reference material is cited below concerning the critical health risk impacts of diesel and the importance of limiting its use adjacent to residences; as well as the health impacts of noise. Please consider these documents as well in making your decision.

90

Thank you for your consideration of these comments.

Sincerely,



Raymond Johnson, Esq., AICP, LEED GA  
JOHNSON & SEDLACK

### **Additional Electronic Citations**

- (1) *Warehouse Truck Trip Study Data Results and Usage*, SCAQMD Mobile Source Committee, July 25, 2014. < <http://www.aqmd.gov/docs/default-source/ceqa/handbook/high-cube-warehouse-trip-rate-study-for-air-quality-analysis/finaltrucktripstudymsc072514.pdf?sfvrsn=2> >
- (2) *The Health Effects of Air Pollution on Children*, Michael T. Kleinman, Ph.D, Fall 2000, < <http://www.aqmd.gov/docs/default-source/students/health-effects.pdf?sfvrsn=0> >
- (3) *Diesel and Health in America: the Lingering Threat*, Clean Air Task Force, February 2005, < [http://www.catf.us/resources/publications/files/Diesel\\_Health\\_in\\_America.pdf](http://www.catf.us/resources/publications/files/Diesel_Health_in_America.pdf) >
- (4) "AQMD Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning," < <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf?sfvrsn=4> >, May 6, 2005. Also available for download by chapter at < <http://www.aqmd.gov/home/library/documents-support-material/planning-guidance/guidance-document> >
- (5) U.S. Department of Transportation, Federal Highway Administration. (August 2006) *Construction Noise Handbook, Chapters 3, 4, and 9* < [http://www.fhwa.dot.gov/environment/noise/construction\\_noise/handbook/index.cfm](http://www.fhwa.dot.gov/environment/noise/construction_noise/handbook/index.cfm) >
- (6) Electronic Library of Construction Occupational Safety and Health (November/December 2002) *Construction Noise: Exposure, Effects, and the Potential for Remediation; A Review and Analysis*. < [http://www.elcosh.org/document/1434/d000054/Construction%2BNoise%2B53A%2BExposure%252C%2BEffects%252C%2Band%2Bthe%2BPotential%2Bfor%2BRemediation%253B%2BA%2BReview%2Band%2BAnalysis.html?show\\_text=1](http://www.elcosh.org/document/1434/d000054/Construction%2BNoise%2B53A%2BExposure%252C%2BEffects%252C%2Band%2Bthe%2BPotential%2Bfor%2BRemediation%253B%2BA%2BReview%2Band%2BAnalysis.html?show_text=1) >
- (7) U.S. Department of Housing and Urban Development. (March 2009) *The Noise Guidebook*. < <https://www.onecpd.info/resource/313/hud-noise-guidebook/> >

- (8) Suter, Dr. Alice H., Administrative Conference of the United States.  
(November 1991) *Noise and Its Effects*.  
<<http://www.nonoise.org/library/suter/suter.htm>>

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**Johnson & Sedlack**, an Environmental Law firm representing plaintiff environmental groups in environmental law litigation, primarily CEQA.

**City Planning:**

Current Planning

- Two years principal planner, Lenexa, Kansas (consulting)
- Two and one half years principal planner, Lee's Summit, Missouri
- One year North Desert Regional Team, San Bernardino County
- Twenty-five years subdivision design: residential, commercial and industrial
- Twenty-five years as applicants representative in various jurisdictions in: Missouri, Texas, Florida, Georgia, Illinois, Wisconsin, Kansas and California
- Twelve years as applicants representative in the telecommunications field

General Plan

- Developed a policy oriented Comprehensive Plan for the City of Lenexa, Kansas.
- Updated Comprehensive Plan for the City of Lee's Summit, Missouri.
- Created innovative zoning ordinance for Lenexa, Kansas.
- Developed Draft Hillside Development Standards, San Bernardino County, CA.
- Developed Draft Grading Standards, San Bernardino County.
- Developed Draft Fiscal Impact Analysis, San Bernardino County

Environmental Analysis

- Two years, Environmental Team, San Bernardino County
  - Review and supervision of preparation of EIR's and joint EIR/EIS's
  - Preparation of Negative Declarations
  - Environmental review of proposed projects
- Eighteen years as an environmental consultant reviewing environmental documentation for plaintiffs in CEQA and NEPA litigation

**Representation:**

- Represented various clients in litigation primarily in the fields of Environmental and Election law. Clients include:
  - Sierra Club

- o San Bernardino Valley Audubon Society
- o Sea & Sage Audubon Society
- o San Bernardino County Audubon Society
- o Center for Community Action and Environmental Justice
- o Endangered Habitats League
- o Rural Canyons Conservation Fund
- o California Native Plant Society
- o California Oak Foundation
- o Citizens for Responsible Growth in San Marcos
- o Union for a River Greenbelt Environment
- o Citizens to Enforce CEQA
- o Friends of Riverside's Hills
- o De Luz 2000
- o Save Walker Basin
- o Elsinore Murrieta Anza Resource Conservation District

**Education:**

- B. A. Economics and Political Science, Kansas State University 1970
- Masters of Community and Regional Planning, Kansas State University, 1974
- Additional graduate studies in Economics at the University of Missouri at Kansas City
- J.D. University of La Verne. 1997 Member, Law Review, Deans List, Class Valedictorian, Member Law Review, Published, Journal of Juvenile Law

**Professional Associations:**

- o Member, American Planning Association
- o Member, American Institute of Certified Planners
- o Member, Association of Environmental Professionals

**Johnson & Sedlack, Attorneys at Law**

26785 Camino Seco  
Temecula, CA 92590  
(951) 506-9925

12/97- Present

Principal in the environmental law firm of Johnson & Sedlack. Primary areas of practice are environmental and election law. Have provided representation to the Sierra Club, Audubon Society, AT&T Wireless, Endangered Habitats League, Center for Community Action and Environmental Justice, California Native Plant Society and numerous local environmental groups. Primary practice is writ of mandate under the California Environmental Quality Act.

**Planning-Environmental Solutions**

26785 Camino Seco  
Temecula, CA 92590  
(909) 506-9825

8/94- Present

Served as applicant's representative for planning issues to the telecommunications industry. Secured government entitlements for cell sites. Provided applicant's



representative services to private developers of residential projects. Provided design services for private residential development projects. Provided project management of all technical consultants on private developments including traffic, geotechnical, survey, engineering, environmental, hydrogeological, hydrologic, landscape architectural, golf course design and fire consultants.

**San Bernardino County Planning Department**

Environmental Team  
385 N. Arrowhead  
San Bernardino, CA 92415  
(909) 387-4099

6/91-8/94

Responsible for coordination of production of EIR's and joint EIR/EIS's for numerous projects in the county. Prepared environmental documents for numerous projects within the county. Prepared environmental determinations and environmental review for projects within the county.

**San Bernardino County Planning Department**

General Plan Team  
385 N. Arrowhead  
San Bernardino, CA 92415  
(909) 387-4099

6/91-6/92

Created draft grading ordinance, hillside development standards, water efficient landscaping ordinance, multi-family development standards, revised planned development section and fiscal impact analysis. Completed land use plans and general plan amendment for approximately 250 square miles. Prepared proposal for specific plan for the Oak Hills community.

**San Bernardino County Planning Department**

North Desert Regional Planning Team  
15505 Civic  
Victorville, CA  
(619) 243-8245

6/90-6/91

Worked on regional team. Reviewed general plan amendments, tentative tracts, parcel maps and conditional use permits. Prepared CEQA documents for projects.

**Broadmoor Associates/Johnson Consulting**

229 NW Blue Parkway  
Lee's Summit, MO 64063  
(816) 525-6640

2/86-6/90

Sold and leased commercial and industrial properties. Designed and developed an executive office park and an industrial park in Lee's Summit, Mo. Designed two additional industrial parks and residential subdivisions. Prepared study to determine target industries for the industrial parks. Prepared applications for tax increment financing district and grants under Economic Development Action Grant program. Prepared

input/output analysis of proposed race track. Provided conceptual design of 800 acre mixed use development.

**Shepherd Realty Co.**

Lee's Summit, MO

6/84-2-86

Sold and leased commercial and industrial properties. Performed investment analysis on properties. Provided planning consulting in subdivision design and rezoning.

**Contemporary Concepts Inc.**

Lee's Summit, MO

9/78-5/84

Owner

Designed and developed residential subdivision in Lee's Summit, Mo. Supervised all construction trades involved in the development process and the building of homes.

**Environmental Design Association**

Lee's Summit, Mo.

Project Coordinator

6/77-9/78

Was responsible for site design and preliminary building design for retirement villages in Missouri, Texas and Florida. Was responsible for preparing feasibility studies of possible conversion projects. Was in charge of working with local governments on zoning issues and any problems that might arise with projects. Coordinated work of local architects on projects. Worked with marketing staff regarding design changes needed or contemplated.

**City of Lee's Summit, MO**

220 SW Main

Lee's Summit, MO 64063

Community Development Director

4/75-6/77

Supervised Community Development Dept. staff. Responsible for preparation of departmental budget and C.D.B.G. budget. Administered Community Development Block Grant program. Developed initial Downtown redevelopment plan with funding from block grant funds. Served as a member of the Lee's Summit Economic Development Committee and provided staff support to them. Prepared study of available industrial sites within the City of Lee's Summit. In charge of all planning and zoning matters for the city including comprehensive plan.

**Howard Needles Tammen & Bergendoff**

9200 Ward Parkway

Kansas City, MO 64114

(816) 333-4800

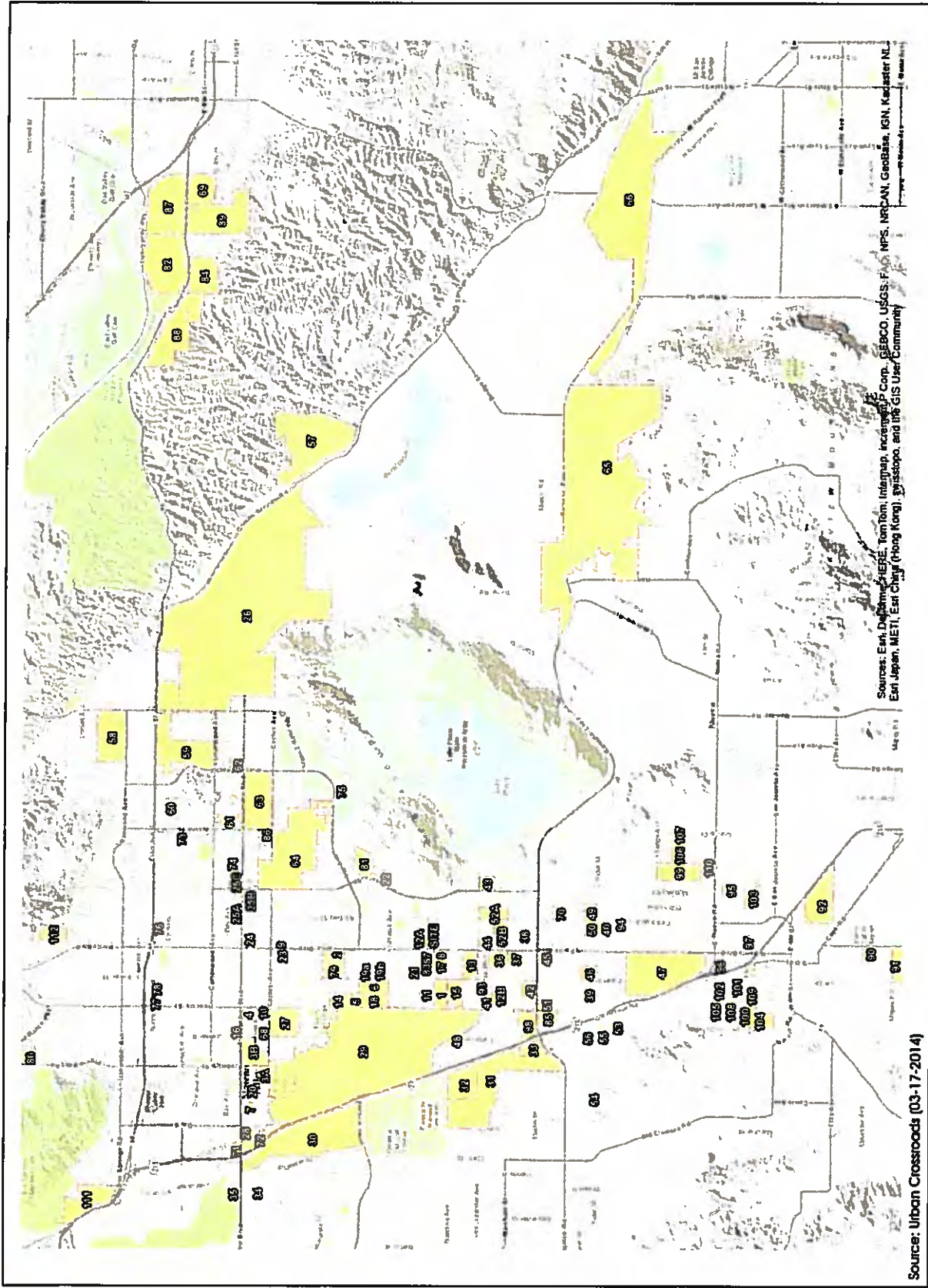
Economist/Planner

5/73-4/75

Responsible for conducting economic and planning studies for Public and private sector clients. Consulting City Planner for Lenexa, KS.

Conducted environmental impact study on maintaining varying channel depth of the Columbia River including an input/output analysis. Environmental impact studies of dredging the Mississippi River. Worked on the Johnson County Industrial Airport industrial park master plan including a study on the demand for industrial land and the development of target industries based upon location analysis. Worked on various airport master plans. Developed policy oriented comprehensive plan for the City of Lenexa, KS. Developed innovative zoning ordinance heavily dependent upon performance standards for the City of Lenexa, KS.

# **ATTACHMENT 1**



**Figure 4.0-1  
Cumulative Development Location Map**



**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
1	PA 06-0152 & PA 06-0153 (First Park Nandina I & II)	High-Cube Warehouse	1,182,918	TSF
2	Moreno Valley Walmart	Free-Standing Discount Store	189,520	TSF
		Gas Station	16	VFP
3A	PA 08-0072 (Overton Moore Properties)	High-Cube Warehouse	520,000	TSF
3B	Harbor Freight Expansion	High-Cube Warehouse	1,279,910	TSF
4	PA 04-0063 (Centerpointe Buildings 8 and 9)	General Light Industrial	361,384	TSF
5	PA 07-0035, PA 07-0039 (Moreno Valley Industrial Park)	General Light Industrial	204,657	TSF
		High-Cube Warehouse	409,920	TSF
6	PA 07-0079 (Indian Business Park)	High-Cube Warehouse	1,560,046	TSF
7	PA 08-0047-0052 (Komar Cactus Plaza) <sup>3</sup>	Hotel	110	RMS
		Fast Food w/Drive Thru	8,000	TSF
		Commercial	42,400	TSF
8	First Inland Logistics Center	High-Cube Warehouse	400,130	TSF
9	TM 33607	Condo/Townhomes	54	DU
10	PA 08-0093 (Centerpointe Business Park II)	General Light Industrial	99,988	TSF
11	PA 06-0021, PA 06-0022, PA 06-0048, PA 06-0049 (Komar Investments)	Warehousing	2,057,400	TSF
12A	PA 06-0017 (Ivan Devries)	Industrial Park	569,200	TSF
12B	Integra Pacific Industrial Facility	High-Cube Warehouse	880,000	TSF
13	PA 09-0004 (Vogel)	High-Cube Warehouse	1,616,133	TSF
14	TM 34748	SFDR	135	DU
15	Modular Logistics Center	High-Cube Warehouse	1,109,378	TSF
16	PA 09-0031	Gas Station	12	VFP
17	First Park Nandina III	High-Cube Warehouse	691,960	TSF
	Moreno Valley Commerce Park	High-Cube Warehouse	354,321	TSF
18	March Business Center	General Light Industrial	16,732	TSF
		Warehousing	87,429	TSF
		High-Cube Warehouse	1,380,246	TSF
19A	TM 33810	SFDR	16	DU
19B	TM 34151	SFDR	37	DU
20	373K Industrial Facility	High-Cube Warehouse	373,030	TSF
21	TM 32716	SFDR	57	DU
22	TM 32917	Condo/Townhomes	227	DU
23	TM 33417	Condo/Townhomes	10	DU
24	TM 34988	Condo/Townhomes	251	DU
25A	TM 34216	Condo/Townhomes	40	DU
25B	TM 34681	Condo/Townhomes	49	DU
25C	PA 08-0079-0081 (Winco Foods)	Discount Supermarket	95,440	TSF
		Specialty Retail	14,800	TSF



**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
26	Moreno Beach Marketplace (Lowe's)	Commercial Retail	175 000	TSF
	Auto Mall Specific Plan (Planning Area C)	Commercial Retail	304 500	TSF
	Westridge	High-Cube Warehouse	937 260	TSF
	ProLogis	High-Cube Warehouse	1,916 190	TSF
		Warehousing	328 448	TSF
	World Logistics Center	High-Cube Warehouse	41,400 000	TSF
		Warehousing	200 000	TSF
		Gas Station w/ Market	12	VFP
Existing SFDR		7	DU	
27	Merch Lifecare Campus Specific Plan <sup>4</sup>	Medical Offices	190 000	TSF
		Commercial Retail	210 000	TSF
		Research & Education	200 000	TSF
		Hospital	50	Beds
		Institutional Residential	660	Beds
28	Alessandro Metrolink Station	Light Rail Transit Station	300	SP
29	Airport Master Plan	Airport Use	559 000	TSF
30	Meridian Business Park North	Industrial Park	5,985 000	TSF
31	SP 341, PP 21552 (Majestic Freeway Business Center)	High-Cube Warehouse	6,200 000	TSF
32	PP 20699 (Oleander Business Park)	Warehousing	1,206 710	TSF
33	Ramona Metrolink Station	Light Rail Transit Station	300	SP
34	PP 22925 (Amstar/Kaliber Development)	Office (258 102 TSF)	258 102	TSF
		Warehousing	409 312	TSF
		General Light Industrial	42 222	TSF
		Retail	10 000	TSF
35	P07-1028 (Alessandro Business Park)	General Light Industrial	652 018	TSF
36	P 05-0113 (IDI)	High-Cube Warehouse	1,750 000	TSF
37	P 05-0192 (Oakmont I)	High-Cube Warehouse	697 600	TSF
38	P 05-0477	High-Cube Warehouse	462 692	TSF
39	Rados Distribution Center	High-Cube Warehouse	1,200 000	TSF
40	Investment Development Services (IDS) II	High-Cube Warehouse	350 000	TSF
41	P 07-09-0018	Warehousing	170 000	TSF
42	P 07-07-0029 (Oakmont II)	High-Cube Warehouse	1,600 000	TSF
43	TR 32707	SFDR	137	DU
44	TR 34716	SFDR	318	DU
45	P 05-0493 (Ridge I)	High-Cube Warehouse	700 000	TSF
46	Ridge II	High-Cube Warehouse	2,000 000	TSF



**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
47	Harvest Landing Specific Plan	SFDR	717	DU
		Condo/Townhomes	1,139	DU
		Sports Park	16 700	AC
		Business Park	1,233 401	TSF
		Shopping Center	73 181	TSF
		Perris Marketplace	Shopping Center	450 000
48	P 06-0411 (Concrete Batch Plant)	Manufacturing	2 000	TSF
49	Jordan Distribution	High-Cube Warehouse	378 000	TSF
50	Aiers	High-Cube Warehouse	642 000	TSF
51	P 08-11-0005, P 08-11-0006 (Starcrest)	High-Cube Warehouse	454 088	TSF
52A	Stratford Ranch Specific Plan	High-Cube Warehouse	1,725 411	TSF
52B	Stratford Ranch Specific Plan	High-Cube Warehouse	480 000	TSF
		General Light Industrial	120 000	TSF
53	PP 18908	General Light Industrial	133 000	TSF
54	Tract 33869	SFDR	39.000	DU
55	PP 16976	General Light Industrial	85.000	TSF
56	PP 21144	Industrial Park	190 802	TSF
57	Quail Ranch Specific Plan	Private School (K-12)	300	STU
		Golf Course	18	Holes
		Hotel	500	ROOMS
		Specialty Retail	66 667	TSF
		General office	66 667	TSF
		Assisted Living	500	Beds
		Senior Living (Detached)	200	DU
		SFDR	600	DU
58	a TR 32460 (Sussex Capital)	SFDR	58	DU
	b TR 32459 (Sussex Capital)	SFDR	11	DU
	c TR 30411 (Pacific Communities)	SFDR	24	DU
	d TR 33982 (Pacific Scene Homes)	SFDR	31	DU
	e TR 30998 (Pacific Communities)	SFDR	47	DU
59	a Westridge Commerce Center	High-Cube Warehouse	937 260	TSF
	b P06-158 (Gascon)	Commercial Retail	116 360	TSF
	c Auto Mall Specific Plan (PAC)	Commercial Retail	304 500	TSF
	d ProLogis	Warehousing	367 000	TSF
		High-Cube Warehouse	1,901 000	TSF
	e TR 35823 (Stowe Passco)	SFDR	262	DU
Apartments		216	DU	
60	TR 36340	SFDR	275	DU

**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
61	a TR 31771 (Sanchez)	SFDR	25	DU
	b TR 34397 (Winchester Associates)	SFDR	52	DU
	c TR 32645 (Winchester Associates)	SFDR	54	DU
62	Lowe's (Moreno Beach Marketplace)	Home Improvement Store	175 000	TSF
63	a Convenience Store/ Fueling Station	Gas Station w/ Market	30.750	TSF
	b Senior Assisted Living	Assisted Living Units	139	DU
	c TR 31590 (Winchester Associates)	SFDR	96	DU
	d TR 32548 (Gabel, Cook & Associates)	SFDR	107	DU
	e 26th Corp. & Granite Capitol	SFDR	32	DU
	f TR 32218 (Whitney)	SFDR	63	DU
	g Moreno Marketplace	Commercial Retail	93 788	TSF
	h Medical Plaza	Medical Offices	311.633	TSF
64	a Moreno Medical Campus	Medical Offices	80 000	TSF
	b Aqua Bella Specific Plan	SFDR	2,922	DU
	c TR 34329 (Granite Capitol)	SFDR	90	DU
	d Cresta Bella	General Office	30.000	TSF
65	a Villages of Lakeview	SFDR	860	DU
		Condo/Townhomes	1,920	DU
		Elementary School	1,200	STU
		Commercial Retail	100 000	TSF
		Soccer Complex	12	Fields
		City Park	8 900	AC
		County Park	8 100	AC
		Regional Park	107 100	AC
	b Motte Lakeview Ranch	SFDR	847	DU
		Condo/Townhomes	686	DU
		Apartments	467	DU
		Elementary School	650	STU
		Middle School	300	STU
		Commercial Retail	120 000	TSF
66	Gateway Area Specific Plan	Regional Park	177 000	AC
		Commercial Retail	255 000	AC
		General Office	510 000	AC
		Business Park	595 000	AC
67	Moreno Valley Industrial Center (Industrial Area SP)	Residential	340 000	AC
		General Light Industrial	354 810	TSF
68	Centerpointe Business Park	General Light Industrial	356 000	TSF
69	ProLogis/Rolling Hills Ranch Industrial	Heavy Industrial	2,565 684	TSF
70	P05-0493	Logistics	597 370	TSF

**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
71	P07-1028, -0102, and P09-0416, -0418, -0419	General Light Industrial	652 018	TSF
72	Amstar/Kaliber Development, PP22925	General Light Industrial	42 222	TSF
		Heavy Industrial	409 312	TSF
		Commercial Retail	10 000	TSF
		General Office	258 102	TSF
73	TR 31305 / Richmond American	Residential	87	DU
74	TR 32505 / DR Horton	Residential	71	DU
75	TR 34329 / Granite Capitol	Residential	90	DU
76	TR 31814 / Moreno Valley Investors	Residential	60	DU
77	TR 33771 / Creative Design Associates	Residential	12	DU
78	TR 35663 / Kha	Residential	12	DU
79	TR 22180 / Young Homes	Residential	87	DU
80	TR 32515	Residential	161	DU
81	TR 32142	Residential	81	DU
82	Heartland	Residential	922	DU
83	San Michele Industrial Center (Industrial Area SP)	General Light Industrial	865 960	TSF
84	Hidden Canyon	General Light Industrial	2,890 000	TSF
85	Starcrest, P011-0005, 08-11-0006	General Light Industrial	454 088	TSF
86	Commercial Medical Plaza	Medical Offices	311 633	TSF
87	Mountain Bridge Regional Commercial Community	Commercial	1,853 251	TSF
88	Jack Rabbit Trail	Residential	2,000	DU
89	The Preserve / Legacy Highlands SP	Commercial	595 901	TSF
		Residential	3,412	DU
90	South Perris Industrial Phase 1	Logistics	787 700	TSF
91	South Perris Industrial Phase 2	Logistics	3,448 734	TSF
92	South Perris Industrial Phase 3	Logistics	3,166 857	TSF
93	P 04-0343	Warehousing	41 650	TSF
94	P 06-0228	General Light Industrial	149 738	TSF
95	P 06-0378	Senior Housing	429	DU
96	P 11-09-0011	Retail	80 000	TSF
97	P 12-05-0013	Apartments	75	DU
98	P 12-10-0005	High-Cube Warehouse	1,463 887	TSF
99	TR 30850	Residential	496	DU
100	TR 30973	Residential	35	DU
101	TR 31225	Residential	57	DU
102	TR 31226	Residential	82	DU
103	TR 31240	Residential	114	DU
104	TR 31407	Residential	243	DU
105	TR 31650	SFDR	61	DU
106	TR 31659	SFDR	161	DU
107	TR 32041	Residential	122	DU

**Table 4.0-1 Cumulative Project List**

TAZ	Project Name	Land Use <sup>1</sup>	Quantity	Units <sup>2</sup>
108	TR 32406	SFDR	15	DU
109	TR 33193	Townhomes	94	DU
110	TR 33338	Residential	75	DU
111	The Gateway Center	SFDR	1,342	DU
		Condo/Townhomes	402	DU
		Apartments	307	DU
		Shopping Center	5.7	AC
		Mixed-Use/Metrolink Station	15.2	AC
112	TTM 31592 (P 13-078) Covey Ranch	SFDR	115	DU

<sup>1</sup> SFDR = Single Family Detached Residential

<sup>2</sup> DU = Dwelling Units; TSF = Thousand Square Feet; SP = Spaces; VFP = Vehicle Fueling Positions; AC = Acres

<sup>3</sup> Source: Cactus Avenue and Commerce Center Drive Commercial Center TIA, Urban Crossroads, Inc., December 9, 2008 (Revised).

<sup>4</sup> Source: March Lifecare Campus Specific Plan Traffic Impact Analysis, Mountain Pacific, Inc., May 2009 (Revised).

Source: *Urban Crossroads, Inc. 2014 H1, Table 4-3*

### 4.0.3 IDENTIFICATION OF IMPACTS

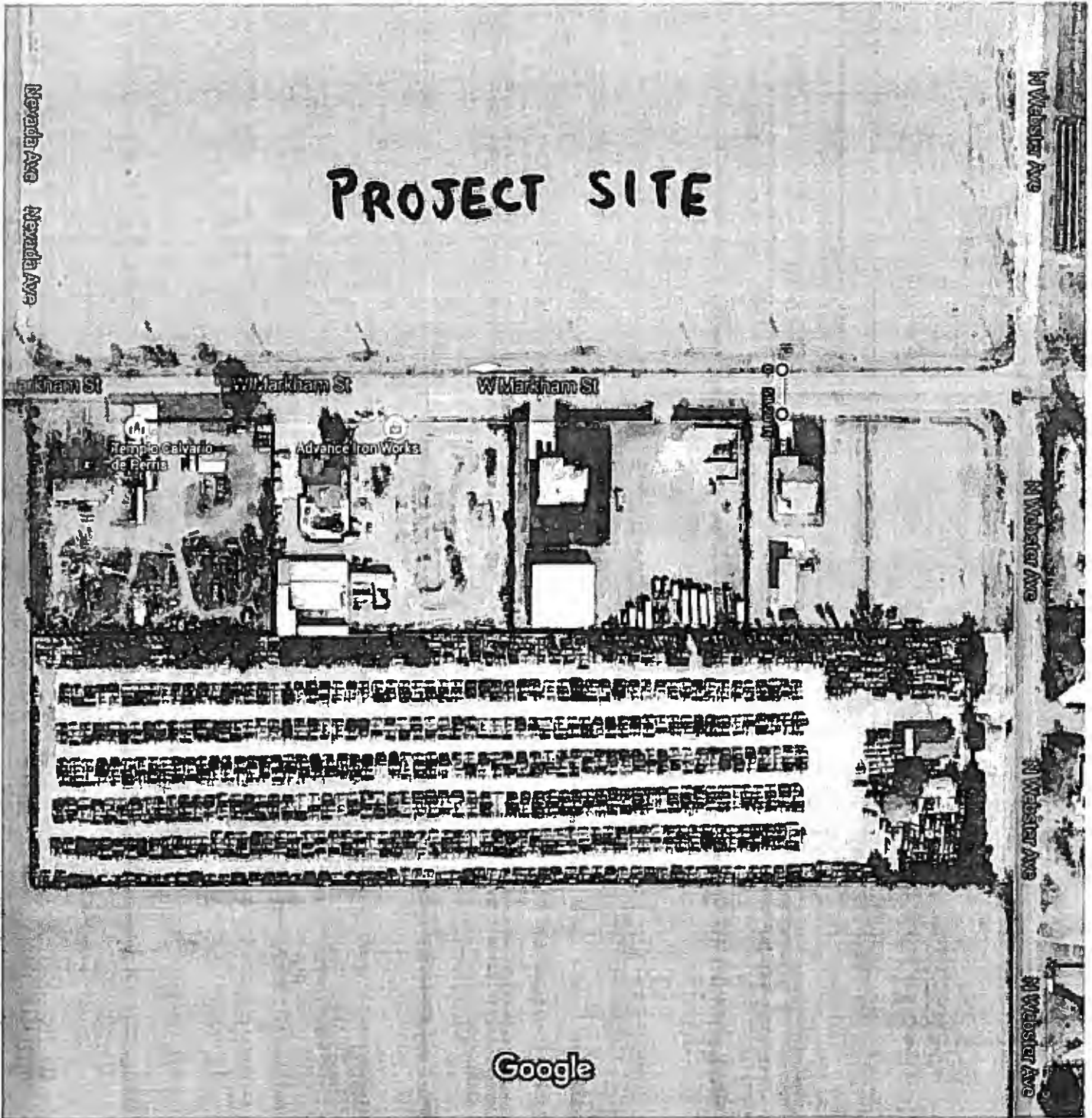
Subsections 4.1 through 4.8 of this EIR evaluate the eight (8) environmental subjects warranting detailed analysis, as determined by this EIR’s Initial Study and in consideration of public comment on this EIR’s NOP. The format of discussion is standardized as much as possible in each section for ease of review. The environmental setting is discussed first, followed by a discussion of the Project’s potential environmental impacts based on specified thresholds of significance used as criteria to determine whether potential environmental effects are significant. The thresholds of significance used in this EIR are based on the thresholds presented in CEQA Guidelines Appendix G and as applied by the City of Moreno Valley to create the Project’s Initial Study Checklist (included in *Technical Appendix A* to this EIR). The thresholds are intended to assist the reader of this EIR in understanding how and why this EIR reaches a conclusion that an impact would or would not occur, is significant, or is less than significant.

Serving as the CEQA Lead Agency for this EIR, the City of Moreno Valley is responsible for determining whether an adverse environmental effect identified in this EIR should be classified as significant or less than significant. The standards of significance used in this EIR are based on the judgment of the City of Moreno Valley, taking into consideration CEQA Guidelines Appendix G, the City of Moreno Valley’s Municipal Code and adopted City policies, the judgment of the technical experts that prepared this EIR’s Technical Appendices, performance standards adopted, implemented, and monitored by regulatory agencies, significance standards recommended by regulatory agencies, and the standards in CEQA that trigger the preparation of an EIR.

## **ATTACHMENT 2**



# Go gle Maps Markham St



Imagery ©2015 Google, Map data ©2015 Google 100 ft

Markham St  
Perris, CA 92571

Measure distance

**Total distance: 58.20 ft (17.74 m)**

**Matthew Fagan Consulting Services**  
**42011 Avenida Vista Ladera**  
**Temecula, CA 92591**  
**Phone: 951.265.5428**  
**[matthewfagan@roadrunner.com](mailto:matthewfagan@roadrunner.com)**

January 6, 2016

Mr. Kenneth Phung, Project Planner  
City of Perris  
Development Services Department – Planning Division  
135 North “D” Street  
Perris, CA 92570

**Subject:** Responses to the Letter from Johnson & Sedlack, November 18, 2015 regarding the Optimus Logistics Center II Final Environmental Impact Report 14-01-0017 (SCH #2014051034), Planning Case Nos. DPR 14-01-0015, SPA 14-04-0001, SV 14-04-0002, and TPM 14-01-0016 (TPM 36678).

Dear Mr. Phung:

Our firm prepared the Draft and Final Environmental Impact Reports (EIRs) for the proposed Optimus Logistics Center II Project under the direction of City staff. As you are aware, Johnson & Sedlack submitted a letter to the City approximately two hours prior to Planning Commission hearing for the Project (November 18, 2015), addressing the Final Environmental Impact Report responses. This letter was submitted well over two months after the public review period for the Draft EIR had ended. No comments were submitted by Johnson & Sedlack during or at the end of the Draft EIR public review period and no extension to the review period was requested by Johnson & Sedlack. It should also be noted that no comments were received from the law firm of Johnson & Sedlack in response to the Notice of Preparation (NOP) at the beginning of the Draft EIR process.

Due to the timing of the submittal of this letter, City Staff and the applicant had limited time to review the letter or to provide written responses to the letter prior to the Planning Commission hearing. As stated at the Planning Commission hearing, based upon the cursory review of the comment letter prior to the hearing, the comments provided a rebuttal to the responses in the Final EIR, but the new letter did not raise any new issues that were not already addressed in the Draft and Final EIRs. The following provides detailed responses to support this conclusion. The Responses to Comments #1 through #22 address comments on the Final EIR. The Response to Comments # 23 through #90 address “additional comments on the EIR.”

**Comments on the FEIR**

**Response to Comment #1**

Comment noted. No response to this comment is necessary.

**Response to Comment #2**

Comment noted. No response to this comment is necessary.

### **Response to Comment #3**

This comment reiterates State CEQA Guidelines §15088(c) as it pertains to the analysis contained in the Draft EIR. Comment #3 also reflects the personal opinion of the commenter, which are addressed in the Responses to Comments No. 4 through 22.

### **Response to Comment #4**

According to p. 4.9-48 of the Draft EIR, the Project site is not located within an area identified by the Riverside County Land Information System (RCLIS) requiring floodplain management review or on a Flood Insurance Rate Map (FIRM) as defined by FEMA (see Figure 4.9-4). This comment does not change the content or conclusions of the Draft EIR. No additional analysis is required.

### **Response to Comment #5**

The Eastern Municipal Water District (EMWD) comments referenced in this comment provided information from the EMWD regarding the details of infrastructure pipeline and connection points that will be detailed in a separate document called the EMWD's Plan of Service which will be developed by the project developer and approved by the EMWD. This is a document that is prepared after a project is approved and site grading and building plans are being developed. Therefore, the Final EIR was correct to state that these comments refer to the permit state of development. That does not mean, however, that the environmental impacts associated with infrastructure improvements for the Project were not evaluated in the Draft EIR. The impacts associated with infrastructure improvements were included in the evaluation of construction-related air quality and noise impacts as well as the impacts associated with utilities.

### **Response to Comment #6**

The 3-mile radius was utilized by the City to develop the cumulative Project list for the Draft EIR. This distance was selected by the City since other projects located beyond a 3-mile radius would have little to no interaction with the proposed Project. The World Logistic Center project was beyond the 3-mile radius and would not utilize any of the same roadways for general access as the proposed Project. The City has exercised its discretion, and based upon substantial evidence, has determined that this radius meets the required cumulative project impact analysis criteria contained in State CEQA Guidelines §15130(b)(1)(B)(2). The City notes this comment, but no further analysis is required by CEQA.

### **Response to Comment #7**

In its comment on the Draft EIR, the City of Riverside suggested that a Horizon Year analysis (build-out-study) should be performed to establish General Plan conformance as a result of the specific plan associated with the project, per the County of Riverside Traffic Impact Analysis Preparation Guidelines. The County of Riverside Traffic Impact Analysis Preparation Guidelines (2008) state that [General Plan] build-out analysis should be performed for "development proposals that also include a General Plan Amendment, Specific Plan, Zone Change or other approval that increases traffic beyond what was approved in the General Plan [emphasis added]. The requested Specific Plan Amendment is proposed to change the land use designation for a portion of the project site so that the entire parcel (Parcel 1) housing Building A will be designated as Light Industrial. Under the existing Specific Plan designations, the majority of the parcel and building would be located on land designated as Light Industrial while the remainder would be on land designated as Heavy Industrial. Per the City of Perris General Plan and Perris Valley Commerce

Center Specific Plan (PVCCSP), both General Industrial and Light Industrial land use designations allow for warehousing and distribution facilities such as that proposed by the proposed Project. Furthermore, several of the allowable land uses for the General Industrial land use designation overlap with the allowable land uses for the Light Industrial land use designation. Therefore, the proposed Project would not increase traffic beyond what was approved in the General Plan and PVCCSP, and a Horizon Year build-out analysis is not required to demonstrate General Plan conformance.

### **Response to Comment #8**

This potential impact of trucks traveling along Webster Avenue between the Project site and Ramona Expressway has been addressed in the Traffic and Circulation section of the Draft EIR and mitigation has been recommended to ensure that Project-related truck traffic travels along the routes designed by the City of Perris for this Project. Ramona Expressway is no longer a designated truck route within the City of Perris. The City of Perris considers the signing program identified in Mitigation Measure T 4.15C of the Draft EIR as adequate to address the potential for trucks to travel along Webster Avenue. Neither the City of Riverside nor the commenter has provided any substantive evidence that the recommended mitigation in the Draft EIR would be inadequate and that additional mitigation in the form of physical improvements would be necessary to further reduce the potential impact. It should be further noted that raised medians at the Project access may conflict with truck turning paths, resulting in the need for on-going maintenance and potential safety hazards.

### **Response to Comment #9**

As discussed in the Final EIR Response to Comment G-6, freeway mainline or merge/diverge analysis were not evaluated in the Draft EIR since the proposed Project would not generate a general criteria of 100 or more peak hour project trips added to these facilities. While cumulative development within Perris, Moreno Valley, Riverside, and elsewhere in southern California would contribute to cumulative impacts affecting freeway mainline facilities, the 100 or more peak hour trips criteria only applies to individual development projects. Therefore, the contribution of the proposed Project to any significant cumulative freeway mainline facilities would not be considerable as defined under Section 15064 of the CEQA Guidelines.

### **Response to Comment #10**

As stated in the Final EIR Responses to Comments H-4, H-5, and H-6 from SCAG, the *project Draft EIR tiers off of the Perris Valley Commerce Center Specific Plan (PVCCSP) EIR, which considered all of SCAGS regional planning goals.* The majority of SCAG's planning goals are applicable to regional, general, and specific plans. Very few of them are applicable to individual general development projects. A general development project does not have to be consistent with every one of SCAG's goals.

In the case of the proposed Project, it would be consistent with Goal 3 of the 2012 RTP/SCS, which encourages agencies to ensure travel safety and reliability for all people and goods in the region. By providing mitigation measures in the Draft and Final EIRs, the project would be consistent with Goal 6 which encourages agencies to protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking). The proposed project would include sustainable features identified on pages 3.0-14 and 3.0-15 of the Draft EIR. As such it would also be consistent

with Goal 7, which recommends that agencies actively encourage and create incentives for energy efficiency, where possible.

### **Response to Comment #11**

The nearest existing sensitive receptors are located to the south of the project site along Markham Street. The potential diesel particulate health risk impacts to these homes and the other nearby residents were addressed in the Response to Comment I-9 in the Final EIR, which concluded that the cancer risk is 2.4 per million at the most affected residential receptor. This risk is well below the SCAQMD's 10 per million threshold of significance for sensitive receptors.

### **Response to Comment #12**

Use of a grid for the evaluation of air pollutant health risks is appropriate when future areas are planned for areas around a source of pollutant but that the specific locations of the receptors are not known at the present time. In the case of the proposed Project, the specific locations of the existing sensitive receptors (existing residences) are known and there are no other sensitive receptors planned for later development within the area around the Project site or along the roadways that will be utilized by Project-generated truck traffic. Therefore, the EIR is able to evaluate the potential diesel particulate health risk impact at the actual location where people would be affected. As discussed in the Response to Comment I-13, the potential for truck traffic to affect residents along Webster Avenue has been addressed in the Traffic and Circulation section of the Draft EIR and mitigation has been recommended to ensure that Project-related truck traffic travels along the routes designed by the City of Perris for this Project.

### **Response to Comment #13**

The trip generation rates and resulting Project trip generation used in the Optimus Logistics Center II Traffic Impact Analysis accurately represent vehicle trips associated with the proposed Project as discussed below.

1) The methodology used to determine forecast Project trips for the proposed Project is consistent with industry practice for the region. The base trips generated by the proposed Project were determined using trip generation rates contained in the Institute of Transportation Engineers (ITE) Trip Generation Manual, 9th Edition, 2012, for land use category 152, High-Cube Warehouse/Distribution Center. The percentages of trucks by axle were then determined using truck mix data contained in the City of Fontana Truck Trip Generation Study (August 2003). The Truck Trip Generation Study is an industry-recognized source for estimating truck mix percentages for projects throughout the region. It has been used as a source for other traffic studies in the region, including, but not limited to:

- Integra Perris Distribution Center (Perris, 2014);
- Stratford Ranch Industrial (Perris, 2012);
- World Logistics Center (Moreno Valley, 2013);
- Sierra Commerce Center Phase II (Fontana, 2014);
- Waterman Avenue High Cube Warehouse (San Bernardino, 2014); and
- Alliance California Gateway South Building 3 (San Bernardino, 2013).

2) The data used by the SCAQMD to support a daily truck trip generation rate of 0.64 for high-cube warehouses includes survey data of projects with cold storage facilities. The proposed Project does not include cold storage facilities.



3) The use of “peaking factors” in the SCAQMD analysis to support a daily truck trip generation rate of 0.64 for high-cube warehouses is a non-standard practice. Standard traffic engineering practice consists of using average trip generation rates (or equations if applicable) to determine forecast Project trips generated on an average weekday without peaking adjustments.

4) The table below shows an alternative project trip generation based on SCAQMD’s data when using average trip generation rates without peaking factors for non-cold storage warehouses (see Appendix A for data obtained from the SCAQMD website).

**Alternative Project Trip Generation Based on SCAQMD Data**

Descriptor	Quantity	Units <sup>2</sup>	Type of Vehicle <sup>1</sup>				Total Trucks	Total
			Passenger Car	2 Axle Truck	3 Axle Truck	4+ Axle Truck		
Land Use: High-Cube Warehouse	1,037,810	TSF	70.15%	5.06%	6.78%	18.02%	29.86%	100%
Daily Trip Generation Rates per TSF <sup>3</sup>			0.940	0.068	0.091	0.242	0.400	1.34
Daily Trips Generated			976	70	94	251	415	1,391
Passenger Car Equivalent (PCE) Factors <sup>4</sup>			1.00	1.50	2.00	3.00	-	-
Daily Trips Generated in PCEs			976	105	188	753	1,046	2,022

<sup>1</sup> Truck mix by axle was prorated upwards from the City of Fontana Truck Trip Generation Study (August 2003) to equal a total truck rate of 0.40 as noted in the SCAQMD data for non-cold storage high-cube warehouses.

<sup>2</sup> TSF = Thousand Square Feet

<sup>3</sup> Source: Daily trip generation rate and total truck percentage obtained from SCAQMD data (see Attachment A).

<sup>4</sup> Passenger Car Equivalent factors are recommended by San Bernardino Associated Governments.

The next table shows a comparison between the alternative Project trip generation using SCAQMD data and the Project trip generation used in the traffic impact analysis. As shown in this table, the Project trip generation rates used in the traffic impact analysis results in a more conservative trip generation forecast compared to using the average trip generation rates for non-cold storage warehouses from the SCAQMD analysis.

### Trip Generation Comparison (in PCEs)<sup>1</sup>

Descriptor	Daily PCE Trips Generated
[A] Alternative Trip Generation Based on SCAQMD Data	2,022
[B] Trip Generation Used in Optimus Logistics Center II EIR	2,284
Difference [B] - [A]	+262

<sup>1</sup> PCE = Passenger Car Equivalent

5) It is understood that the SCAQMD data will be submitted to ITE for review and potential incorporation into the Trip Generation Manual; however, until the data is formally reviewed and incorporated into the Trip Generation Manual, it is not currently an ITE-recommended source.

6) The City of Fontana Truck Trip Generation Study is based on surveys of high-cube warehouse developments located in the Inland Empire, which have unique operational characteristics associated with access to two of the busiest ports in the United States (Port of Los Angeles and Port of Long Beach). The ITE daily truck trip generation rate of 0.64 recommended by SCAQMD for high-cube warehouse land uses is based on limited surveys conducted nationwide.

7) The ITE Trip Generation Manual states that the "truck trips accounted for 9 to 29 percent of the peak hour traffic at the sites that provided truck trip information"<sup>1</sup> Therefore, the 20.43 percentage of trucks used in the Optimus Logistics Center II analysis falls reasonably within the ITE-estimated 9 to 29 percent.

#### **Response to Comment #14**

The SCAQMD's comments regarding the vehicle trip lengths pertained to the information presented in the Optimus Logistics Center II Air Quality, Greenhouse Gas, and Health Risk Assessment Impact Study and included in Appendix E to the Draft EIR. As stated in the Response to Comment I-7, the City of Perris could not support some of the calculations in that technical report. Specifically, the City was concerned that the technical report may have underestimated the operational air quality and greenhouse gas emissions associated with the proposed Project. In response, the City directed its peer review consultant to recalculate the emissions for the project in a manner that it could support. The Memorandum to Kenneth Phung, City of Perris regarding Revised Calculations of Air Quality and Greenhouse Gas Emissions for the Optimus 2 Project is referenced on page 4.3-1 of the Draft EIR and is included later in Appendix E to the Draft EIR. The construction-related and operational air pollutant emissions presented in the Air Quality section of the Draft EIR are based on this memorandum and the Response to Comment I-7 references the information in this memorandum rather than the original technical report. The City's changes to the calculation of Project-generated operational emissions are reflected in Table 4.3-E of the Draft EIR. No changes to Table 4.3-E occurred as a result of the SCAQMD's Comment I-7 and a revised table does not need to be provided in the Errata section of the Final EIR.

<sup>1</sup> Institute of Transportation Engineers Trip Generation Manual, 9th Edition, 2012, page 266.

### **Response to Comment #15**

The evaluation of Project-related environmental impacts in the Draft and Final EIRs is based on the Project as proposed by the Project applicant. The Project is not proposed to provide refrigerated facilities. Any use of the proposed buildings for refrigerated is speculative and not included in the requested actions and permits. Therefore, there is no requirement or nexus to include a mitigation measure to preclude refrigerated facilities at the Project site. Any later request to construct or operate a refrigerated facility at the site would be subject to a separate environmental review under CEQA.

### **Response to Comment #16**

Please see the Response to Comment #12.

### **Response to Comment #17**

As stated in the Response to Comment I-15, the City of Perris is declining to require the installation of EV truck charging stations at this time because there are an insufficient number of electric heavy trucks operating on the highways of California to support the installation of electric truck charging stations at this or any other project sites in Perris. The proposed mitigation measure AQ 4.3H provides infrastructure and flexibility for the charging stations to be installed and used when these trucks become available and expected to operate to and from the Project site. In the absence of actual electric heavy trucks at the site, the suggested mitigation revisions would do nothing to reduce the operational emissions of the proposed Project at the time that it is constructed and becomes operational.

The City of Perris is also declining to require the installation of electric hookups for onboard equipment since this is an infrastructure improvement that is appropriate for facilities such as truck stops (truck stop is specifically referenced in the SCAQMD's comment) where truck drivers would spend several hours of time resting or sleeping while their truck engines are turned off. The proposed Project is not a truck stop and truck drivers would not be staying at the facility for long periods of time.

### **Response to Comment #18**

Restricting the trucks that travel to and from the site to 2010 compliant diesel trucks or alternatively fueled truck is only feasible when the operators of the proposed facilities would own and operate all of the trucks that travel to and from the facilities. This is an agreement that can be reached between a lead agency and an operator when the operator is known at the time of project approval. In the case of the proposed Project, the potential tenants/operators are not known at the present time. It is very likely that the majority of the trucks traveling to and from the facility would not be owned or operated by the facility tenants and the City will not place a restriction on the Project that prohibits any vehicles that are operating legally in California from entering the Project site. As stated in the Final EIR Response to Comment I-15a, the *City considers this recommendation beyond the scope of this Project-level EIR, since 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). However, mitigation measure AQ 4.3.J will ensure that the facility operator shall require tenants that do not already operate 2010 and newer trucks, to apply in good faith, for funding to replace/retrofit their trucks. Mitigation measure AQ 4.3.J is as follows:*

**AQ 4.3.J** *Upon occupancy, the facility operator shall require tenants that do not already operate 2010 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, SmartWay Finance, or other similar funds. If awarded, the tenant shall be required to accept and use the funding. Tenants shall be encouraged to consider the use of alternative fuelled trucks as well as new or retrofitted diesel trucks. Tenants shall also be encouraged to become SmartWay Partners, if eligible. This measure shall not apply to trucks that are not owned or operated by the facility operator or facility tenants since it would be infeasible to prohibit access to the site by any truck that is otherwise legal to operate on California roads and highways. The facility operator shall provide an annual report to the City of Perris Development Services Department. The report shall: one, list each engine design; two, describe the effort made by each tenant to obtain funding to upgrade their fleet and the results of that effort; and three, describe the change in each fleet composition from the prior year.*

#### **Response to Comment #19**

The Final EIR Response to Comment I-15c provides a reason that the SCAQMD's recommend measure to limit the number of daily truck trips to and from the site is not appropriate for the proposed Project. The Draft EIR has addressed the emissions associated with the Project based on the proposed Project design and the number of heavy-duty trucks that are expected to access the Project site on a daily basis. Higher truck volumes are not anticipated and, therefore, the need to limit the daily number of trucks at each facility would not be required. The City of Perris does not place limits on the number of vehicles that may travel to and from other projects such as residential, commercial, institutional, and industrial projects and there is no reason to single out this Project for restrictions that are not applied to other uses. If higher daily truck volumes are anticipated to visit the site, then, pursuant to CEQA, the Lead Agency will be required to reevaluate the Project prior to allowing this higher activity level. No additional analysis is required at this time.

#### **Response to Comment #20**

The Final EIR Response to Comment I-15g states that the City monitors traffic flow on major arterials and coordinates traffic signals to the extent feasible as part of standard practice. This occurs on an ongoing basis. There is no information presented in the Traffic Impact Analysis prepared for the proposed Project that signal synchronization would be warranted for this specific project. Neither the SCAQMD nor the commenter have also provided evidence that signal synchronization would be warranted for this specific project.

#### **Response to Comment #21**

Please see the Response to Comment #18.

#### **Response to Comment #22**

The installation of a solar-powered photovoltaic (PV) electrical generation system as proposed for the Project will reduce the amount of electricity that would need to be generated to serve the new buildings. However, electricity generation is not included in the air pollutant emissions estimates for the Project since they occur at remote locations and from many different sources including solar and other clean energy sources. Electricity generation emissions are, however, included in the estimate of greenhouse gas (GHG) emissions for the Project and a solar-powered PV system would reduce these emissions. As shown in Table 4.7-C on page 4.7-23 of the Draft EIR, the

annual GHG emissions associated with the proposed Project would not exceed the draft thresholds of significance recommended by the SCAQMD. Therefore, the impact of the proposed Project would be less than significant and the installation of the maximum number of solar panels at the Project site are not needed to reduce or eliminate a significant impact of the proposed Project.

**Response to Comment #23**

This comment is a reiteration of the Project Description contained in the Draft EIR. This comment does not question the content or conclusions of the Draft EIR. Therefore, no response is required.

**Response to Comment #24**

This comment is incorrect. The Draft EIR evaluates all potential impacts of the proposed Project including the proposed infrastructure improvements. The evaluation of construction-related impacts associated with the required on- and off-site infrastructure improvements are included in the evaluation of the overall Project-related construction impacts; they are not analyzed separately from the other parts of the Project. The requested street vacation would eliminate two unimproved roadway segments from the Circulation Plan of the PVCCSP. It would not affect any existing roadway segments.

**Response to Comment #25**

Although the Draft EIR describes the nearest residence as being located 165 feet to the north of the Project site's northern property line, the actual nearest residences are located to the south of the project site along Markham Street. However, the localized air quality and noise impacts to these homes are evaluated in the Air Quality and Noise sections of the Draft EIR. The construction-related and operational air quality impacts to these homes are determined to be less than significant. Please see the Responses to Comments #11 and #12. Operational noise impacts to these homes are considered to be potentially significant so a 14-foot high concrete tilt-up screening wall will be constructed along the southern perimeter of the Project site as required by mitigation measure 4.12A and as shown in Figure 4.12-7 on page 4.12-38 of the Draft EIR.

### **Response to Comment #26**

The Draft EIR largely relies on the list of related projects shown in Table 2.0-B beginning on page 2.0-10 of the Draft EIR to evaluate cumulative impacts, but there are instances where the Draft EIR refers to the evaluation of buildout conditions under the PVCCSP and or the City of Perris General Plan. This is supported by the analyses contained in the following sections of the Draft EIR:

- 2.8: Cumulative Projects, pp. 2.0-7 through 2.0-16;
- 4.1.8: Cumulative Impacts (Aesthetics), p. 4.1-28;
- 4.2.8: Cumulative Impacts (Agricultural Resources), pp. 4.2-25 and 4.2-26;
- 4.3.8: Cumulative Impacts (Air Quality), pp. 4.2-63 and 4.2-64;
- 4.4.8: Cumulative Impacts (Biological Resources), pp. 4.4-23 and 4.4-24;
- 4.5.8: Cumulative Impacts (Cultural and Paleontological Resources), p. 4.5-35;
- 4.6.8: Cumulative Impacts (Geology and Soils), pp. 4.6-19 and 4.6-20;
- 4.7.8: Cumulative Impacts (Greenhouse Gas Emissions), pp. 4.7-24 and 4.7-25;
- 4.8.8: Cumulative Impacts (Hazards and Hazardous Materials), pp. 4.8-36 and 4.8-37;
- 4.9.8: Cumulative Impacts (Hydrology and Water Quality), pp. 4.9-4 and 4.9-50;
- 4.10.8: Cumulative Impacts (Land Use, Planning, Population, and Housing), p. 4.10-28;
- 4.11.8: Cumulative Impacts (Mineral Resources), p. 4.11-5;
- 4.12.8: Cumulative Impacts (Noise), pp. 4.12-50 and 4.12-51;
- 4.13.8: Cumulative Impacts (Public Services and Utilities), pp. 4.13-28 through 4.13-30;
- 4.14.8: Cumulative Impacts (Recreation and Parks), pp. 4.14-5 and 4.14-6; and
- 4.15.8: Cumulative Impacts (Traffic and Circulation), pp. 4.15-43 through 4.15-45.

There is no requirement that an EIR choose only one methodology to evaluate cumulative impacts. The proposed Project would affect some cumulative impacts only in the immediate vicinity of the Project site while it would affect others over a larger area. The Draft EIR evaluates the contribution of the Project to cumulative impacts at the appropriate level for each impact topic.

### **Response to Comment #27**

The 3-mile radius was utilized by the City to develop the cumulative Project list for the Draft EIR. This distance was selected by the City since other projects located beyond a 3-mile radius would have little to no interaction with the proposed Project. The City has exercised its discretion, and based upon substantial evidence, has determined that this radius meets the required cumulative project impact analysis criteria contained in State CEQA Guidelines §15130(b)(1)(B)(2). The cumulative air quality impacts associated with the proposed Project have been evaluated in accordance with the methodology recommended by the SCAQMD. Please see the Response to Comment #p regarding potential cumulative impacts to freeway mainline facilities.

### **Response to Comment #28**

Please see the Response to Comment #6 regarding the exclusion of the World Logistic Center project from the list of related projects.

### **Response to Comment #29**

Comment #29 reflects the personal opinion of the commenter. The City has exercised its discretion, and based upon substantial evidence, has determined that this methodology for selecting the scope of the cumulative projects is appropriate. The Integra Perris Distribution Center project is listed as project #45 in Table 2.0-B on page 2.0-14 of the Draft EIR. Therefore,



this project was included in as part of the evaluation of cumulative construction impacts in the Draft EIR.

**Response to Comment #30**

This comment reiterates the findings in the EIR as it relates to aesthetic impacts (scenic vistas, scenic resources, degradation of the existing visual character and quality of the site, and construction lighting).

**Response to Comment #31**

Contrary to this comment, there is discussion of this issue in the Draft EIR.

According to pp. 4.1-21 of the Draft EIR:

*"It should be noted that the construction of the Project does not impede the scenic views through Webster Avenue or Markham Street themselves.*

*Based on the definition of what constitutes a scenic vista, as described in the General Plan EIR, the potential to impact scenic vistas would be less than significant."*

Page 4.1-20 of the Draft EIR also cites the following language from the City of Perris General Plan 2030 Draft EIR:

*"Because the bulk of developable land within the City of Perris is located on the flat, broad basin, virtually all future building construction consistent with land use and development standards set forth in General Plan 2030 will obstruct views to the foothills from at least some vantage points. The criterion, however, relates to a scenic vista more narrowly defined as a view through an opening, between a row of buildings or trees, or at the end of a vehicular right-of-way. To this end, the east-west and north-south oriented roadway network and the streetscapes that define them will frame and preserve scenic vistas from public rights of way to the distant horizons and foothills. Owing to the flatness of the basin, the view corridors extend for miles along current and planned roadways preserving scenic vistas from the broad basin to the surrounding foothills. Accordingly, the impact is less than significant and no mitigation measures are proposed."<sup>2</sup>*

**Response to Comment #32**

The City has reviewed both the PVCCSP guidelines and the requirements of the WQMP and has determined that the Project, as currently designed meets the intent of both requirements. According to Figure 3.0-6, Conceptual Landscape Plan, of the Draft EIR (p. 3.0-13), streetscape has been provided per PVCCSP standards.

The design recommendations presented by the commenter reflect their personal opinion and interpretation of the PVCCSP requirements. The City has exercised its discretion, and based upon substantial evidence, has determined that the Project, as designed, meets the "Enhanced Landscape Setback Areas" criteria contained in the PVCCSP.

**Response to Comment #33**

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<sup>2</sup> City of Perris General Plan 2030, page VI-2

The City has reviewed the PVCCSP guidelines for screening of loading/service areas, landscaping along side or rear setbacks, parking lot landscaping and parking fields, and has determined that the Project, as currently designed meets the intent of these requirements.

The design recommendations presented by the commenter reflect their personal opinion and interpretation of the PVCCSP requirements. The City has exercised its discretion, and based upon substantial evidence, has determined that the Project, as designed, meets the criteria for screening of loading/service areas, landscaping along side or rear setbacks, parking lot landscaping and parking fields contained in the PVCCSP.

#### **Response to Comment #34**

The City has reviewed the PVCCSP guidelines and has determined that the Project, as currently designed, meets the intent of these requirements. Please reference the Responses to Comments #31 through #33, above.

The design recommendations presented by the commenter reflect their personal opinion and interpretation of the PVCCSP requirements. The City has exercised its discretion, and based upon substantial evidence, has determined that the Project, as designed, meets the criteria proscribed in the PVCCSP.

#### **Response to Comment #35**

The City has reviewed the PVCCSP guidelines and has determined that the Project, as currently designed, meets the intent of these requirements. Please reference the Responses to Comments #31 through #33, above.

The design recommendations presented by the commenter reflect their personal opinion and interpretation of the PVCCSP requirements. The City has exercised its discretion, and based upon substantial evidence, and has determined that the Project, as designed, meets the criteria proscribed in the PVCCSP.

#### **Response to Comment #36**

This comment concludes that CEQA plays an important role in effectuating the preservation of agricultural land. Comment noted. No response to this comment is necessary.

#### **Response to Comment #37**

This comment restates the historic and current agricultural use of the Project site, as well as its surroundings. Comment noted. It should be noted that the Project site is designated as Prime Farmland on the 2012 Riverside County Important Farmland map. Prime Farmland is defined by the California Department of Conservation as having “the best combination of physical and chemical features able to sustain long-term agricultural production. This land has the soil quality, growing season, and moisture needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date [emphasis added]. As discussed in the Draft EIR and in this comment, the site has historically been used for dry-farming and livestock grazing. Therefore, the City of Perris would expect the site to be designated as Farmland of Local Importance similar to the undeveloped land to the south of the Project site at the next time that the Riverside County Important Farmland map is updated.

**Response to Comment #38**

This comment implies that any conversion of Prime Farmland is a significant environmental impact. This is not correct. The California Department of Conservation has developed quantifiable thresholds and the California Agricultural Land Evaluation and Site Assessment (LESA) Model to help lead agencies determine whether the conversion of specific agricultural land to non-agricultural uses is significant. As discussed on page 4.2-5 of the Draft EIR , utilization of the LESA model is currently considered to be the most reliable method by which to determine a project’s potential impacts on agricultural resources. It is concluded on p. 4.2-24 of the Draft EIR:

*“The proposed project site is currently disturbed land. The location of the site with adjacent urban land uses, unreliable water availability, the presence of the low amount of agricultural operations within the ZOI for the site, and the absence of Protected Resource Land results in a low Site Assessment subscore. As previously identified in Table G, the LESA score for the project site is 46.726. As identified in Table 4.2-H, a score between 40-79 points is not considered to be significant.”*

Based on this information, the City has fully analyzed Project impacts to agricultural resources and the conclusion regarding the significance of the Project’s impacts is fully supported by the analysis in the Draft EIR. The City has exercised its discretion, and based upon substantial evidence, has determined that no mitigation is required for impacts to agricultural resources. The City notes this comment, but no further analysis is required by CEQA.

**Response to Comments #39, #40, #41, #42, and #43**

The City has fully analyzed Project impacts to agricultural resources in Section 4.2, Agricultural Resources of the Draft EIR. The City has exercised its discretion, and based upon substantial evidence, has determined that impacts to agricultural resources would be less than significant and no mitigation is required.

Cumulative impacts are discussed on pages 4.2-25 and 4.2-26 of the Draft EIR.

Comments #39, #40, #41, #42 and #43 reflect the personal opinion of the commenter. The City requires no additional analysis beyond that provided in the Draft EIR.

**Response to Comment #44**

In response to this comment, Tables 4.3-U and 4.3-V of the Draft EIR have been revised to reflect the localized construction-related and operational air quality impacts of the Project based upon a 25-meter distance of the site to the nearest residential receptor. As shown, the localized impacts of the Project would continue to be less than significant.

**Table 4.3-U  
Estimated Daily Localized Construction Emissions**

Construction Phase	Emissions in Pounds Per Day			
	NOx	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Grading	29.9	37.9	3.5	2.5
Building Construction – 2016	14.2	17.8	0.9	0.9
Building Construction – 2017	14.2	17.8	0.9	0.9
Building & Roadway Grading	25.9	32.8	1.4	1.4
Building & Paving	25.2	34.7	1.5	1.5

Building & Architectural Coatings	21.0	27.0	1.4	1.5
Maximum Emissions Phase	29.8	37.9	3.5	2.5
SCAQMD Thresholds of Significance	270.0	1,577.0	13.0	8.0
Significant Impact?	No	No	No	No

**Table 4.3-V  
Estimated Daily Localized Operational Emissions**

Emissions Source	Emissions in Pounds Per Day			
	NOx	CO	PM <sub>10</sub>	PM <sub>2.5</sub>
Area Sources	<0.1	0.1	<0.1	<0.1
Energy Sources	0.5	0.4	<0.1	<0.1
Mobile Sources <sup>1</sup>	1.2	2.3	0.5	0.2
Off-Road Equipment	23.6	18.2	1.9	1.7
Total Emissions	25.3	21.0	2.4	1.9
SCAQMD Thresholds of Significance	270.0	1,577.0	4.0	2.0
Significant Impact?	No	No	No	No

**Response to Comment #45**

Please see the Response to Comment #11 for the existing residences located along Markham Street to be exposed to significant diesel particulate health risks. The evaluation of health risk impacts does assume that some trucks would travel along Markham Street.

**Response to Comment #46**

It is acknowledged that there would be diesel truck emissions from other projects in the area and that there may be cumulative emissions from these sources at receptors considered for the Project Health Risk Analysis (HRA). The related projects would not generate truck trips along Webster Avenue or Markham Street where the existing sensitive receptors affected by the proposed Project are located. In addition, the SCAQMD significance thresholds are set very low in order that the contribution of any project with a less than significant impact would not be cumulatively considerable when considered with other projects. This is consistent with SCAQMD policy as stated in SCAQMD's White Paper on Regulatory Options for Addressing Cumulative Impacts from Air Pollution Emissions<sup>3</sup> which states, "...the AQMD uses the same significance thresholds for project specific and cumulative impacts for all environmental topics analyzed in an Environmental Assessment or EIR" and "Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant".

Results of the revised Health Risk Analysis indicate that the maximum incremental cancer risk would be less than the SCAQMD thresholds. Therefore, the cumulative cancer health risks would be less than significant.

**Responses to Comments #47, #48, #49, and #50**

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<sup>3</sup> South Coast Air Quality Management District. August 2003. White Paper on Regulatory Options for Addressing Cumulative Impacts from Air Pollution Emissions.

The City of Perris acknowledges that air pollutants (including fine diesel particulates) can have significant health effects. These potential health effects are discussed in Table 4.3-1 beginning on page 4.3-15 of the Draft EIR. The Draft and Final EIRs conclude that all localized construction-related and operational non-cancerous impacts of the proposed Project would be less than significant.

#### **Response to Comment #51**

The evaluation of cumulative air quality impacts in the Draft EIR has been conducted in accordance with the methodologies and thresholds of significance recommended by the SCAQMD. As discussed on pages 4.3-38 and 4.3-39 of the Draft EIR, the SCAQMD recommends that any construction-related or operational emissions from individual projects that exceed the project-specific thresholds of significance be considered cumulatively considerable. These thresholds apply to individual development projects only; they do not apply to the combined emissions generated by a set of cumulative development projects. □Please see the Response to Comment #46 regarding the SCAQMD's determination of this policy.

#### **Response to Comment #52**

The Draft EIR concludes that the construction-related air quality impacts of the proposed Project would be less than significant. Therefore, no mitigation measures are required to reduce a significant impact. Mitigation Measure AQ 4.3C has been written in this manner to limit the use of diesel-powered generators, yet not require it, in reducing emissions impacts. However, it is included as part of 11 mitigation measures to reduce construction-related air quality impacts. Based on this information, there is no need to revise this mitigation measure.

Please see the Responses to Comments I-13, I-14, I-15a through I-15i, and I-18 of the Final EIR as well as the Responses to Comments #17 through #22 regarding the mitigation measures recommended for the Project by the SCAQMD.

#### **Response to Comment #53**

As discussed on page 3.0-14 of the Final EIR, a known historical resource (CA-RIV-8390) is located along Patterson Avenue south of the Project site. At the time that the Draft EIR was prepared, it was thought that this resource might be affected by improvements to Patterson Avenue required of the proposed Project and a mitigation measure was recommended to address these potential impacts to this resource. However, City staff have confirmed that no improvements to Patterson Avenue south of the Project site are required for this Project. Therefore, the text of the Cultural Resources section of the Draft EIR revised in the Final EIR to reflect a less than significant impact and to eliminate the mitigation measure that was previously identified for this impact.

#### **Response to Comment #54**

The deferment of impact analysis to a later date would be improper for an EIR under CEQA. However, the preparation of a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP) is a standard City practice that typically occurs prior to the issuance of grading permits. The specific requirements of the PRIMMP are identified in mitigation measure CUL 4.5B. The PRIMMP does not need to be included in the EIR for the proposed Project and its preparation at a later date does not make the EIR inadequate under CEQA.

#### **Response to Comment #55**



The impacts associated with the proposed infrastructure improvements are not overlooked in the Draft EIR. According to p. 4.6-7 of the Draft EIR:

*"Since development of the site would involve the disturbance of more than one acre, the proposed Project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed on-site grading. In addition to preparation of an SWPPP, industrial projects are required to prepare and submit to the City a Project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. Because the SWPPP would be in place during the construction phase, soil erosion impacts would be reduced to a less than significant level.*

*Due to the urban nature of the proposed Project, it is unlikely that substantial soil erosion would occur, as the majority of the site would be covered with impermeable surfaces. The PVCCSP EIR Initial Study determined that there would be no long-term soil erosion as projects located within the Specific Plan area would involve the development of structures, paving, and landscape. However, the landscaped areas and the water quality detention basins may be a source for some soil erosion. The potential for soil erosion in these areas would be reduced through the best management practices (BMPs) identified by the Project-specific Water Quality Management Plan (WQMP). Because the WQMP would be in place during the operational phase of the proposed Project, soil erosion impacts would be reduced to a less than significant level. Therefore, no mitigation is required.*

*As soils covering the Project site have a slight erosion hazard potential and because the Project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, prepare an SWPPP and a WQMP, construction and operational impacts associated with soil erosion hazards are considered to be less than significant. No mitigation is required.*

*(Please see Section 4.9, Hydrology and Water Quality, of this EIR, for a discussion of potential issues associated with soil erosion during construction and Project operations. The Hydrology and Water Quality Section of this EIR addresses impacts related to soil erosion attributable to storm water flows."*

Page 4.6-7 of the Draft EIR shall be revised as follows to include the off-site Project components, as the regulations for on-site development shall apply, per se:

*"Since development of the **on-site and off-site Project components** would involve the disturbance of more than one acre, the proposed Project is required to obtain a National Pollutant Discharge Elimination System (NPDES) permit. A Storm Water Pollution Prevention Plan (SWPPP) would also be required to address erosion and discharge impacts associated with the proposed **on-site and off-site** grading. In addition to preparation of an SWPPP, industrial projects are required to prepare and submit to the City a Project-specific Water Quality Management Plan (WQMP). The WQMP would identify measures to treat and/or limit the entry of contaminants into the storm drain system. The WQMP is required to be incorporated by reference or attached to the project's SWPPP as the Post-Construction Management Plan. Because the SWPPP would be in place during the construction phase, soil erosion impacts would be reduced to a less than significant level.*

*Due to the urban nature of the proposed **on-site and off-site Project components**, it is unlikely that substantial soil erosion would occur, as the majority of the **on-site and off-site Project components** would be covered with impermeable surfaces. The PVCCSP EIR Initial Study determined that there would be no long-term soil erosion as projects located within the Specific Plan area would involve the development of structures, paving, and landscape. However, the landscaped areas and the water quality detention basins may be a source for some soil erosion.*



*The potential for soil erosion in these areas would be reduced through the best management practices (BMPs) identified by the Project-specific Water Quality Management Plan (WQMP). Because the WQMP would be in place during the operational phase of the proposed Project, soil erosion impacts would be reduced to a less than significant level. Therefore, no mitigation is required.*

*As soils covering the Project site have a slight erosion hazard potential and because the Project would be required to adhere to the City's Grading Ordinance, obtain an NPDES Permit, prepare an SWPPP and a WQMP, construction and operational impacts associated with soil erosion hazards are considered to be less than significant. No mitigation is required.*

*(Please see Section 4.9, Hydrology and Water Quality, of this EIR, for a discussion of potential issues associated with soil erosion during construction and Project operations. The Hydrology and Water Quality Section of this EIR addresses impacts related to soil erosion attributable to storm water flows.)*

Revision to this language in the Draft EIR result in *de minimis* changes to the impact of the Project. The analysis does not need to be revised. No additional clarification is needed to support the conclusions of the Draft EIR.

#### **Response to Comment #56**

CEQA requires that the Project's impacts discuss the existing conditions at the time the Notice of Preparation (NOP) is published. In this case, the NOP for the proposed Project was published in June 2013. Executive Order B-30-25 was issued on April 29, 2015. The 40 percent below 1990 levels by 2030 target is established under this Executive Order to ensure that the state meets its target of reducing GHG emissions to 80 percent below 1990 levels by 2050. Five key goals for reducing GHG emissions through 2030 include: 1) increasing renewable electricity to 50 percent; 2) doubling the energy efficiency savings achieved in existing buildings and making heating fuels cleaner; 3) reducing petroleum use in cars and trucks by up to 50 percent; 4) reducing emissions of short-lived climate pollutants; and 5) managing farms, rangelands, forests and wetlands to increasingly store carbon. These goals do not pertain to individual new development projects such as the proposed Project. Therefore, no new impact would occur as a result of the Executive Order.

#### **Response to Comment #57**

Please see the Response to Comment #13 regarding the trip generation estimates for the proposed Project. The GHG emissions identified in the Draft EIR are still applicable to the proposed Project and the impact would continue to be less than significant.

#### **Response to Comment #58**

Page 4.13-12 and 4.13-13 of the Draft EIR states:

*"The PVCCSP included a Master Drainage Plan (MDP) to the existing Perris Valley ADP that addressed drainage needs that accommodated developed 100-year storm flows in the plan area as a result of development proposed under the specific plan. As shown on Figure 4.9-6, Perris Valley Commerce Center Master Drainage Plan with Optimus Logistics Center 2 Site, the PVCCSP Master Drainage Plan designates three drainage facilities (Line F Detention Basin, Line F and Line F-5) that will ultimately protect the Optimus Logistics Center 2 property from a 100-year storm event.*

*Existing Line F west of I-215 was constructed in 1996 by Community Facility District (CFD) 88-8 and was designed for the Perris Valley ADP ultimate storm water discharge flows (Q) of 662 cubic feet per second (cfs). However, CFD 88-8 Line E was designed for an interim flow of 194 cfs, due to an existing culvert (2'Hx3W' box culvert) under the AT&SF Railway tracks that will obstruct the ultimate flows to continue east to an adjacent 5'Hx12W' box culvert under the I-215."*

According to p. 4-46 of the Draft EIR:

*"Funding for the ultimate improvement of the drainage lines as designated in the PVCCSP Master Drainage Plan is not available at this time. Therefore, the interim/ultimate improvements are proposed to mitigate any possible flood hazards to adjacent and downstream properties resulting from the development of the proposed Project (see Table 4.9-M, Post Development Hydrologic Conditions, and Figure 4.9-12 Post-Development Hydrologic Map). Additionally, Site Design BMPs, as identified under the PVCCSP On-Site Design Standards and Guidelines, have been incorporated into the proposed Project to reduce potentially significant impacts to surface and groundwater resources."*

Based on this information, the City requires no additional analysis beyond that provided in the Draft EIR.

#### **Response to Comment #59**

The requested Specific Plan Amendment is proposed to change the land use designation for a portion of the project site so that the entire parcel (Parcel 1) housing Building A will be designated as Light Industrial. Under the existing Specific Plan designations, the majority of the parcel and building would be located on land designated as Light Industrial while the remainder would be on land designated as Heavy Industrial. Per the City of Perris General Plan and PVCCSP, both General Industrial and Light Industrial land use designations allow for warehousing and distribution facilities such as that proposed by the proposed Project. Furthermore, several of the allowable land uses for the General Industrial land use designation overlap with the allowable land uses for the Light Industrial land use designation. Therefore, the proposed Project would not increase development beyond what was approved in the General Plan and PVCCSP. The City requires no additional analysis beyond that provided in the Draft EIR.

#### **Response to Comment #60**

Please see the Response to Comment #59 regarding the development of light industrial uses at the project site and within the PVCCSP area. The City requires no additional analysis beyond that provided in the Draft EIR.

#### **Response to Comment #61**

Please see the Response to Comment #59 regarding the development of light industrial uses at the project site and within the PVCCSP area. Growth inducement is discussed in Chapter 5.3, Growth Inducement, of the Draft EIR (pp. 5.0-1 through 5.0-3). The CEQA Guidelines identify a project as growth inducing if it fosters economic or population growth, or the construction of additional housing either directly or indirectly in the surrounding environment (CEQA Guidelines Section 15126.2[d]).

According to p. 5.0-3 of the Draft EIR:

*“The Project area is currently under-served in terms of street, water, and sewer infrastructure and/or service provisions, so it could be argued that the construction of the Project and related would not be growth inducing. However, the Project is considered to be slightly growth inducing because it would construct infrastructure needed for the surrounding area to grow, thus removing a potential impediment to growth within the Project area.”*

The City requires no additional analysis beyond that provided in the Draft EIR.

### **Response to Comment #62**

These Figures have been modified to reflect the proposed Specific Plan Amendment and are attached to this letter as Appendix B.

Revision to these Figures in the Draft EIR result in *de minimis* changes to the impact of the Project. The analysis does not need to be revised. No additional clarification is needed to support the conclusions of the Draft EIR.

### **Response to Comment #63**

Although the Draft EIR describes the nearest residence as being located 165 feet to the north of the Project site’s northern property line, the actual nearest residences are located to the south of the project site along Markham Street. The potential noise impacts to these homes were considered in the Noise section of the Draft EIR and that is the reason that a 14-foot high concrete tilt-up screening wall will be constructed along the southern perimeter of the Project site as required by mitigation measure 4.12A and as shown in Figure 4.12-7 on page 4.12-38 of the Draft EIR.

As discussed on page 4.12-24 of the Draft EIR, Measure V.A.1 from the Noise Element of the City of Perris General Plan requires that noise levels from large-scale commercial and industrial facilities not exceed 60 dBA CNEL at the property line of any noise-sensitive land use. This is the only situation in which noise level impacts are determined from the property line of a sensitive use. The 60 dBA CNEL standard also only applies to the sound that is generated within the boundaries of the large-scale commercial or industrial facility; it does not apply to any sound levels that are generated beyond the facility boundaries including adjacent roadways. All other potential noise impacts are based upon the location of the actual sensitive receptor. In the case of residential receptors the impact area is the home or the back yard outdoor living area, whichever is closer to the source of the sound generator. In the case of the proposed Project, the Draft EIR has calculated the sound levels from the proposed facility at a distance of 10 feet in from the property line for the residential uses in the vicinity of the Project site, which is close enough to the property line to represent essentially the same noise levels.

### **Response to Comment #64**

The existing noise levels identified in this comment for Table 4.12-P are based on 10-minute  $L_{eq}$  measurements that occurred during daytime and nighttime hours. The noise levels referenced for pages 4.12-36 and 4.12-45 are 24-hour CNEL noise levels. You cannot compare  $L_{eq}$  and CNEL noise levels to determine project impacts. Table 4.12-L on page 4.12-23 of the Draft EIR shows that the existing 24-hour traffic noise level at the homes located along Webster Avenue are estimated to be 62.7 dBA CNEL. The overall 24-hour noise impacts of the proposed Project are compared to the 3 dBA threshold of significance in the Draft EIR.?

### **Response to Comment #65**

As discussed on page 4.12-29 of the Draft EIR, residential uses are conditionally acceptable at 65 dBA CNEL. As such, the Draft EIR compares the traffic noise impact of the project to a standard of 65 dBA CNEL for roadway segments with fronting residential units.

Existing residential uses are located along Webster Avenue between Markham Street and Ramona Expressway, and along Markham Street from Peterson Avenue to Markham Street. As shown in Table 4.12-L on page 4.12-23 of the Draft EIR, existing year 2014 roadway noise levels along Webster Avenue would increase from 62.7 dBA CNEL to 63.7 dBA CNEL with the project. Buildout year 2016 roadway noise levels along Webster Avenue would increase from 65.7 dBA CNEL without the project to 66.2 dBA CNEL. Based on this information, roadway noise levels at the homes along Webster Avenue are expected to exceed the City's 65 dBA CNEL standard for residential uses under the year 2016 buildout baseline, but that this will not be caused by the traffic generated by the proposed project.

As shown in Table 4.12-X on page 4.12-44 of the Draft EIR, buildout year 2016 roadway noise levels along Markham Street would increase from 53.4 dBA CNEL without the project to 55.1 dBA CNEL. These noise levels would not exceed the City's 65 dBA CNEL standard for residential uses under the year 2016 buildout conditions with the proposed project.

The combined stationary and roadway noise levels for the homes located along Webster Avenue are shown in Table 4.12-Y on page 4.12-45 of the Draft EIR. As shown, the stationary source noise levels are 13 dBA CNEL less than the roadway noise levels and that they would only contribute 0.2 dBA to the combined noise level. Page 4.12-45 of the Draft EIR concludes that the combined increase in noise level would not exceed 3.0 dBA and, as such, would result in a less than significant impact.

### **Response to Comment #66**

Groundborne vibration is similar to noise in the sense that the vibration energy decreases in a logarithmic nature and the vibration levels typically decrease by 6 VdB per doubling of distance from the vibration source. The vibration levels shown in Table 4.12-S are based on a distance of 25 feet. As discussed on page 4.12-43 of the Draft EIR, the distance of the construction equipment will be further than 25 feet from any existing building. As stated in this comment, the properties along Markham Street are at least 60 feet from the Project site, which is more than twice the distance of the data shown in Table 4.12-S. While there may be two or three pieces of construction equipment operating within the southern part of the Project site during construction activities, they would not be concentrated together or located close enough to the existing homes to cause a combined vibration level of 0.3 PPV. As shown in Table 4.12-S, the vibration level of a vibratory roller at 25 feet is 0.210 PPV. The combined vibration level of three vibratory rollers would be 0.226 at 25 feet.

### **Response to Comment #67**

As stated on page 4.12-29 of the Draft EIR, construction noise levels are evaluated in comparison to the City's 80 dBA  $L_{eq}$  threshold of significance for construction-related noise impacts. Construction noise levels at the homes located along Markham Street could be up to 6 dBA greater than those shown in Table 4.12-AA for the homes along Webster Avenue to account for the reduced distance. The estimated noise level of 76.4 dBA  $L_{eq}$  would not exceed the City's 80 dBA

$L_{eq}$  threshold and the construction-related noise impact to the homes along Markham Street would be less than significant.

#### **Response to Comment #68**

The mitigation measures for construction-related noise impacts identified on pages 4.12-48 and 4.12-49 of the Draft EIR are required of all development projects within the PVCCSP area. These measures are not required to mitigate a significant construction-related noise impact of the proposed Project since the Draft EIR concludes that these impacts would be less than significant.

#### **Response to Comment #69**

As shown in Table 4.12-AA of the Draft EIR, construction-related noise levels at the home at the southeastern corner of Webster Avenue and Markham Street would reach a maximum of 70.4 dBA  $L_{eq}$  when construction activities are occurring at the Project site in close proximity to this home. The Integra Perris Distribution Center project is located further to the east of the Project site and any simultaneous construction activities at these two sites would be expected to only increase noise levels by approximately one dBA. A combined noise level of about 71.4 dBA  $L_{eq}$  would not exceed the City's 80 dBA  $L_{eq}$  threshold of significance for construction-related noise impacts.

#### **Response to Comment #70**

This comment is incorrect. The Integra Perris Distribution Center project and the Optimus Logistics Center I project are listed as projects #45 and #44, respectively in Table 2.0-B, *Cumulative Project List* (p. 2.0-14), of the Draft EIR. The traffic volumes generated by these project are included in the future baseline traffic volumes identified in the Optimus Logistics Center II Traffic Impact Analysis and used as the basis of the evaluation of roadway noise impacts in the Draft EIR. Therefore, these projects were included in as part of the cumulative traffic noise analysis in the Draft EIR.

#### **Response to Comment #71**

Mitigation Measure N 4.14A (p. 4.12-40) of the Draft EIR states:

*"A 14-foot high concrete tilt-up screening wall will be constructed along the perimeter of areas designated for truck parking/loading. This includes the loading/unloading docks and truck parking area east of Building "B" and an 8-foot high wrought iron fence on top of retaining wall along the northern property line of Parcel 1 (Building "A"), as shown in Figure 4.12-7, Mitigation Measures."*

It is clear from the language contained in Mitigation Measure N 4.14A and Figure 4.12-7 where the 14-foot high walls shall be located. The 14-foot high walls are shown in red in Figure 4.12-7. This wall located along the southern perimeter of the Project site would reduce noise levels at the homes located along Markham Street to the maximum extent feasible and the operational noise impacts to these homes would be less than significant.

#### **Response to Comment #72**

The Draft EIR concludes that the roadway noise and vibration impacts, and construction-related noise and vibration impacts of the proposed Project would be less than significant. Therefore, the mitigation measures recommended in this comment would not be necessary to reduce or eliminate any significant impact of the proposed Project. The City requires no additional analysis beyond that provided in the Draft EIR.



### **Response to Comment #73**

Information regarding electricity use is included on pp. 4.13-3, 4.13-11, 4.13-17, 4.13-25 and 4.13-30. The Draft EIR concludes that the proposed Project is consistent with the electricity service projections in the PVCCSP. Energy impact (Consumption) is addressed in Section 4.7.1, Greenhouse Gas Emissions of the Draft EIR.

### **Response to Comment #74, #75 and #76**

An updated water supply assessment is not required for the proposed Project. All impacts to water demand have been previously studied in the Water Supply Assessment (WSA) for the PVCCSP (reference page 4.13-30 of the Draft EIR). The WSA evaluated water supply under normal and drought conditions. There will be no additional impacts from the proposed project. As with GHG emissions sources, reductions in water supply will affect all urban uses throughout the state. The recent Executive Order does not preclude development of new projects within California, but all current new developments may not be constructed without drought tolerant landscaping. The City requires no additional analysis beyond that provide in the Draft EIR.

### **Response to Comment #77**

The EIR description of major roads providing Project site access generally describe the study area of the traffic impact analysis, which was defined based on a Project trip contribution of 50 or more two-way peak hour trips at an intersection in accordance with the County of Riverside Traffic Impact Analysis Preparation Guidelines (2008). Indian Avenue was not included in the study area since the Project trip contribution at this roadway did not satisfy the County of Riverside thresholds for analysis. Notwithstanding, with the majority of truck trips forecast to travel to/from the north via Harley Knox/I-215, Project-generated truck trips that might potentially use Indian Avenue via Markham Street to access the future Mid-County Parkway would not satisfy the 50 peak hour trip threshold requiring analysis.

This potential impact of trucks traveling along Webster Avenue between the Project site and Ramona Expressway has been addressed in the Traffic and Circulation section of the Draft EIR and mitigation has been recommended to ensure that Project-related truck traffic travels along the routes designed by the City of Perris for this Project. Ramona Expressway is no longer a designated truck route within the City of Perris. The City of Perris considers the signing program identified in Mitigation Measure T 4.15C of the Draft EIR as adequate to address the potential for trucks to travel along Webster Avenue. The commenter has not provided any substantive evidence that the recommended mitigation in the Draft EIR would be inadequate and that additional mitigation in the form of physical improvements would be necessary to further reduce the potential impact. It should be further noted that raised medians at the Project access may conflict with truck turning paths, resulting in the need for on-going maintenance and potential safety hazards.

### **Response to Comment #78**

The Final EIR Response to Comment G-6 states:

*"Freeway mainline or merge/diverge analysis were not identified in the City-approved scoping agreement based on a general criteria of 100 or more peak hour project trips added to these facilities. Furthermore, for the reasons discussed in Response to Comment G-2, the number of potential cut-through trips on City of Riverside roadways is*



*forecast to be nominal and would not meet the City of Riverside criteria for impact analysis. As shown on Exhibit 10 of the Optimus Logistics Center II traffic impact analysis, the proposed Project is forecast to add 71 two-way p.m. peak hour trips at I-215 north of Harley Knox Boulevard; more than half of those trips would have divert to an alternate route to satisfy the City of Riverside criteria for impact analysis."*

The rationale for the scope of the traffic impact analysis has been clearly stated in the Draft EIR. The City requires no additional analysis beyond that provided in the Draft EIR.

#### **Response to Comment #79**

The *Optimus Logistics Center II Traffic Impact Analysis*, RBF Consulting, April 2, 2015 based its analysis upon project-specific impacts, regardless of any required PVCCSP traffic improvements. The City has exercised its discretion, based upon substantial evidence, that this methodology used for this analysis is appropriate. The City requires no additional analysis beyond that provided in the Draft and Final EIRs.

#### **Response to Comment #80**

The identified fire lane would not restrict the use of this area for truck movements, but little to no trucks are expected to travel within this area. Any trucks traveling within this area are not expected to increase the number of trucks accessing the site from Markham Street.

#### **Response to Comment #81**

This comment states:

"There is no evaluation of impacts pursuant to the first impact threshold; rather only the standards for LOS performance criteria are listed. (EIR p. 4.15-37)"

The first threshold question on pp. 4.15-37 of the Draft EIR asks:

**"Would the Project 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 not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?"**

The response follows this question on p. 4.15-37 of the Draft EIR:

"A significant Project-specific traffic impact would occur if the Project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. Roadway segment and intersection LOS performance standard is LOS D. Freeway mainline lanes LOS performance standard is LOS E. Intersections of arterials and expressways with SR-74, the Ramona-Cajalco Expressway and the I-215 Freeway ramps LOS performance standard is LOS E."

This response shall be expanded to include the following language (see *italicized* language, below):

A significant Project-specific traffic impact would occur if the Project would cause a decrease from a standard LOS to a less than standard LOS based on a study area intersection, roadway segment, freeway mainline lane, or freeway merge/diverge analysis. Roadway segment and intersection LOS performance standard is LOS D. Freeway mainline lanes LOS performance standard is LOS E. Intersections of arterials and expressways with SR-74, the Ramona-Cajalco Expressway and the I-215 Freeway ramps LOS performance standard is LOS E.

*The LOS performance criteria utilized in this Draft EIR is the same or more conservative than the minimum Level of Service threshold of LOS E established in the 2011 Riverside County Congestion Management Program (CMP). In other words, applying the Level of Service performance criteria and thresholds of significance established by the City of Perris and utilized in this Draft EIR ensures that the Project does not conflict with the Riverside County CMP.*

**Less than significant impact.** *Table 4.15-1, Existing with Project Impacts AM & PM Peak Hour LOS of Study Intersections, summarizes existing with and without Project impacts a.m. and p.m. peak hour LOS of the study intersections; detailed analysis sheets are contained in Appendix N.*

*As shown in Table 4.15-1, with addition of the new trips generated by the proposed Project, the study intersections are forecast to continue to operate at an acceptable LOS according to applicable performance criteria for forecast existing plus project conditions. Therefore, the impact of the proposed Project on the study-area intersections would be less than significant.*

*Although not considered to be significant, the following mitigation measures shall be implemented to ensure that Project-related truck traffic travels along the routes designated by the City of Perris for this Project:*

**T 4.15A** *Prior to issuance of a building permit, the Project proponent shall provide the City with an on-site signage program that clearly identifies the required on-site circulation system. This shall be accomplished through posted signs and painting on driveways and internal roadways. Specifically, signage shall be posted for Project driveways on Patterson Avenue indicating that trucks shall enter and exit the site at Patterson Avenue and head north towards Harvey Knox Boulevard, as well as Webster Avenue (which identifies that trucks are restricted from exiting the Project from that location). Further, the signage program shall include a requirement that signage be posted onsite along Ramona Expressway and Webster Avenue restricting trucks from utilizing Webster Avenue. Prior to issuance of an occupancy permit, installation of the required signs shall be confirmed by the City.*

**T 4.15B** *Prior to issuance of an occupancy permit, the City shall confirm that signs clearly identifying approved truck routes have been installed along the truck routes to and from the Project site requiring access on Patterson Avenue and prohibiting access on Webster Avenue to prevent trucks impacting adjacent residential uses.*

The addition of this language in the Draft EIR result in *de minimis* changes to the impact of the Project, since it is already contained within the Draft EIR (pp. 4.15-37 and 4.15-38). The analysis does not need to be revised. No additional clarification is needed to support the conclusions of the

Draft EIR.

**Response to Comment #82**

The requested street vacation would eliminate two unimproved roadway segments from the Circulation Plan of the PVCCSP. It would not affect any existing roadway segments. Therefore, no impact would occur.

Both Building "A" and Building "B" would be equipped with "knox box" locks that would allow emergency vehicles past any gates on the property. These are provided to ensure that emergency vehicles can access the property even if all gates to the facility are closed. They are not proposed or required to provide emergency access to other roadways or properties in the vicinity of the Project site.

**Response to Comment #83**

The Project EIR studied a wide reasonable range of alternatives to the proposed Project, including a reduced intensity alternative. An EIR does not have to study all imaginable permutations of those alternatives. There is substantial evidence in the record, as contained in Section 6.0, Alternatives, of the Draft EIR supporting the range of alternatives studied in the Draft EIR.

**Response to Comment #84**

Comment #84 reflects the personal opinion of the commenter. The City requires no additional analysis beyond that provided in the Draft and Final EIRs.

**Response to Comment #85**

Based on the responses provided in the Final EIR and above, the potential impacts of the proposed Project have been adequately evaluated in the Final EIR for the proposed Project and recirculation of the EIR for additional public review is not required.

In conclusion, no changes are required to the EIR. The preceding provided the detailed responses to support this conclusion.

**Response to Comment #86**

Based on the responses provided in the Final EIR and above, the potential impacts of the proposed Project have been adequately evaluated in the Final EIR for the proposed Project and recirculation of the EIR for additional public review is not required.

In conclusion, no changes are required to the EIR. The preceding provided the detailed responses to support this conclusion.

**Response to Comment #87**

Based on the responses provided in the Final EIR and above, the potential impacts of the proposed Project have been adequately evaluated in the Final EIR for the proposed Project and recirculation of the EIR for additional public review is not required.

In conclusion, no changes are required to the EIR. The preceding provided the detailed responses to support this conclusion.

**Response to Comment #88**

Comment #88 reflects the personal opinion of the commenter. The City requires no additional analysis beyond that provided in the Draft and Final EIRs.

**Response to Comment #89**

Based on the responses provided in the Final EIR and above, the potential impacts of the proposed Project have been adequately evaluated in the Final EIR for the proposed Project and the Findings of Fact and the Statement of Overriding Considerations can be supported for the Project.

**Response to Comment #90**

Comment noted. No response to this comment is necessary.

Please contact me if you have any questions, comments, or need any additional information.

Thank you.



Matthew Fagan

Cc: Clara Miramontes  
Kelly Olauson  
Gary Hamro  
Michael Naggar

Appendix A – SCAQMD High-Cube Warehouse Trip Generation Data  
Appendix B – Revised Section 4.10 Figures

**APPENDIX A**

**SCAQMD High-Cube Warehouse Trip Generation Data**

# Warehouse Truck Trip Study Data Results and Usage

Mobile Source Committee  
July 25, 2014



*Cleaning the Air That We Breathe...*

## Background

- Purpose: To provide guidance on how to quantify warehouse truck emissions for CEQA air quality analyses
  - Technical guidance
  - Establish “substantial evidence” for assumptions
  - Consistency for SCAQMD staff comments
- Truck emissions >90% of air impact
- Tenant often unknown when CEQA document certified



## Existing Trip Rates

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor*	Average Rate	Rate with Peaking Factor*
<i>Current ITE</i>	1.68		0.64	
<i>Majority of CEQA docs*</i>	1.68		0.34	
<i>CalEEMod Guidance</i>		2.59		1.04

Calculated truck trip rate based on Fontana Truck Trip Study (4 warehouses)

\* 11 out of 18 CEQA docs in past year use 0.34 truck rate

3

## Truck Trip Study Process Overview

- Study began in January 2012
- 12 Stakeholder Working Group meetings
- 2 Technical Working Group meetings
- 34 responses to Business Survey\*
- Video truck counts using traffic engineer at 33 warehouses\*\*
- UCR traffic engineer and statistician analyzed results

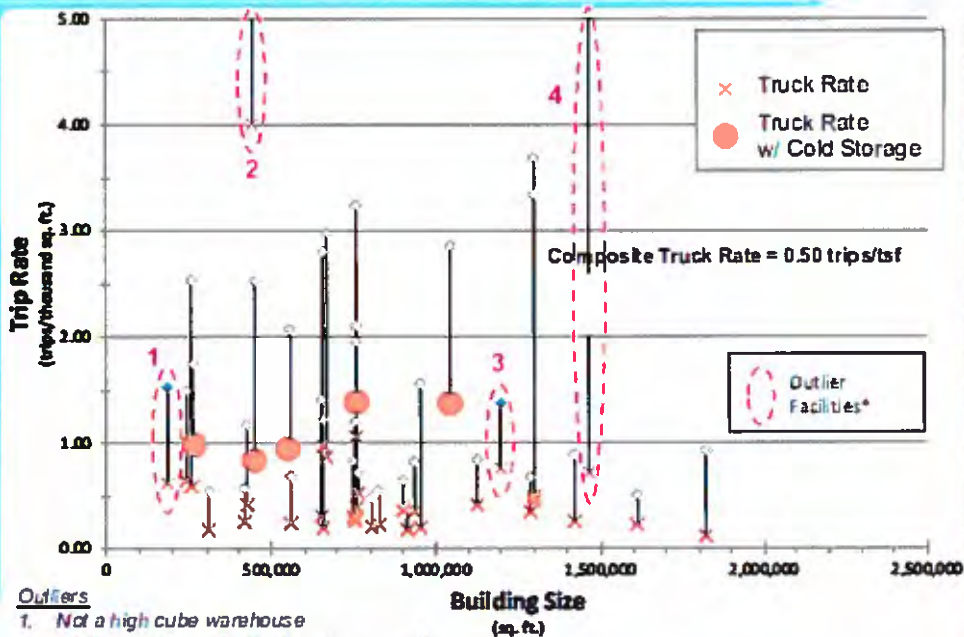
\* 400 Business Surveys sent out. 63 warehouses responded. 34 of the 63 warehouses met definition of "high cube warehouse"

\*\* 37 total video counts. 4 excluded because either an outlier or did not meet definition of "high cube warehouse"

## Analysis of Data

- Removed outlier data
  - E-commerce and parcel warehouses substantially higher overall trip rate
- Verified only "high cube warehouses" > 200,000 square feet
- Averaged data
  - Overall trip rate per 1,000 sq feet
  - Truck trip rate per 1,000 sq feet
- Three categories:
  - Non-cold storage warehouses
  - Cold storage warehouses
  - Composite for warehouses

5



### Outliers

1. Not a high cube warehouse
2. Uncharacteristic of other facilities (parcel)
3. Trucks use local street for internal circulation
4. Uncharacteristic of other facilities (e-commerce)

6

## SCAQMD Warehouse Truck Trip Study Findings<sup>1,2</sup>

Grouping	Overall Rate (trips/tsf)		Truck Rate (trips/tsf)	
	Average Rate	Rate with Peaking Factor <sup>3</sup>	Average Rate	Rate with Peaking Factor <sup>3</sup>
<i>With Cold Storage</i>	2.49	2.99	1.10	1.32
<i>Non-Cold Storage</i>	1.34	1.78	0.40	0.53
<i>Composite</i>	1.51	1.98	0.50	0.66

<sup>1</sup> Peaking Factor applied only to averaging periods  $\leq$  one day

<sup>2</sup> Outlier data removed

<sup>3</sup> Peaking Factor from Business Survey

Cold Storage (14)	Non-Cold Storage (16)
20%	33%

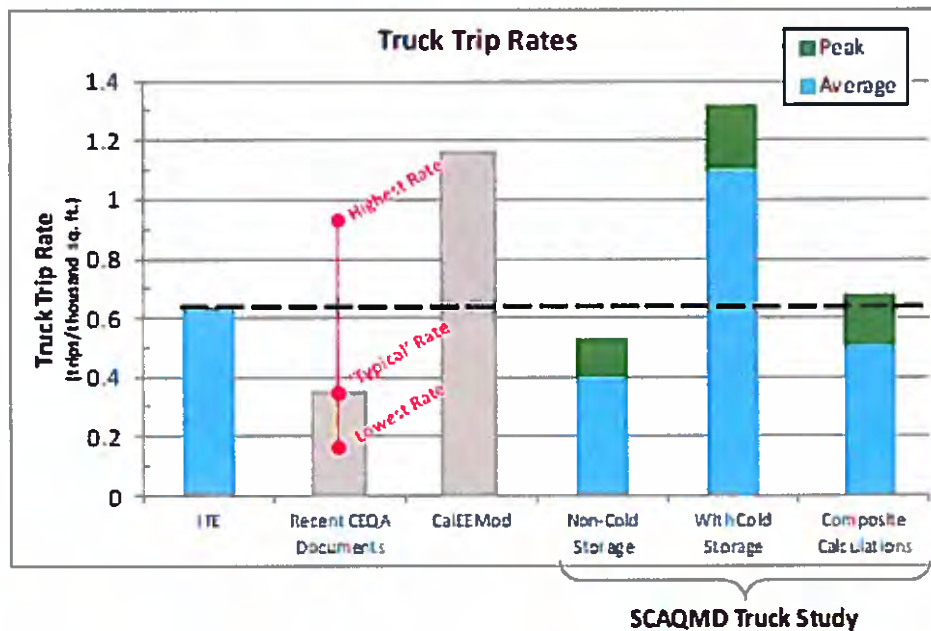
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### Business Position/ Recommendation

- Use current edition ITE truck trip rate as default
  - ITE higher than SCAQMD non-cold storage truck rate w/peak: 0.64 vs 0.53 trips/tsf
  - ITE similar to SCAQMD composite truck rate w/peak: 0.64 vs 0.66 trips/tsf
  - ITE captures "peak" daily
  - ITE has established procedures to update trip rates
  - Lead agencies can use site specific data



# Truck Trip Rate Comparison



## Staff Response

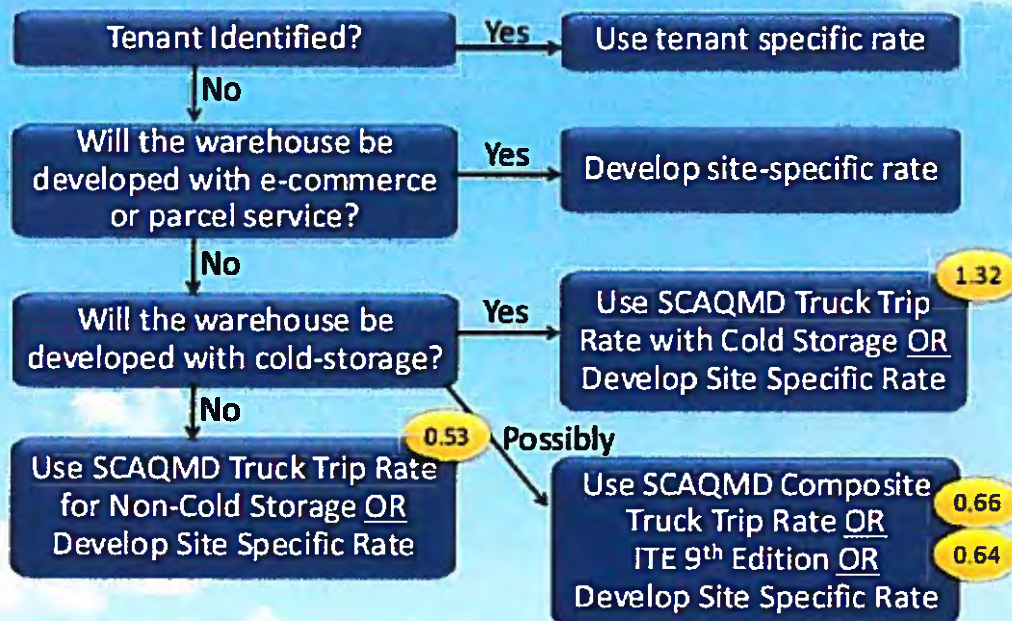
- Can support use of ITE truck trip rate as current default
- SCAQMD Study results with peaking factor are not inconsistent with ITE
- Fontana Truck Trip Study limited applicability
  - Overall trip rate based on 4 warehouses – includes 2 warehouses with zeros
  - No 24-hour truck trip rates reported
  - Truck trip rates using Fontana study are calculated based on 20% truck fleet mix
  - Fontana Study, by itself, is not characteristic of high cube warehouses

## Staff Recommendations

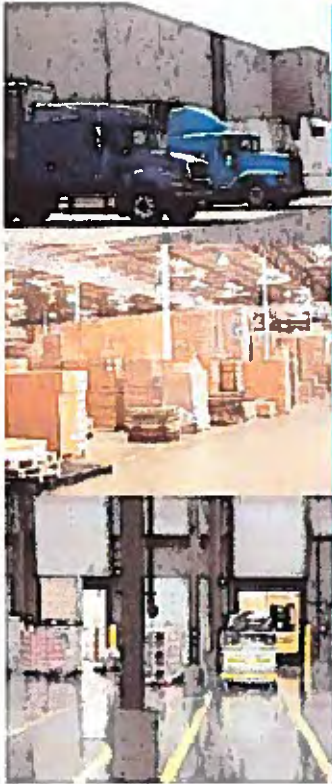
- Implement staff interim recommendation
  - Use ITE default values until Governing Board action
  - Reflected in monthly IGR Board letter, NOP comment letter, and CalEEMod users noticed
- Option 1:
  - Continue staff interim recommendation
  - Supplement study by collecting more information on cold storage and peaking rates
- Option 2: See flow chart

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## Staff Recommendation - Option 2



Consistent with CEQA Guidelines, substantial evidence needed to justify choice of trip rate 12



## **Staff Recommendations (Continued)**

- Submit SCAQMD Truck Trip Study results to ITE
- Recommend ITE separate “Cold Storage High Cube Warehouse”
- Recommend ITE evaluate e-commerce type warehouses
- Biannually collect additional trip count data from warehouses
- Develop updated emission mitigation menu e.g., WRCOG “Good Neighbor” Guidelines



**APPENDIX B**

**Revised Section 4.10 Figures**

Figure 4.10-1  
 Existing Perris Valley Commerce Center Specific Plan

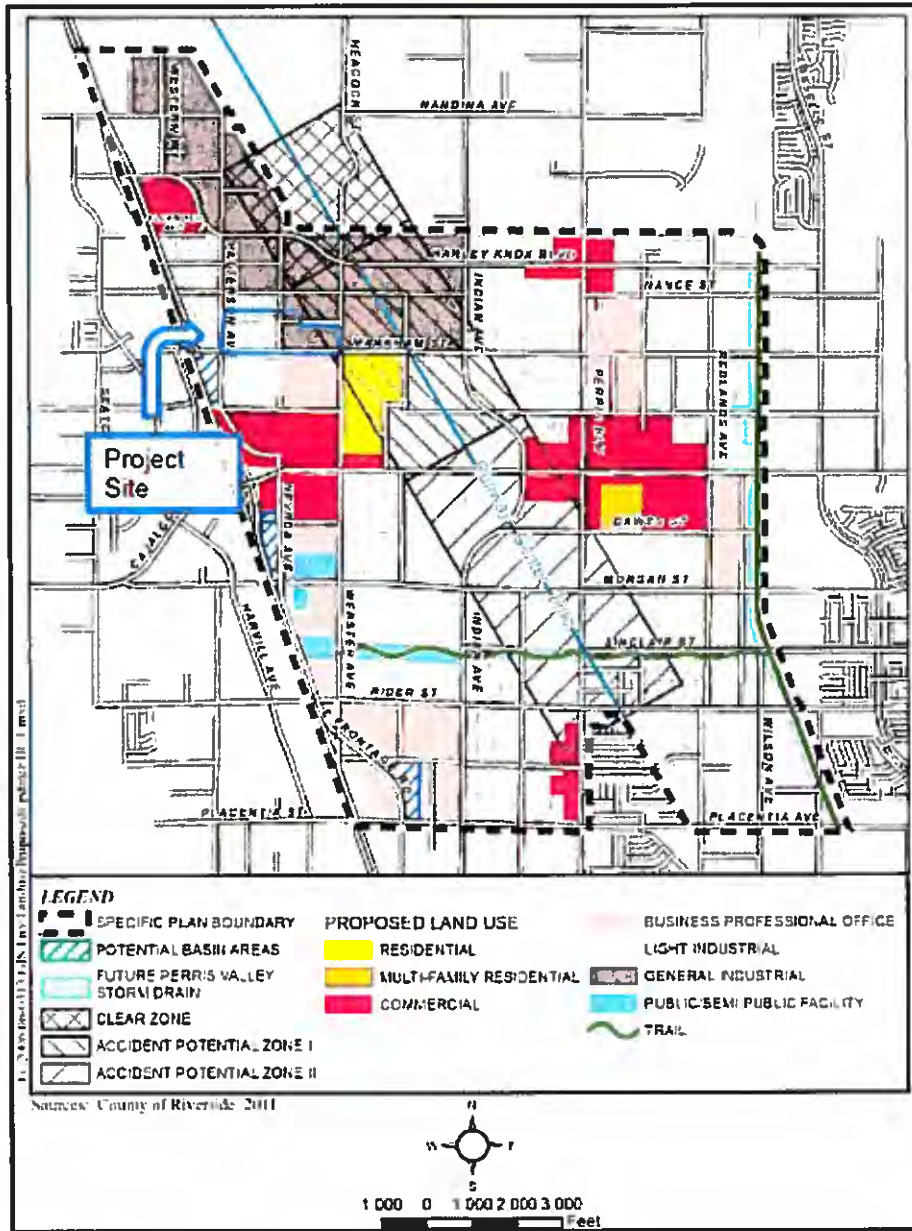
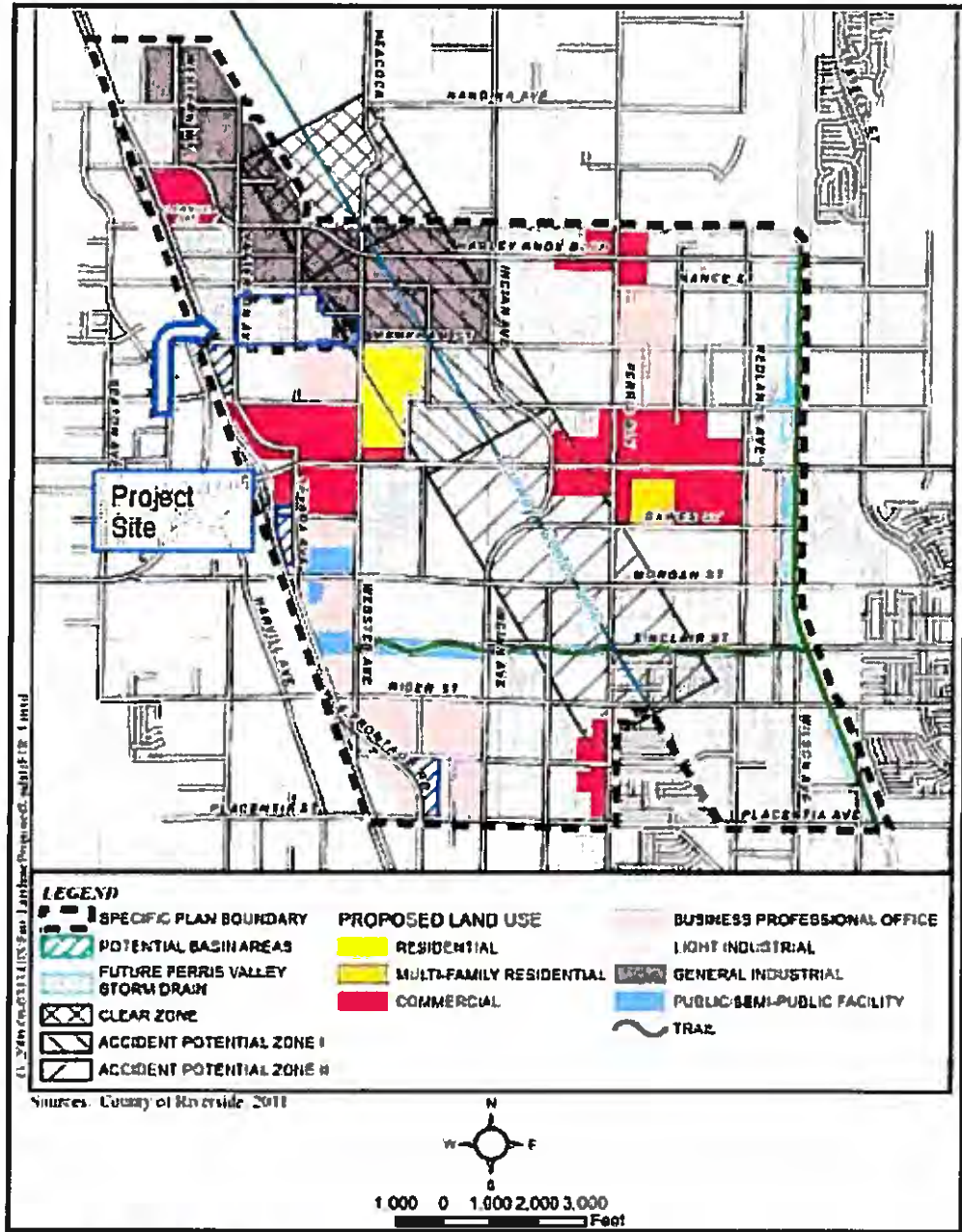


Figure 4.10-2  
 Proposed Perris Valley Commerce Center Specific Plan\*



\* This is also reflective of the Specific Plan Amendment as proposed under Optimus Logistics Center 1.



PLANNING COMMISSION  
AGENDA SUBMITTAL

Meeting Date: November 18, 2015

**SUBJECT:** Environmental Impact Report 14-01-0017 (SCH NO. 2014051034), Development Plan Review (DPR) 14-01-0015, Tentative Parcel Map 36678 (TPM) 14-01-0016, Specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002 – Proposal to construct a high-cube warehouse development in two phases consisting of two buildings totaling 1,037,811 square feet on 48.38 acres of land, located on the north side of Markham Street between Patterson and Webster Avenues. The request will require a Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, along with a Tentative Parcel to consolidate 55 lots into two parcels, Street Vacation to abandon unimproved streets within the site and Development Plan Review for the site plan and building elevations. Applicant: Mike Naggar, Mike Naggar & Associates

**REQUESTED ACTION:** ADOPT Resolution No. 15-20 recommending to the City Council 1) Certification of the EIR 14-01-0017 (SCH# 2012111003); 2) Adopt a Statement of Overriding Considerations; 3) Approve Development Plan Review 14-01-0015, Tentative Parcel Map 14-01-0016 (TPM 36678), Specific Plan Amendment 14-04-0001 and Street Vacation 14-04-0002 to facilitate the construction two industrial buildings totaling 1.1 million square feet, subject to the conditions of approval.

**CONTACT:** Clara Miramontes, Director of Development Services 

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**BACKGROUND/DISCUSSION:**

The applicant is proposing to construct a high-cube warehouse development in two phases consisting of two buildings totaling 1,037,811 square feet on approximately 48.4 acres located on the north side of Markham Street between Patterson and Webster Avenues. Two parcels will be created to allow each building to sit on its own lot surrounded by parking, landscaping and other ancillary activities. The westerly parcel (i.e. Parcel 1) to be built in Phase 1 is on approximately 41.8 acres of land with a 912,338 square-foot building. The easterly parcel (i.e. Parcel 2) to be built in Phase 2 is on 6.6 acres of land with a 125,473 square-foot building. Each site will be built in separate phases and will be able to stand alone in regards to parking, landscaping and water quality management.

The project consists of several applications, an Environmental Impact Report (EIR), Specific Plan Amendment (SPA), Street Vacation (SV), Tentative Parcel Map and Development Plan Review (DPR). The EIR is to assess environmental impacts associated with the project. Specific Plan Amendment is requested to change the land use designation of approximately 16 acres of land for Parcel 1 from General Industrial (GI) to Light Industrial (LI) so that the site can be completely zoned Light Industrial, while Parcel 2 will remain General Industrial. A Street Vacation is requested to abandon unimproved Arizona Street from improved Patterson Avenue to unimproved Nevada Avenue, unimproved Oregon Street from improved Patterson Avenue to unimproved Nevada Street, a portion of Washington Street from unimproved Nevada Avenue to approximately 670 feet west of Webster Avenue, and Nevada Avenue from improved Markham to unimproved Nance Street within the project site. A Tentative Parcel Map is requested to allow the consolidation of fifty-five (55) lots into two (2) parcels to enable the two proposed industrial buildings to sit on separate lots. A Development Plan Review is requested to review the architecture and approve the project layout.

A scoping meeting was held by the Planning Commission on June 4, 2014 for the project to review, discuss, and provide comments regarding preparation of an Environmental Impact Report. A major discussion point at the meeting was the building architecture submitted at the time which did not have sufficient substantial variation in height, nor does it have projecting and recessed elements, or a veneer treatment to the entry areas, which are required by the PVCC Specific Plan. The applicant has worked with staff to upgrade the architectural design to provide more intermittent window glazing, scoring panel lines, variation in the roof height, articulation in the building footprint, and cornice roofline treatment integrated into the concrete tilt-up design. In addition, the proposed color palette and material has been enhanced to include an accent blue paint to the tower at the entries and silver ash chiseled limestone with decorative base and veneer cap to all the columns and entry area of the buildings to provide contrast to the varying gray tone colors. Together, the

combination of varying colors, articulating footprint, variable roof height, enhanced cornice treatments, windows, etc. provide visual interest to the building.

An Environmental Impact Report was prepared and available for public review and comment during the state-mandated 45-day public review period from July 29, 2015 through September 11, 2015. Responses to comments were sent to the agencies and organizations that provided comments. None of the comments resulted in the recirculation of the EIR. The EIR identified operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge for which mitigation measures are not available to reduce the impacts to below levels of significance. For these potentially significant, non-mitigatable environmental impacts, the City Council will need to adopt a Statement of Overriding Considerations prior to approving the proposed project. Detailed project information is provided in the attached staff report and conditions of approval.

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**BUDGET (or FISCAL) IMPACT:** Cost for staff preparation of this item, cost of construction and payment of impact fees are covered by the applicant.

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**Prepared by:** Kenneth Phung, Project Planner

**City Attorney:** N/A

**Finance Director:** N/A

**Public Hearing:** November 18, 2015



**CITY OF PERRIS  
DEVELOPMENT SERVICES DEPARTMENT  
PLANNING DIVISION**

**STAFF REPORT**

**Cases:** Environmental Impact Report (EIR) 14-01-0017,  
Development Plan Review (DPR) 14-01-0015,  
Tentative Parcel Map 36678 (TPM) 14-01-0016,  
Specific Plan Amendment 14-04-0001 and Street  
Vacation (SV) 14-04-0002

**Environmental Determination:** EIR – State Clearinghouse No. 2014051034

**Date:** November 18, 2015 – Planning Commission

**Project Planner:** Kenneth Phung

**Applicant:** Mike Naggar  
Mike Naggar and Associates Inc.  
445 S. D St.  
Perris, CA 92570

**Owner:** Gary Hamro, Optimus Building Corporation  
12040 East Florence Ave  
Santa Fe Springs, CA 90670

**Location:** North of Markham Street between Patterson and  
Webster Avenues

**PROJECT DESCRIPTION:** Specific Plan Amendment to change the land use  
designation of approximately 16 acres from General  
Industrial to Light Industrial, along with a Tentative  
Parcel Map, Development Plan Review and Street  
Vacation to abandon several unimproved streets and  
consolidate 55 lots into two parcels to facilitate the  
development of a high-cube warehouse development  
consisting of two buildings totaling 1.1 million  
square feet with associated parking, landscaping and  
two water quality basins.

**Acreage:** 48.38 acres (*41.79 acres for Parcel 1 and 6.59 acres  
for Parcel 2*)

**Related Cases:** N/A

**ZONING AND LAND USE:**

Existing Zoning:	<u>Perris Valley Commerce Center Specific Plan</u> Light Industrial (25.8 acres); General Industrial (22.6 acres)
Surrounding Zoning:	<u>Perris Valley Commerce Center Specific Plan</u> North: Light Industrial and General Industrial South: Light Industrial and Business Professional Office East: General Industrial West: Light Industrial
Existing Land Uses:	Vacant land
Surrounding Land Uses:	North: Vacant land, outdoor storage and single-family homes South: Vacant land, single-family homes and container storage East: Vacant land and crop farming West: Vacant land, container storage and health clinic

**PROJECT DESCRIPTION**

The applicant is proposing to construct a high-cube warehouse development in two phases consisting of two buildings totaling 1,037,811 square feet on approximately 48.4 acres located on the north side of Markham Street between Patterson and Webster Avenues. The two parcels will be created to allow each building to sit on its own lot surrounded by parking, landscaping and other ancillary activities. The westerly parcel (i.e. Parcel 1) to be built in Phase 1 is on approximately 41.8 acres of land with a 912,338 square-foot building. The easterly parcel (i.e. Parcel 2) to be built in Phase 2 is on 6.6 acres of land with a 125,473 square-foot building. Each site will be able to stand alone in regards to parking, landscaping and water quality management.

To facilitate the development, a Specific Plan Amendment is requested to change the land use designation of the easterly 16 acres of land for Parcel 1 from General Industrial (GI) to Light Industrial (LI) so that the Parcel 1 site can be completely zoned Light Industrial, while Parcel 2 will remain General Industrial. A Street Vacation is requested to abandon unimproved Arizona Street from improved Patterson Avenue to unimproved Nevada Avenue, unimproved Oregon Street from improved Patterson Avenue to unimproved Nevada Street, a portion of Washington Street from unimproved Nevada Avenue to approximately 670 feet west of Webster Avenue, and Nevada Avenue from improved Markham to unimproved Nance Street within the project site. A Tentative Parcel Map is requested to allow the consolidation of fifty-five (55) lots into two (2) parcels to enable the two proposed industrial buildings to sit on separate lots. A Development Plan Review is requested to review the architecture and approve the project layout.

## ANALYSIS

### *Specific Plan and General Plan Consistency*

The General Plan designation for the project site is Perris Valley Commerce Center (PVCC) Specific Plan with an underlying land use designation of Light Industrial and General Industrial. The proposed project site as discussed earlier will change the land use designation of approximately 16 acres from "General Industrial" to "Light Industrial" for Parcel 1 so that it can be completely zoned Light Industrial. Because two-thirds (2/3) of Parcel 1 is already zoned Light Industrial and only one-third (1/3) is General Industrial, changing the Parcel to completely Light Industrial is minor, as they permit similar land uses and will allow continuity with surrounding land uses to the west, north and south of the site which is zoned LI. The proposal will also be consistent with the General Plan for Planning Area 1 to provide industrial land uses that will take advantage of the site's proximity to Interstate 215, the cargo airport and the existing rail opportunities along the western edge of the City as both LI and GI allow similar industrial uses.

### *Development Standards*

The minimum required setback for Patterson Avenue (Collector Street), Webster Avenue (Secondary Arterial), Markham Street (Secondary Arterial) and Washington Street (Collector Street) are 15 feet, 20 feet, 20 feet and 15 feet respectively. The proposed site plan depicts a minimum 74.5' setback from the property line to the building on Patterson Avenue, 66' on Markham Street, 201.5' on Webster Avenue and 61' on Washington Street. A landscape buffer is also provided around the perimeter of the site and building, which varies in width. The proposed buildings setbacks exceed the setbacks required for the LI and GI zones.

The maximum building lot coverage for the Light Industrial and General Industrial zones are fixed at 50 percent. The total square footage of Building 1 is 912,338 square feet or 50.2% lot coverage, and Building 2 is 125,473 square feet or 43.3% lot coverage. Because lot coverage is determined by the combined project (i.e. both Buildings 1 and 2), which equates to 49.2%, the lot coverage is in compliance with the lot coverage provision of the PVCC Specific Plan.

### *Parking*

The parking requirement for the City is based on proposed uses. The 226 parking spaces provided on site for Building 1 and 57 parking spaces provided for Building 2 exceed the City's requirement as shown in the table below:

<b>Auto Parking Requirement</b>			
<b>Parking Ratio Required</b>	<b>Building 1</b>	<b>Building 2</b>	<b>Spaces Required</b>
1 <sup>st</sup> 20K @ 1 per 1,000 sf	20 spaces	20 spaces	40 spaces
2 <sup>nd</sup> 20K @ 1 per 2,000 sf	10 spaces	10 spaces	20 spaces
> 20K @ 1 per 5,000 sf	175 spaces	18 spaces	193 spaces
<b>TOTAL</b>	<b>205 spaces</b>	<b>48 spaces</b>	<b>253 spaces</b>
<b>Parking Provided</b>	<b>Building 1</b>	<b>Building 2</b>	<b>Spaces Provided</b>
Standard	217 spaces	53 spaces	270 spaces
Handicap	9 spaces	4 spaces	13 spaces
<b>TOTAL</b>	<b>226 spaces</b>	<b>57 spaces</b>	<b>283 spaces</b>

Seven handicapped spaces are required for parking that totals 201 to 300 spaces, and 3 handicapped spaces are required for parking that totals 51 to 75 spaces. The parking lot layout has a total of 9 handicapped spaces for building 1 and 4 handicapped spaces for building 2, which complies with the Municipal Code requirement.

### ***Landscaping***

The code requires landscaping to be provided at a minimum rate of 12% for the Light Industrial zone and 10% for the General Industrial zone. The conceptual landscape plan shows that a total of 205,728 square feet of landscaping will be provided for Building 1 and 47,877 square feet for Building 2, or 12% of the overall site respectively. Landscaping is proposed around the perimeter buildings. Enhanced landscaping with 36" box trees are proposed along Patterson Avenue and Webster Avenue as the streets are considered by the Perris Valley Commerce Specific Plan to be a visual corridor. Shade trees will be provided throughout car parking areas at the rate of one tree for every six vehicles, and water quality basins will be fully landscaped to blend with the overall landscape design. Multi-level landscape materials from large trees to ground covers will be utilized to provide an interesting and rich streetscape. Particular emphasis will be placed on enhanced landscaping at all project entries.

### ***Fencing and Screening***

The project site will have a 14-foot tall decorative block wall to screen the truck loading area facing Patterson Avenue, Markham Street, Webster Avenue and Washington Street. Pilaster columns with a cap will also be provided on the wall and spaced every 100 feet for visual interest. An 8-foot tall wall is provided along the northerly and easterly interior property lines of the Parcel 1 as sound mitigation for an existing non-conforming residential home located to the north and to screen the truck courts. The detention basin will be screened by a 6-foot high wrought iron fence with a 2-foot tall decorative base with pilaster columns spaced 50 feet apart. Also, tubular steel gates will screen the truck courts and will have a metal mesh to screen visibility into the loading area.

### ***Employee Amenity Area***

Buildings over 100,000 square feet are required to have at least one (1) indoor employee amenity and two (2) outdoor employee amenities. The amenity can range from cafeterias to weight rooms. The applicant is proposing for each building to have both shade-covered break areas with overhead shade trellises at the main office entrance, and nearby ½ basketball court as the outdoor amenities. For the indoor amenity, the applicant is proposing an indoor lunch and break room totaling approximately 5,000 square feet for Building 1 and 2,500 square feet for Building 2.

### ***Access and Circulation***

The proposed two warehouse buildings will sit adjacent to each other on separate lots, but will be completely independent from an access and circulation standpoint. The larger industrial building totaling 912,338 square feet fronts Patterson Avenue, Markham Street, and Washington Street. There will be two access points on Patterson Avenue and one access point each on Markham Street

and Washington Street. The smaller industrial building totaling 125,473 square feet fronts Markham Street, Webster Avenue, and Washington Street. There will be two access points on Markham Street and two on Washington Street. The easterly access point on Markham Street will be limited to right-in and right-out as it is too close to the intersection of Webster Avenue. Appropriate design features will be in place to limit access. All truck lanes on site will have a minimum 30-foot width as required by the Municipal Code, as well as having perimeter access around all the buildings.

### ***Building Elevations/Architectural***

At the Scoping Meeting on June 4, 2014, staff stated that the building architecture submitted at the time did not have sufficient substantial variation in height, nor does it have projecting and recessed elements, or a veneer treatment to the entry areas, which are required by the PVCC Specific Plan. In general, the architectural style submitted consists of modern industrial design with window glazing, scored panel lines, metal awnings and two paint colors. Staff recommended that the design of the building be further enhanced to include a second material, more detailing, pop-out facades and a more vibrant color scheme in accordance in the with PVCC Specific Plan.

The applicant has worked with staff to upgrade the architectural design to provide more intermittent window glazing, scoring panel lines, variation in the roof height, articulation in the building footprint, and cornice roofline treatment integrated into the concrete tilt-up design. In addition, the proposed color palette and material has been enhanced to include an accent blue paint to the tower at the entries and silver chiseled limestone with decorative base and veneer cap to all the columns and entry area of the buildings to provide contrast to the varying gray tone colors. The design of the building now provides better symmetry and balance with enhanced treatments at the corners and intermittently along the façade to maintain visual interest. Generally the blue reflective glass and silver ash chiseled limestone are provided at the entry are and at the enhanced intermittent vertical treatment area of the building to provide visual interest to the building. Together, the combination of varying colors, articulating footprint, variable roof height, enhanced cornice treatments, windows, etc. provide visual interest to the building.

### **GREEN BUILDING DESIGN**

The project shall be constructed to demonstrate that it can qualify for Bronze LEED Building status prior to issuance of occupancy permits. At a minimum, the following shall be provided:

- a. All buildings shall be designed to exceed current Title 24 requirements by 5 percent.
- b. The project shall incorporate a water conservation strategy of 25 percent or higher.
- c. The project shall plant at least 209 new trees on site.

### **TENTATIVE PARCEL MAP 36678 / PHASING PLAN**

A Tentative Parcel Map is requested to allow the consolidation of fifty-five (55) lots into two (2) parcels to enable the two proposed industrial buildings to sit on separate lots. Each site will be built in separate phases and will be able to stand alone in regards to parking, landscaping and water quality management. The westerly parcel (i.e. Parcel 1) to be built in Phase 1 is on approximately 41.8 acres of land with a 912,338 square-foot building. Street improvements to Phase 1 will include

Patterson Avenue and Markham Street frontages. The easterly parcel (i.e. Parcel 2) to be built in Phase 2 is on 6.6 acres of land with a 125,473 square-foot building. Street improvement to Phase 2 will include Markham Street, Webster Avenue and Washington Street frontages. Since Washington Street improvement is not proposed within Phase 1, staff has conditioned that a revised site plan be submitted to remove the two driveways on Phase 1 along the northerly property line abutting Washington Street. Also, a landscaping buffer in the area of the closed driveways are required in addition to placement of wrought iron fencing with pilaster columns spaced every 50-feet along the Washington Street frontage.

## **ENVIRONMENTAL IMPACT REPORT**

An Environmental Impact Report was prepared and available for public review and comment during the state-mandated 45-day public review period from July 29, 2015 through September 11, 2015. The EIR discusses the project's impacts associated with aesthetics, air quality, greenhouse gas emissions, cultural resources, hydrology and water quality, land use and planning, noise, traffic and circulation, utilities and service systems and agriculture resources. All potential effects of the proposed project have been reduced to less than significant levels with implementation of mitigation measures with the exception of operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge.

These impacts would be significant and unavoidable, and require the adoption of a Statement of Overriding Considerations for the project to be approved. The Findings of Fact and the Statement of Overriding Considerations are included as an attachment in Resolution 15-20, which contrasts the benefits of the project against the unavoidable effects and finds the unmitigated impacts to be acceptable in view of the overriding considerations.

### ***Comment Letters***

During the DEIR review period, twelve (10) comment letters were received from the following agencies and organizations:

1. Soboba – 2015.8.6
2. Riverside County Flood Control & Water Conservation District – 2015.8.10
3. Department of Transportation – 2015.8.20
4. Eastern Municipal Water District – 2015.8.21
5. Val Verde School District – 2015.9.1
6. Airport Land Use Commission – 2015.9.10
7. City of Riverside – 2015.9.11
8. Southern California Association of Government – 2015.9.11
9. Southern California Air Quality Management District – 2015.9.11
10. State Clearinghouse Letter – Receipt of DEIR for 45-day review

Responses to comments were sent to the agencies and organizations that provided comments. A response to the comments from the State Clearinghouse was not required. All comment letters and the City's response to each are included in the Final EIR, Section 2.0. In the process of responding to the comments, there were revisions to the text of the Draft EIR shown in both this section and



in Section 3.0, Draft EIR Revisions, of this Final EIR. Although some of the comments resulted in clarification, enhancement or revision to the mitigation measures, none of the comments or responses constituted "significant new information" or met any of the conditions in Section 15088.5 of the State CEQA Guidelines that would require recirculation of the Draft EIR. The DEIR and the FEIR have been available for public review at the Development Services public counter, and on the City's website.

### ***Mitigation Monitoring and Reporting Plan***

A Mitigation Monitoring and Reporting Program was prepared for the potential impacts that require mitigation and is contained in Section 4 of the Final EIR. Findings for Certification of the Environmental Impact Report and adoption of the Statement of Overriding Considerations, and approval of Environmental Impact Report (EIR) 14-01-0017, Development Plan Review (DPR) 14-01-00015, Tentative Parcel Map 36678 (TPM) 14-01-0016, Specific Plan Amendment 14-04-0001 and Street Vacation (SV) 14-04-0002 are contained in Resolution 15-20 prepared for this project.

### ***Airport Landuse Commission***

During Staff's review it was determined that the project site is within Airport Influence Area I and as a result, is subject to the Riverside County Airport Land Use Commission's review and approval as a Specific Plan Amendment is proposed. Therefore, the project was forwarded to the Airport Land Use Commission (ALUC) for review of consistency with the "Airport Land Use Plan" (ALUP - 1984) and the "March Air Reserve Base Installation Compatible Use Zone Study" (AICUZ - 1998). The ALUP and AICUZ guidelines are to protect flight paths and minimize impacts to residents and employees within the subject area. On December 11, 2014 the ALUC determined the project to be consistent with their plan and made a consistency determination with standard conditions. The applicant agrees to all the conditions recommended by the Airport Land Use Commission.

## **RECOMMENDATION**

ADOPT Resolution No. 15-20 recommending to the City Council 1) Certification of the EIR 14-01-0017 (SCH# 2012111003); 2) Adopt a Statement of Overriding Considerations; 3) Approve Development Plan Review 14-01-0015, Tentative Parcel Map 14-01-0016 (TPM 36678), Specific Plan Amendment 14-04-0001 and Street Vacation 14-04-0002 to facilitate the construction two industrial buildings totaling 1.1 million square feet, subject to the conditions of approval.

## **EXHIBITS:**

- Exhibit A - Conditions of Approval (Planning, Engineering, Public Works and Building)
- Exhibit B - Vicinity
- Exhibit C - Aerial Map
- Exhibit D - Specific Plan Land Use Map
- Exhibit E - Proposed Landuse Change Map
- Exhibit F - Applicant Proposed Site Plan and Elevations
- Exhibit G - Mitigation Monitoring and Reporting Plan

**Exhibit H - Resolution 15-20 (includes Proposed Landuse Change Map and Statement of Facts and Findings and Statement of Overriding Considerations)**

**Environmental Impact Report on File with the Planning Department and available on line at: <http://www.cityofperris.org/city-hall/departments/development/planning.html>**

**CITY OF PERRIS  
DEPARTMENT OF DEVELOPMENT SERVICES  
PLANNING DIVISION**

**CONDITIONS OF APPROVAL**

**Environmental Impact Report 14-01-0017 (SCH No. 2014051034)  
Development Plan Review 14-01-0015  
Specific Plan Amendment 14-04-0001  
Tentative Parcel Map 36678 (14-01-0016)  
Street Vacation 14-04-0002**

**Planning Commission: November 18, 2015**

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**Project: Optimus Logistics Center 2.** Proposal to construct a high-cube warehouse development in two phases consisting of two buildings totaling 1,0378,811 square feet on 48.38 acres of land located on the north side of Markham Street between Patterson and Webster Avenues. The request will require a Specific Plan Amendment to change the land use designation of approximately 16 acres from General Industrial to Light Industrial, along with a Tentative Parcel to consolidate 55 lots into two parcels, Street Vacation to abandon unimproved streets within the site and Development Plan Review for the site plan review and building elevations. **Applicant: Mike Naggar, Mike Naggar & Associates**

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**GENERAL CONDITIONS:**

1. **Environmental Impact Report Mitigation Monitoring Program.** The project shall fully comply with all provisions of the adopted Mitigation Monitoring and Reporting Program (MMRP) of the certified Environmental Impact Report (SCH #2014051034). The Mitigation Monitoring and Reporting Program (MMRP) Checklist is attached to reduce potential impacts to aesthetics, air quality, biological resources, cultural resources, geology, greenhouse gases, hazards, hydrology and water quality, noise and traffic. The MMRP shall be implemented in accordance with the timeline, reporting and monitoring intervals listed.
2. **Specific Plan Compliance.** The project shall conform to the General Industrial (GI) and Light Industrial (LI) zone standards of the Perris Valley Commerce Center Specific Plan (PVCCSP).
3. **Future Obligation of Buyers and Lessees.** All future buyers and lessees shall be informed of their obligation to comply with these Conditions of Approval. The applicant shall provide a copy of these conditions and inform the buyer or lessee of their obligation to maintain compliance with all local and City ordinances, including but not limited to an annual fire inspection and maintenance of a City business license.
4. **Phasing.** Any changes to the phasing plan shall be reviewed and approved by the Development Services Department and the City Engineer.
5. **Expansion of Use.** No expansion of the site or the use shall occur without subsequent reviews and approvals from the Planning Division.
6. **Conformance to Approved Plans.** Development of the project site, building elevations,

**EXHIBIT A**

and conceptual landscaping shall conform substantially to the set of plans approved by the Planning Commission on November 18, 2015, or as amended by these conditions. Any deviation shall require appropriate Planning Division review and approval.

7. **Approval Period for Development Plan Review 14-01-0015.** In accordance with P.M.C. Section 19.50.080, Expiration and Extension of Time, this approval shall expire three (3) years from the date of Planning Commission approval. Within three years, the applicant shall demonstrate the beginning of substantial construction as contemplated by this approval, which shall thereafter be diligently pursued to completion, or substantial utilization. A maximum of three (3) one-year extensions may be requested. A written request for extension shall be submitted to the Planning Division at least ten (10) days prior to the initial (and any subsequent extension) expiration of the Development Plan Review.
8. **Approval Period for Tentative Parcel Maps 36678 (TPM 14-01-0016).** In accordance with the Subdivision Map Act, the recordation of the final map shall occur within two (2) years from the Planning Commission approval, unless an automatic extension is granted by the State of California. The applicant may apply for a maximum of five (5) one-year extensions, to permit additional time to record the final map. A written request for an extension shall be submitted to the Planning Division at least thirty (30) days prior to the initial (and subsequent extensions) expiration of Tentative Parcel Map approval.
9. **Building Official/Fire Marshal.** The project shall adhere to all requirements of the Building Official/Fire Marshal. Fire hydrants shall be located on the project site pursuant to the Fire Marshal, and a fire access and fire underground plan shall be submitted for approval prior to submittal of construction drawings. Water, gas, sewer, electrical transformers, power vaults and separate fire/water supply lines (as applicable) shall be shown on the final set of construction plans.
10. **ADA Compliance.** The project shall conform to all disabled access requirements in accordance with the State of California, Title 24, and Federal Americans with Disabilities Act (ADA).
11. **City Engineer.** The project shall adhere to the requirements of the City Engineer as indicated in the attached Engineering Conditions of Approval dated **November 10, 2015**. On and off-site improvement plans shall be submitted for review and approval by the City Engineer.
12. **Public Works/Special District.** The project shall adhere to the requirements of the Public Works/Special District Division as indicated in the attached Conditions of Approval dated **February 19, 2014**.
13. **Indemnification.** The developer/applicant shall indemnify, protect, defend, and hold harmless, the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City, or any agency or instrumentality thereof, or any of its officers, employees and agents, to attack, set aside, void, annul, or seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or

legislative body including actions approved by the voters of the City concerning Environmental Impact Report 14-01-0017 (State Clearinghouse # 2014051034); Development Plan Review 14-01-0015 (DPR), Specific Plan Amendment 14-04-0001 (SPA), Street Vacation 14-04-0002 (ST VAC) and Tentative Parcel Map 36678/#14-01-0016 (TPM). The City shall promptly notify the applicant of any claim, action, or proceeding for which indemnification is sought, and shall further cooperate fully in the defense of the action.

14. **Southern California Edison (SCE).** The developer/owner shall contact the Southern California Edison for Savings by Design information (909 357-6509) and the SCE area service planner (951 928-8323) to explore energy conservation benefit options and to complete the required forms prior to commencement of construction. No grading permits shall be issued until a letter from SCE is received by the City Engineer indicating electrical service will be placed underground.
15. **Waste Hauling and Disposal.** The project shall use only the City-approved waste hauler for all construction and other waste disposal.
16. **Property Maintenance.** The project shall comply with the Perris Municipal Code Chapter 7.42 regarding Property Maintenance. The site shall be maintained graffiti-free state at all times. Any graffiti located on the site shall be removed within 48 hours.
17. **On-site & Off-site Utilities.** All utilities attached to buildings, including meters and utility boxes, shall be painted to match the wall of the building to which they are affixed. These facilities shall also be screened from the public right-of-way by landscaping.
18. **Roof Parapets.** The height of the roof parapet shall fully screen any roof-mounted equipment. All vent pipes and similar devices shall be painted to match the building.
19. **Downspouts.** Exterior downspouts are not permitted on building elevations facing the public right of way. Interior downspouts are required for these elevations.
20. **Fish and Game Fee.** Within three (3) days of City Council approval, the applicant shall submit a check to the City Planning Division, payable to "Riverside County Clerk-Recorder", in the amount of \$3,120.00 for payment of State Fish and Game fees and the County documentary handling fee. In accordance with Section 711.4 of the State Fish and Game Code, no project shall be operative, vested, or final until the filing fees have been paid.
21. **Signage.** The project approval does not include signage. All monument signage is required to include the Perris Valley Commerce Center logo (per PVCCSP Chapter 4.2.5). Any proposed wall or monument sign will require a sign application and shall be reviewed and approved by the Planning Division prior of building permit issuance.
22. **Preliminary Water Quality Management Plan (PWQMP).** A Preliminary WQMP was prepared for the proposed project site. All PWQMPs were determined to be in substantial compliance, in concept, with the Riverside County WQMP Manual requirements. Additional Engineering Department review is required to determine if the proposed

retention basin is adequately sized to meet the minimum 100 year storm event volumes. The following two conditions apply:

- a. The development shall be subject to all provisions of City of Perris Ordinance Number 1194, which establishes stormwater/urban runoff management and discharge controls to improve water quality and comply with federal regulations, and any subsequent amendments, revisions, or ordinances pertaining thereto.
  - b. The structural BMPs selected for this project have been approved in concept. The owner shall submit a Final WQMP including plans and details providing the elevations, slopes, and other details for the proposed structural BMPs including the Retention Basin. The Public Work Department shall review and approve the Final WQMP text, plans and details.
23. **Construction Practices.** To reduce potential traffic, noise, and air quality impacts, the mitigation measures listed in the EIR Mitigation Monitoring and Reporting Plan (MMRP) shall be listed and included with the "General Notes" on the construction drawings, and implemented in accordance with the timeline, reporting and monitoring intervals listed in the MMRP.
  24. **City-Approved Waste Hauling.** The developer shall use only the City-approved waste hauler for all construction and other waste disposal.
  25. **Employee Amenity Area.** The applicant shall provide the following amenities per the plans dated November 18, 2015: 1) An outdoor shade-covered break area with overhead shade trellis at the main office entrance for each facility; 2) An outdoor basketball half-court for each facility; 4) An indoor lunch and break room totaling approximately 3,500 square feet for Building 1 and 1,500 square feet for Building 2.
  26. **Trash Enclosures.** Trash enclosures are required to be screened with landscaping and a trellis cover.
  27. **Green Building.** The project shall be constructed to demonstrate that it can qualify for Bronze LEED Building status prior to issuance of occupancy permits.

**PRIOR TO THE ISSUANCE OF GRADING PERMITS:**

28. **Precise Grading Plans.** Precise grading plans shall be submitted to the City for review and approval. Grading plans shall be consistent with approved development plans.
29. **Traffic Control Plan.** A Traffic Control Plan shall be submitted for approval to the City Engineer.
30. **Construction Staging Areas.** Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction staging areas are located at least 446-feet away from any residential properties in accordance with Section 4 of the MMRP. In addition, any temporary night time lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.



31. **Final Water Quality Management Plan (FWQMP).** Final Water Quality Management Plan (FWQMP). To mitigate impacts related to pollutant loading to receiving waters and/or increased erosion/siltation resulting from the long-term operation of the project, the applicant shall develop, receive approval from the City, and implement a FWQMP. The FWQMP shall contain measures that will effectively treat all pollutants of concern and hydrologic conditions of concern, consistent with the Preliminary WQMP and developed in compliance with the MS4 permit. The FWQMP shall specifically identify pollution prevention, source control, treatment control measures, and other Best Management Practices (BMPs) that shall be used on site to control predictable pollutant runoff to reduce impacts to water quality to the maximum extent practicable. The FWQMP shall substantially comply with site design, source control and treatment control BMPs proposed in the approved Preliminary Water Quality Management Plan (PWQMP).

**TENTATIVE PARCEL MAP 36678 (TPM 14-01-0016) - FINAL MAP RECORDATION**

32. **Application.** The Final Map application shall be submitted to the Planning Division with payment of appropriate fees for review and approval, concurrently with the application to the City Engineer. The Final Map application shall include all necessary road dedications, appropriate easements and street vacations.
33. **Map Recordation.** Prior to recordation of the Final Map, the developer shall obtain the following clearances, approvals or actions:
- Verification from the Planning Division that all pertinent conditions of approval have been met, as mandated by the Perris Municipal Code.
  - The landowner shall convey an avigation easement to the March Inland Port Airport Authority. Contact the March Joint Powers Authority at (951) 656-7000).
  - Any other required approval from an outside agency.

**PRIOR TO THE ISSUANCE OF BUILDING PERMITS:**

34. **Final Parcel Map Submittal.** Prior to the issuance of the first building permit, the Tentative Parcel Map shall be submitted for Final Map approval and be recorded with the County of Riverside, with proof of recording provided to the City Planning Division and Engineering Division. The Final Map shall conform substantially to the project identified in the EIR.
35. **Landscaping Plans.** Prior to issuance of building permits, three (3) copies of Construction Landscaping and Irrigation Plans shall be submitted to the Planning Division for approval accompanied by the appropriate filing fee. The plans shall be prepared by a California-registered landscape architect and conform to the requirements of Chapter 19.70 of the Municipal Code. The location, number, genus, species, and container size of the plants shall be shown. The following treatments, consistent with the conceptual landscape plan or as conditioned herein, are required:
- Project Boundary.** Mature 36" box trees shall be planted along Markham Street

and Webster Avenue. A mixture of 36' box trees and 24" box trees shall be planted along Paterson Avenue. Street trees shall be planted a maximum of 30-feet on-center. Where tubular steel fencing is used, solid landscape screening is required in addition to mature trees.

- b. **Water Quality Basins and Large Swales.** Tiered landscaping with mature trees (24" to 36" box) shall be planted in these areas, including berms.
  - c. **Accent Landscaping.** Large trees (24" to 36" box) shall be included in the landscape design at all driveway entrances to the project site
  - d. **Parking Areas.** A minimum of 30 percent of trees shall be 36 inch box or larger. Also, a minimum of one 24-inch box tree per 6 parking stalls shall be provided.
  - e. **Landscape Berms.** Screen walls along Patterson Avenue, Markham Street and Webster Avenue frontage shall include a minimum 6-foot high 2:1 sloped landscape berm to visually reduce the screen wall height to eight feet or less.
  - f. **Enhanced Pavement.** Decorative pavement treatments (accent colors, textures, and patterns) should be used for driveway entrances and pedestrian pathways.
  - g. **BMPs for Water Quality.** All BMPs (vegetated swales, detention basins, etc.) shall be indicated on the landscape plans with appropriate planting and irrigation.
  - h. **Water Conservation.** Rain sensing override devices and soil moisture sensors shall be required on all irrigation systems. Landscaping shall comply with Zoning Code Chapter 19.70 ([www.cityofperris.org](http://www.cityofperris.org)) for mandated water conservation.
  - i. **Maintenance.** Required landscaping shall be maintained in a viable growth condition.
  - j. **Landscape Inspections.** The project applicant shall inform the on-site project manager and the landscape contractor of their responsibility to call for final landscape inspection after installation of all landscaping and irrigation system is completely operational. Before calling for a final inspection, the City's "Certificate of Compliance" form shall be completed and signed by the designer/auditor responsible for the project, and submitted to the project planner. The project planner shall sign off the "Certificate of Compliance" to signify code compliance and acceptance.
36. **Revised Site Plan.** The Phase I site plan shall be revised to remove the two driveways on the northerly property line abutting Washington Street. The area between the property line and parking lot shall be landscaped and a wrought iron fence with pilasters every 50-feet shall be installed along the northerly property line along Washington Street and connecting to the adjacent fencing.
37. **Screen Walls and Fencing.** Decorative screen walls shall screen views into the truck courts from the public right-of-way (Patterson Avenue, Markham Street and Webster Avenue) and adjacent uses. Plans and details for the screen walls shall be included in the landscape plan check submittal package for review and approval by the Planning Division. The following shall apply:
- a. **Phase 1 Fencing on Washington Street Frontage.** Phase 1 shall include tubular steel fencing with pilaster columns every 50-feet along the easterly property line fronting Washington Street.
  - b. **Decorative Screen Walls.** Decorative screen walls used to conceal the truck loading along Patterson Avenue, Markham Street and Webster Avenue shall be 14 feet in

- height with landscaped berm, incorporating pilasters every 100 linear feet and include a decorative cap, subject to the review and approval of the Planning Division.
- c. **Interior Walls.** An 8-foot tall wall shall be provided along the northerly and easterly interior property lines of the Parcel 1.
  - d. **Fencing For Detention Basin.** The detention basin will be screened by a 5-foot high wrought iron fence with pilaster columns spaced 50-feet apart.
  - e. **Gates.** Any tubular steel gates in public view shall have high quality view-obscuring material, subject to Planning review and approval.
  - f. **Graffiti.** All walls shall be treated with a graffiti-resistant coat.
  - g. **Knox boxes** are required for all gates, and shall be approved by the Fire Marshal and issued by the Building Division.
38. **Site Lighting Plan.** A site lighting plan shall be approved that complies with the City's Outdoor Lighting Regulations and Mount Palomar Observatory's Dark Sky Ordinance. The lighting plan shall include photometrics, fixture details and light standard elevations. High efficiency fixtures with full-cut off shields shall be used to prevent light and glare above the horizontal plane of the bottom of the lighting fixture. At least one foot-candle of light shall be provided in all parking lot and pedestrian areas for safety and security.
39. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan, the following measures shall be implemented to address the project's location within Airport Influence Area I:
- a. Prior to issuance of building permits, the landowner shall have conveyed an avigation easement to the March Inland Port Airport Authority.
  - b. Any outdoor lighting installed shall be shielded to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
  - c. The following uses shall be prohibited:
    - i) 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.
    - ii) 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.
    - iii) Any use which would generate excessive smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, artificial marshes, wastewater management facilities, composting operations, trash transfer stations that are open on one or more sides, recycling centers contain putrescible wastes, construction and demolition debris facilities, fly ash disposal and incinerators.)
    - iv) Any use that would generate electrical interference that may be

detrimental to the operation of aircraft and/or aircraft instrumentation.

- d. A "Notice of Airport in the Vicinity" shall be provided to all potential purchasers and tenants.
  - e. Any new retention basins shall be designed so as to provide for a maximum 48 hour detention period following the conclusion of a rainfall event.
  - f. A minimum of 45 days prior to submittal of an application for a building permit for the project, the project applicant shall consult with the City of Perris Planning Division 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 so, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration.
40. **March Air Reserve Base.** As required by the Perris Valley Commerce Center Specific Plan, the following measures shall be implemented to address the project's location within Airport Influence Area II:
41. **Construction Plans.** All Planning Division, Public Works/Special District Department and Engineering Department Conditions of Approval, proposed employee amenities, LEED requirements that are included with the EIR Mitigation Monitoring and Reporting Plan, and the Mitigation Monitoring Plan itself shall be reproduced in full on construction drawings and grading plans, immediately following the cover sheet of such plans. Each Condition shall be annotated on the construction plans for ease of reference (i.e., sheet and detail numbers).
42. **Fees.** The developer shall pay the following fees according to the timeline noted:
- Prior to the issuance of building permits, the applicant shall pay:
- a. Stephen's Kangaroo Rat Mitigation Fees of \$500.00 per acre;
  - b. Multiple Species Habitat Conservation Plan fees currently in effect;
  - c. Current statutory school fees to all appropriate school districts;
  - d. Any outstanding liens and development processing fees owed to the City;
- Prior to issuance of the Certificate of Occupancy, the applicant shall pay:
- e. Appropriate City Development Impact Fees in effect at the time of development; and
  - f. Appropriate Transportation Uniform Mitigation Fees (TUMF) in effect at the time of development, or
  - g. Appropriate Road and Bridge Benefit District fees.
43. **Assessment and Community Facilities Districts.** The project shall be annexed into any assessment, community facilities, or similar district that provides funding for maintenance, services, or public improvements that benefit the project. The costs and benefits shall be described in the applicable district and annexation documents. The developer shall complete all actions required to complete such annexation prior to issuance of a Certificate of Occupancy. This condition shall apply only to districts existing at the time the project is approved (or all requirements have been met for a certificate of occupancy, as applicable). Such districts may include but are not limited to

the following:

- a. Landscape Maintenance District No. 1;
- b. Flood Control Maintenance District No. 1;
- c. Maintenance District No. 84-1;
- d. North Perris Road and Bridge Benefit District; and
- e. Future Fire Protection Community Facilities District.
- f. North Perris Community Facilities Assessment District;

**PRIOR TO THE ISSUANCE OF OCCUPANCY PERMITS:**

44. **Bicycle Lanes.** Appropriate Striping for Class II Bicycle Lanes shall be provided on Webster Avenue, Markham Street and Patterson Avenue according to the Trails Master Plan subject to the approval of the Planning Division and the City Engineer's office.
45. **Final Inspection.** The applicant shall obtain occupancy clearance from the Planning Division by scheduling a final Planning inspection after final sign-offs from the Building Division and Engineering Department. Planning Staff shall verify that all Conditions of Approval have been met.
46. **Occupancy Clearance.** The applicant shall have all required paving, parking, screen walls, colors and materials (per approved elevation plans), site lighting, landscaping and automatic irrigation installed and in good condition.



# CITY OF PERRIS

HABIB MOTLAGH, CITY ENGINEER

## CONDITIONS OF APPROVAL

P8-1237

February 18, 2015, Revised October 20, 2015,

Revised November 10, 2015

PM 36678 – Optimus Logistics Center II, Phases 1 & 2

With respect to the Conditions of Approval for the above referenced project, the City of Perris requires that the developer provide the following street improvements and/or road dedication in accordance with the City of Perris Municipal Code Title 18. It is understood that the site plan correctly shows all existing and proposed easements, traveled ways, rights-of-way, and drainage courses with appropriate Q's and that their omission may require the map to be resubmitted for further consideration. These Ordinances and the following conditions are essential parts and requirement occurring in ONE is as binding as though occurring in all. They are intended to be complimentary and to describe the conditions for a complete design of the improvements. Unless otherwise noted, all offsite improvements for Phase I as conditioned shall be installed prior to issuance of any occupancy permits. All questions regarding the true meaning of the conditions shall be referred to the City Engineer's office.

1. This project is located within the limits of the Perris Valley area drainage plan for which drainage fees have been adopted. Drainage fees shall be paid to the City of Perris prior to issuance of a permit. Fees are subject to change and shall be in the amount adopted at the time of issuance of the permit.
2. The project's grading shall be in a manner to perpetuate existing drainage patterns, any deviation from this, concentration or increase in runoff must have approval of adjacent property owners. Drainage easements shall be obtained from effected property owners or if within this site, shall be shown on the final map. The applicant shall accept the offsite runoff and convey to acceptable outlet.
3. The incremental increase in runoff between developed and undeveloped stage (100-year) and the nuisance runoff shall be retained within onsite private detention basins and drained to Lateral "B-5" as approved by City and Riverside County Flood Control.

DEPARTMENT OF ENGINEERING  
170 WILKERSON AVE., SUITE D, PERRIS, CA 92570-2200  
TEL.: (951) 943-6504 - FAX: (951) 943-8416

**EXHIBIT A**



The project shall also comply with conditions stated in RCFC letter dated February 18, 2015 and extend Lateral B-5 and connect to Line "B".

4. Onsite landscape area(s) shall be designed in a manner to collect the onsite nuisance runoff in compliance with WQMP Standards.
5. Prior to issuance of any permit, the developer shall sign the consent and waiver forms to join the lighting and landscape districts. The developer shall maintain all on and offsite landscaping with exception of median improvements which will be included in landscape maintenance. The proposed streetlights and portions of existing and new signal at Harley Knox Blvd. with Patterson shall be maintained by City and partial cost paid for by the property owners through annexation to lighting and landscaping districts. In the event RCFC does not maintain the proposed offsite drainage facilities, it shall be annexed to Flood control District for maintenance.
6. Existing power poles within the project site or along the project boundary (under 65kv), if any, shall be removed and cables undergrounded. All other utility poles, if any, shall be removed and utilities undergrounded.
7. Streetlights shall be installed along perimeter streets adjacent to this site as approved by City Engineer per Riverside County and Southern California Edison standards. Additional streetlights shall be installed along Patterson Avenue from northerly property line to Harley Knox Boulevard as determined by City Engineer.
8. This project is located within EMWD's water and sewer service area. The applicant shall install water and sewer facilities as required by EMWD and Fire Department.
9. The applicant shall submit to City Engineer the following for his review:
  - a. Street Improvement Plans
  - b. Signing, Striping, and Signal Plans
  - c. Onsite Grading Plans, SWPPP, and Erosion Control Plan
  - d. Water and Sewer Plans
  - e. Drainage Plans, Hydrology and Hydraulic Reports
  - f. Streetlight Plan
  - g. Final WQMP

The project's design shall be in compliance with EMWD and Riverside County Standards and coordinated with approved plans for adjacent developments.

10. All pads shall be graded to be a minimum of 1' above 100-year calculated water surface or adjacent finished grade.

11. All grading and drainage improvements shall comply with NPDES and Best Management Practices. Erosion control plans shall be prepared and submitted to Water Quality Board and the City as part of the grading plans.
12. 6' concrete sidewalk, handicap ramps, and driveways shall be installed pursuant to Riverside County and ADA standards and as approved by Planning Department. All driveway approaches shall be constructed per Riverside County standards for Commercial Driveway (Std. 207A) and comply with the ADA requirements.
13. Construction of Master Planned Underground Drainage Facilities along Webster Avenue and Markham Street and extended northerly along Patterson Avenue to existing low point and connection to existing Line "B" Channel pursuant to RCFC letter dated February 18, 2015. Prior to start of design of these facilities, the applicant's engineer shall meet with Flood Control to understand to design criteria established by Flood Control for such facilities. All such improvement plans and drainage reports shall be reviewed and approved by RCFC and City of Perris. Catch basins and minimum 18" laterals shall be installed at all existing intersections adjacent to the site and all new driveways proposed by this project to eliminate nuisance runoff from cross gutters.
14. All onsite drainage runoff shall be collected via onsite underground facilities and conveyed to proposed master planned facilities.
15. This and other similar projects will significantly impact the transportation infrastructure within the City of Perris and adjacent communities. For this reason, the following transportation related improvements are required to mitigate the initial and the ongoing impact to the transportation facilities.
16. Markham Street from Patterson Avenue to Webster Avenue along north side shall be improved with minimum of 30' of new paving, curb/gutter and sidewalk located 32' north of centerline within 47' half width dedicated right-of-way. Markham Street along the same reach on the south side shall be improved to provide for minimum of 20' of paving (existing pavement if determined to be adequate shall be grind/overlay).
17. Webster Avenue from northerly project boundary to Harley Knox Blvd. shall be improved to provide for minimum of 42' of new paving (3 lanes) within dedicated right-of-way. The intersection of Webster and Harley Knox shall be improved to provide for safe left and right turn lanes.

Webster Avenue adjacent to this site along the west side shall be improved with minimum of 30' new pavement and curb/gutter located 32' within 47' ½-width dedicated right-of-way. Webster

along east side within this reach shall be improved with minimum of 12' new pavement including construction of right and left turn lanes @ Markham Street.

Improvements to Webster Avenue is required prior to occupancy permit for Phase II.

18. Washington Street from Webster to the end of cul-de-sac shall be improved with curb/gutter located 20' on either side of centerline and minimum of 36' new paving within 60' dedicated right-of-way (Phase II).
19. Patterson Avenue from Markham Street to northerly boundary along east side shall be improved with curb, gutter located 28' east of centerline and 26' of new pavement within 39' half-width dedicated right-of-way. Patterson Avenue along same reach on the west side shall be improved with minimum of 15' new pavement or as determined by City Engineer. Patterson Avenue from northerly project boundary to Harley Knox Boulevard shall be improved to provide for minimum of 42' new pavement. The intersection of Patterson Avenue and Harley Knox Boulevard shall be improved to comply with traffic report's recommendation.
20. Traffic index of 10.5 shall be used for any work on Patterson, and 9.0 for Webster Avenue and Markham Street.
21. The intersections of Webster with Markham shall be improved with concrete section to withstand the truck traffic.
22. Right-of-way acquisition. All right-of-way property area necessary for construction of the street and traffic improvements including any utility and construction easements, not under Applicant's ownership shall be acquired by the Applicant, at Applicant's sole cost. If Applicant is unsuccessful in negotiating any right-of-way acquisition with third party owners after a 30 day period, then City shall conduct the necessary analysis to determine in its sole discretion whether to attempt to acquire the right-of-way by exercise of its power of eminent domain; provided, however, that nothing herein shall be deemed a prejudgment or commitment with respect to condemnation.
23. Reimbursement of costs. Applicant and City shall cooperate to ensure that Applicant receives, to the greatest extent practicable, reimbursement for all of Applicant's eligible costs of constructing all of the street and traffic improvements. Reimbursement agreement or some similar agreement between Applicant and the City and/or establishment of a RBBB community facilities district or other assessment district that will fund the costs of such construction. Notwithstanding the forgoing, City shall have no obligation to reimburse or credit Applicant from any source of City funding other than under the local Development Impact Fee

program as adopted by the City. Other sources of reimbursement future developers who benefit from the improvements constructed by the Applicant, and/or participants in a community facilities or assessment district created to fund such improvements and other improvements in the vicinity of Applicant's project.

24. New traffic signals if warranted shall be installed at intersection of Markham Street with Webster & Patterson Avenue.
25. Driveways shall be installed per Riverside County Standard No. 207A.
26. Minimum of one RTA stop and City/RTA standard shelter shall be provided along Markham or Webster as determined by the City Engineer and RTA.
27. Prior to issuance of any permit, final map shall be recorded, and bonds posted. Existing road dedications in conflict with the proposed project shall be vacated subject to utility clearance.
28. Truck access to this site shall be limited to and from I-215 interchange from Harley Knox Boulevard, Webster Avenue, and Patterson Avenue.
29. Street improvement plans shall include a class II/III bike lane in accordance with the Perris Trails Master Plan, subject to the approval of the City Engineer.
30. Prior to issuance of occupancy permit, the applicant shall pay the City \$500,000 for their contribution towards implementation of interim and ultimate improvements to I-215/Ramona Expressway, Placentia/I-215 interchange, and other improvements. This one time contribution is above and beyond RBBB and other City fees and is not reimbursable.
31. The improvements @ I-215 and Harley Knox Blvd. shall be in compliance with RBF Traffic Report dated October 30, 2015. Payment of RBBB fees prior to issuance of Building Permit shall satisfy this condition.

*Habib Motlagh*

Habib Motlagh  
City Engineer



# CITY OF PERRIS

## PUBLIC WORKS DEPARTMENT

Engineering Administration

. NPDES .

Special Districts (Lighting, Landscape, Flood Control)

# MEMORANDUM

**Date:** February 19, 2014

**To:** Kenneth Phung

**From:** Michael Morales, CIP Manager

**Subject:** DPR 14-01-0015, TPM 14-01-0016, & EIR 14-01-0017-SRC Comments-Draft Proposal to construct and industrial complex consisting of two buildings totaling 1 million square feet located within the Perris Valley Commerce Center (PVCC) Specific Plan. North of Markham Street between Patterson Avenue and Webster Avenue.

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The application for the proposed submittal noted above has been deemed incomplete. Prior to further review, please inform the applicant to submit the following additional materials:

1. A conceptual plan has not been submitted. Applicant shall submit a separate Conceptual Landscape Plan for review and approval at this time for any perimeter hardscape and landscape, parkways, and street medians located within the City right-of-way. This Conceptual landscape plan shall be titled "LMD Conceptual Off-site Landscape Plan DPR 14-01-0015," and shall be mutually exclusive of any private property, on-site landscaping. Elements of this Conceptual Landscape Plan shall include but not be limited to:
  - Limits of right-of-way areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Landscape Maintenance District
  - Limits of landscape easement areas, defined by concrete mow curb fully dimensioned, that are to be annexed into the Landscape Maintenance District
  - Location of separate water and electrical utility meters intended to serve landscape maintenance district areas exclusively
  - A planting palette and hardscape plan intended to meet the design intent of the Specific Plan or Landscape Guidelines in effect for the area; or if no such guidelines exist the design intent of neighboring development, as determined by the Engineering Administration and Special Districts Division
  - A list of irrigation system components intended to meet the performance, durability, water efficiency, and anti-theft requirements for Special District landscape areas as determined by the Engineering Administration and Special Districts Division. Components shall include, but not be limited to Salco or GPH flexible PVC risers, a wi-fi central control irrigation controller (Calsense or equal), and Sentry Guard Cable Guard and Union Guard.
  - Any Monument signage at prominent locations within maintenance district areas shall be pre-cast concrete, with no individual affixed metal letters. The monument signage shall be submitted for review and approval by the Special Districts Division, and compliment the design elements of the City of Perris Community Marker/Identification Program.

**EXHIBIT A**

**(Conceptual Landscape Plan Requirements Continued)**

- Include a Benefit Zone quantities table (i.e. SF of planting areas, turf, number of trees, SF. of hardscape, etc.) in the lower right hand corner of the cover sheet for off-site landscape areas, indicating the amount of landscaping the district will be required to maintain
  - The landscape architect is to coordinate with EMWD to verify if the site will be served with recycled water. Indicate type of water on Conceptual Landscape Plan, and provide additional irrigation components as needed.
2. Each District is required to be metered separately. Show locations of water and electrical meter for landscape district. Show location of water and electrical meter for flood control district. Show location of electrical meter for Traffic signal and street lighting, on respective plans. Coordinate location of meters on conceptual landscape and civil engineering plan. Electrical meter pedestals are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections.
  3. The off-site irrigation controller, electrical meter, and water meter are to be located within the right of way (preferably within the off-site landscape area). All point of connection equipment including irrigation controller pedestals, electrical meter pedestals, and backflow preventers are to be located in locations that are easily accessible to maintenance staff while not visually obtrusive in the street scene, and away from street intersections. Backflow preventers are to be screened on all sides with (5) gallon plant material.
  4. Applicant shall submit a Preliminary WQMP Plan, prior to approval detailing the on-site and off-site Flood Control Facilities, LID and Treatment Control Best Management Practices. The PWQMP shall include
    - Limits of right-of-way areas, defined by concrete mow curb, fully dimensioned, that are to be annexed into the Flood Control or Landscape Maintenance District
    - Location of separate water and electrical utility meters intended to serve flood control landscape maintenance district areas exclusively
    - A planting palette and hardscape plan for access ramps and other hardscape improvements intended to meet the guidelines of water quality and maintenance concerns as determined by the Engineering Administration and Special Districts Division
    - Conceptual details for treatment control facilities that meet the Riverside County WQMP Design Guidelines shall be included. These guidelines, as well as guidelines for flood control facilities may be supplemented by additional requirements by the Special Districts Department to reduce long term maintenance costs and longevity of improvements. At a minimum concrete check dams shall be used for multi-stage detention basin and infiltration basin facilities separating forebay from second stage treatment area. Concrete v-ditch shall be used for nuisance flows connecting inlet to outlet structures. Connector pipe screens shall be included in catch basin to reduce sediment and trash loading within storm pipe.
  5. Prior to final map approval Applicant shall submit final civil engineering and traffic signal Plans to City Engineer for review. Plans shall incorporate Special District design criteria including LED Safety Lighting, back-up battery systems, traffic detection camera system, and cabinet lighting complete with decorative street name signage.
  6. Assessment Districts. Prior to final map recordation, the developer shall annex into the following maintenance



7. and assessment district, posting an adequate maintenance performance bond to be retained by the City as required by the City Engineer:
  - a. Flood Control Maintenance District
  - b. Landscape Maintenance District
  - c. Lighting District 84-1

Prior to Permit issuance developer shall deposit \$5,250 per district, \$15,750 total due. Payment is to be made to the City of Perris, and the check delivered to the City Engineer's Office.

1. Document, for each district, indicating intent and understanding of annexation, to be notarized by property owner(s)
  - Consent and Waiver for Maintenance District No. 84-1
  - Consent and Waiver for Landscape Maintenance District No. 1
  - Petition for Flood Control Maintenance District No. 1

Original notarized document(s) to be sent to:  
Roxanne Shepherd  
Shepherd & Staats Incorporated  
2370 Edgehill Road  
Vista, CA 92084  
(760) 639-0124

Upon receipt of deposit and Consent and Waiver Forms, the developer shall work with City to meet the following milestones for annexations as follows:

1. City prepares the Engineer's Reports which includes a description of the improvements to be maintained, an annual cost estimate and annual assessment amounts.
  2. Reports are reviewed and approved by the property owner. The assessment ballots will be based on these Reports.
  3. The Reports and corresponding resolutions are placed, for approval, on the City Council Meeting Agenda. City Council action will include ordering the assessment ballots and setting a Public Hearing for no sooner than 45 days. Property owner attendance at this City Council Meeting is not required.
  4. The assessment ballots are sent to the property owner and are opened by the City Clerk at the close of the Public Hearing. With a "YES" vote by the property owner the City Council can move forward with the Resolution that Confirms the Annexation. Property owner attendance at this Public Hearing is not required.
  5. Confirmation by the City Council completes the annexation process and the condition of approval has been met.
8. Additional comments may follow based on submittal of additional materials noted above

**DEVELOPMENT PLAN REVIEW 14-01-0015,**  
**TPM 14-01-0016 & EIR 14-01-0017**

**BUILDING & FIRE COMMENTS**

- 
1. Must Comply with the Latest Adopted Version of the California Fire Code 2013 Edition
  2. Must comply with the adopted Building and Fire Codes for proper exiting of the building.
  3. Must Have Proper Fire Access to the Building facility WHILE THE BUILDING IS UNDER CONSTRUCTION AND PRIOR TO HAVING ANY LUMBER DROPPED OFF ON SITE.
  4. Must Comply with the Latest Adopted Version of the California Building Code 2013 Edition
  5. Must Comply with the Latest Adopted Version of the California Electrical Code 2013 Edition
  6. Must Comply with the Latest Adopted Version of the California Mechanical Code 2013 Edition
  7. Must Comply with the Latest Adopted Version of the California Plumbing Code 2013 Edition
  8. Must Comply with the State of California Title 24 Energy Regulations
  9. Must Comply with the State of California Title 24 Access Regulations.
  10. Insure that the proper Fire Sprinklers are designed and installed in accordance with the specific use of the building and in accordance with the adopted codes.

---

David J. Martinez/Interim Building & Fire Official

Date: 12-23-14

**EXHIBIT A**



**EXHIBIT B – Optimus Logistics Center 2**

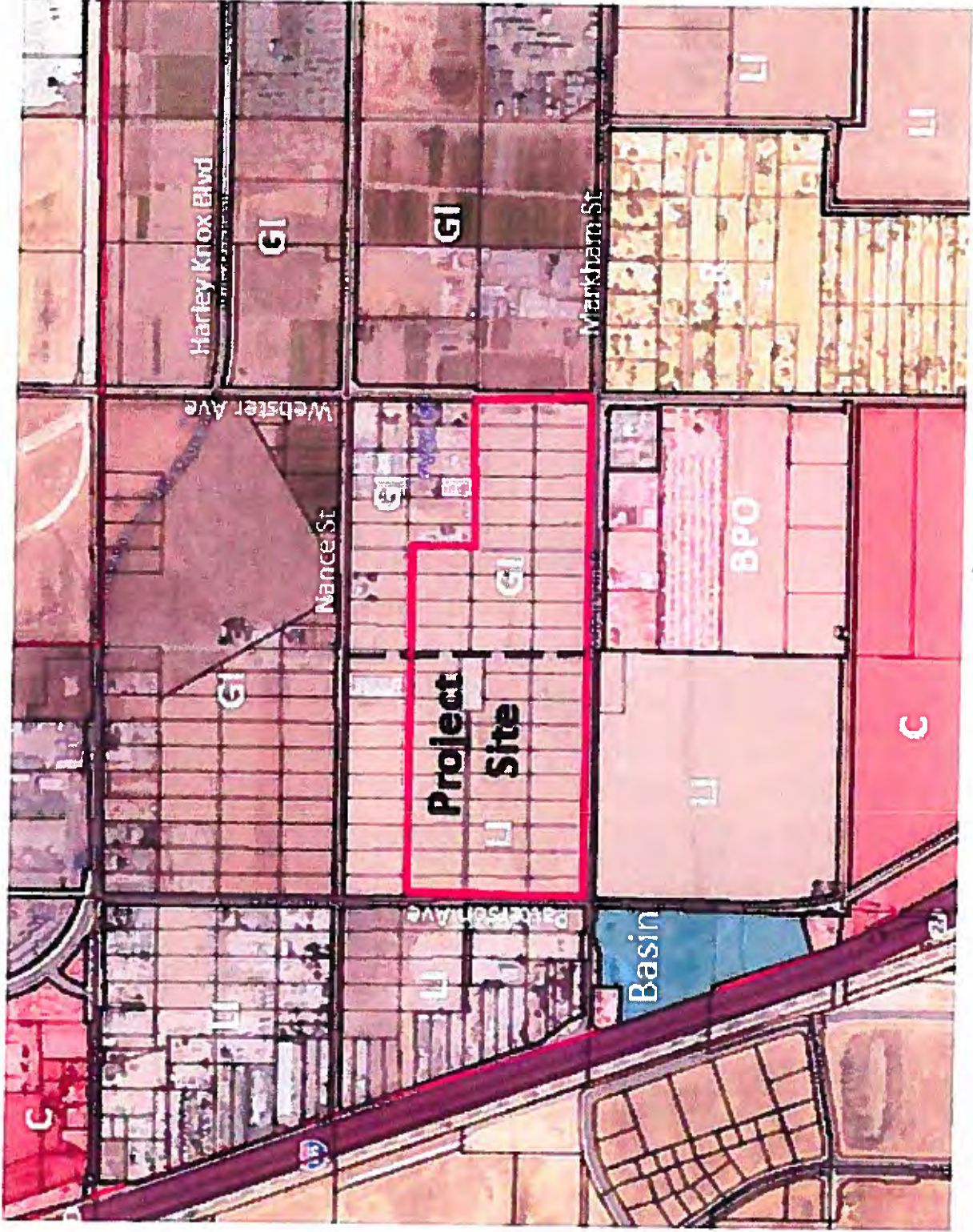
**Vicinity Map**



**EXHIBIT C – Optimus Logistics Center 2**

**Aerial Map**





**EXHIBIT D – Optimus Logistics Center 2**

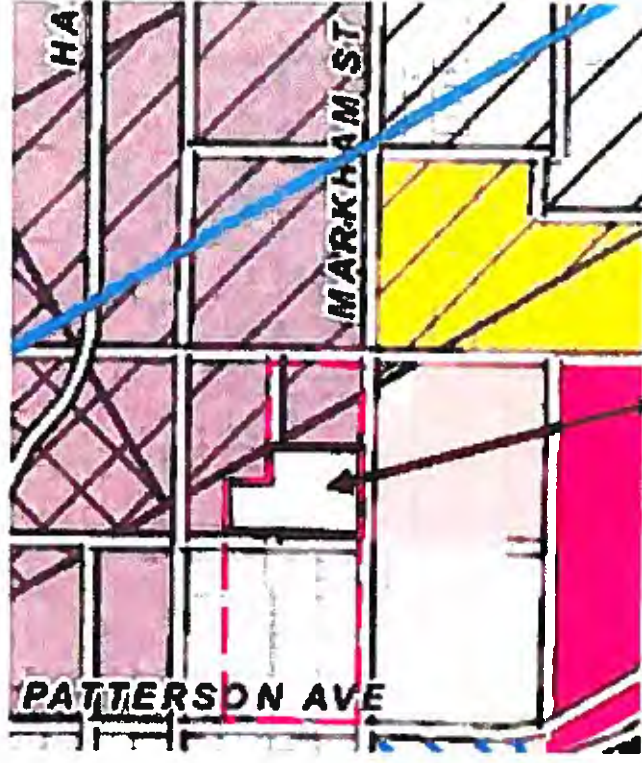
**Specific Plan Land Use Map**



**Existing Land Use**



**Proposed Land Use**



**LEGEND**

- Business/Office
- Commercial
- Residential
- Light Industrial
- Detached Busyn
- General Industrial

Approximately 16 acres modified from General Industrial to Light Industrial

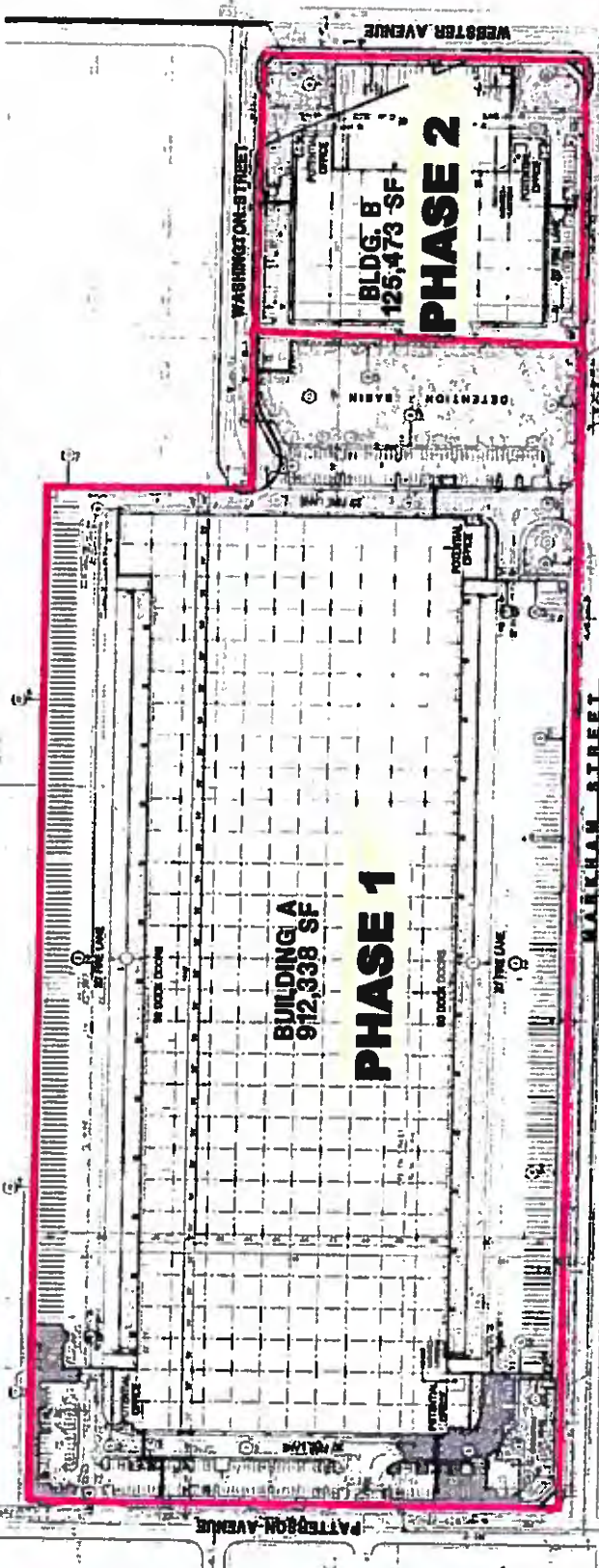


**EXHIBIT E – Optimus Logistics Center 2**

**Proposed Land Use Change Map**



# PHASING MAP



## GENERAL NOTES - FLOOD PLAN

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CODE OF REGULATIONS (CCR).
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC).
- 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE (CMC).
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE (CPC).
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE (CFC).
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE (CSC).
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE (CEC).
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND USE CODE (CLUC).
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ZONING CODE (CZC).

## PROJECT INFORMATION

**Project Name:** [REDACTED]  
**Project Number:** [REDACTED]  
**Client:** [REDACTED]  
**Architect:** [REDACTED]  
**Engineer:** [REDACTED]  
**Contractor:** [REDACTED]

## PREPARED FOR

**Client:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## PREPARED BY

**Engineer:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## DATE

**Date:** [REDACTED]

## TABULATION

Area	Area (SF)	Volume (CY)	Total
Excavation	181,228	262,023	2,607,261.87
Foundation	417	67	43.14
Structure	18,000	18,000	25,200.01
Roof	11,328	11,328	12,348.81
Interior Finish	11,328	11,328	12,348.81
Exterior Finish	11,328	11,328	12,348.81
Landscaping	11,328	11,328	12,348.81
Other	11,328	11,328	12,348.81
<b>Total</b>			<b>2,683,929.84</b>

## GENERAL NOTES

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CODE OF REGULATIONS (CCR).
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC).
- 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE (CMC).
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE (CPC).
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE (CFC).
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE (CSC).
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE (CEC).
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND USE CODE (CLUC).
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ZONING CODE (CZC).

## PROJECT INFORMATION

**Project Name:** [REDACTED]  
**Project Number:** [REDACTED]  
**Client:** [REDACTED]  
**Architect:** [REDACTED]  
**Engineer:** [REDACTED]  
**Contractor:** [REDACTED]

## PREPARED FOR

**Client:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## PREPARED BY

**Engineer:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## DATE

**Date:** [REDACTED]

## GENERAL NOTES - FLOOD PLAN

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CODE OF REGULATIONS (CCR).
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC).
- 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE (CMC).
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE (CPC).
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE (CFC).
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE (CSC).
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE (CEC).
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND USE CODE (CLUC).
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ZONING CODE (CZC).

## PROJECT INFORMATION

**Project Name:** [REDACTED]  
**Project Number:** [REDACTED]  
**Client:** [REDACTED]  
**Architect:** [REDACTED]  
**Engineer:** [REDACTED]  
**Contractor:** [REDACTED]

## PREPARED FOR

**Client:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## PREPARED BY

**Engineer:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## DATE

**Date:** [REDACTED]

## GENERAL NOTES - FLOOD PLAN

- 1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL BUILDING CODE (IBC) AND THE CALIFORNIA BUILDING CODE (CBC).
- 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA CODE OF REGULATIONS (CCR).
- 3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ELECTRICAL CODE (CEC).
- 4. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA MECHANICAL CODE (CMC).
- 5. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA PLUMBING CODE (CPC).
- 6. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA FIRE CODE (CFC).
- 7. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA SAFETY CODE (CSC).
- 8. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ENVIRONMENTAL CODE (CEC).
- 9. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA LAND USE CODE (CLUC).
- 10. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE CALIFORNIA ZONING CODE (CZC).

## PROJECT INFORMATION

**Project Name:** [REDACTED]  
**Project Number:** [REDACTED]  
**Client:** [REDACTED]  
**Architect:** [REDACTED]  
**Engineer:** [REDACTED]  
**Contractor:** [REDACTED]

## PREPARED FOR

**Client:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## PREPARED BY

**Engineer:** [REDACTED]  
**Address:** [REDACTED]  
**City:** [REDACTED]  
**State:** [REDACTED]  
**Zip:** [REDACTED]

## DATE

**Date:** [REDACTED]

**HIPAA**  
 This document contains information that may be subject to the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. If you are a covered entity, please do not disseminate this information outside of your organization without the appropriate safeguards in place.

**Optimus Building Corporation**  
 1000 West 1st Avenue  
 Suite 1000  
 Los Angeles, CA 90015  
 Tel: (213) 475-1000

**Project**  
 Optimus Logistics Center II

**Contractors:** [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]  
 [REDACTED]

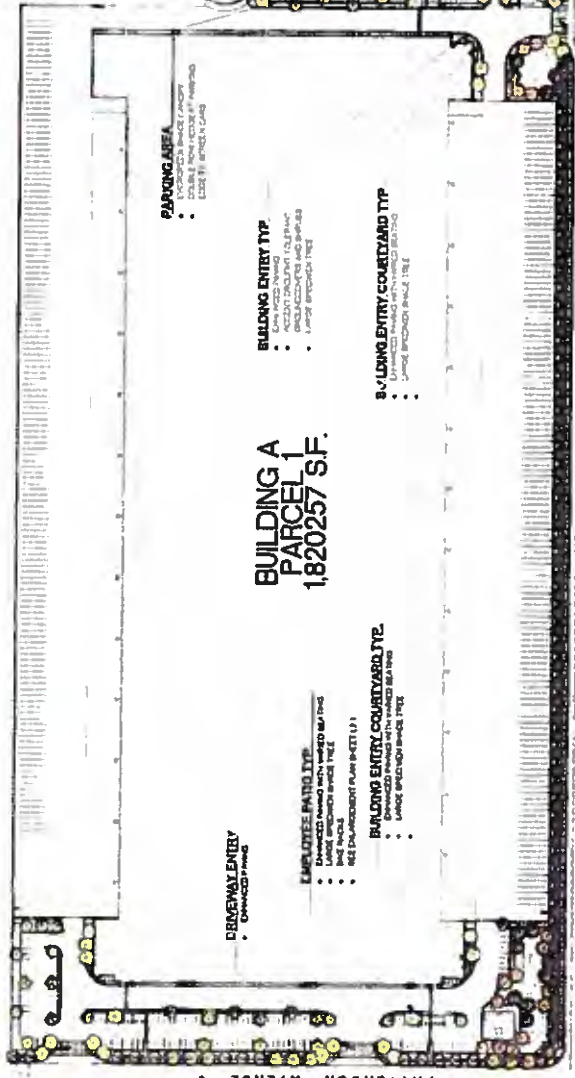
**QUALITY PLAN**

**Project Name:** [REDACTED]  
**Project Number:** [REDACTED]  
**Client:** [REDACTED]  
**Architect:** [REDACTED]  
**Engineer:** [REDACTED]  
**Contractor:** [REDACTED]

**Rev:** 1  
**Date:** [REDACTED]

A1.1

DEERWAY ENTRY  
UNIMPROVED



DEERWAY ENTRY  
UNIMPROVED

WASHINGTON STREET

WEGSTER AVENUE

DEERWAY ENTRY  
UNIMPROVED

MARKHAM STREET

DEERWAY ENTRY  
UNIMPROVED

**PROPOSED PLANT PALETTE**

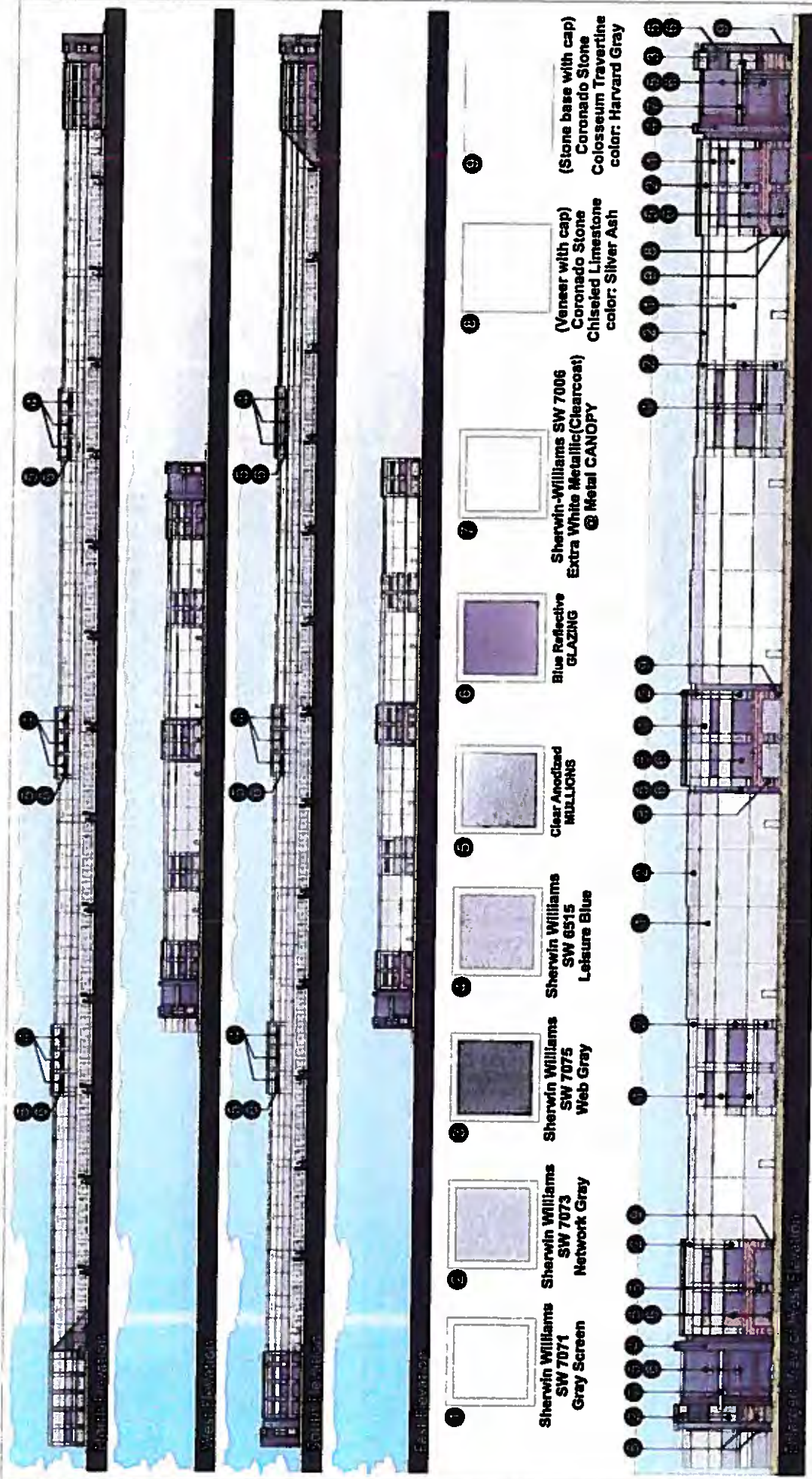
Plant	Qty	Notes
1. P. PLANT	100	Planting in courtyard
2. P. PLANT	50	Planting in courtyard
3. P. PLANT	20	Planting in courtyard
4. P. PLANT	10	Planting in courtyard
5. P. PLANT	5	Planting in courtyard
6. P. PLANT	5	Planting in courtyard
7. P. PLANT	5	Planting in courtyard
8. P. PLANT	5	Planting in courtyard
9. P. PLANT	5	Planting in courtyard
10. P. PLANT	5	Planting in courtyard
11. P. PLANT	5	Planting in courtyard
12. P. PLANT	5	Planting in courtyard
13. P. PLANT	5	Planting in courtyard
14. P. PLANT	5	Planting in courtyard
15. P. PLANT	5	Planting in courtyard
16. P. PLANT	5	Planting in courtyard
17. P. PLANT	5	Planting in courtyard
18. P. PLANT	5	Planting in courtyard
19. P. PLANT	5	Planting in courtyard
20. P. PLANT	5	Planting in courtyard

# OPTIMUS LOGISTIC CENTER 2 - CONCEPTUAL LANDSCAPE PLAN

MARKHAM & PATTERSON  
 PERRIS, CALIFORNIA







# Optimus Logistics Center II

Perris, California

OPTIMUS  
BUILDING CORP.

COLORS ELEVATIONS & MATERIAL BOARD - BUILDING A (TYPICAL)

11-06-2015

- 1 Sherwin Williams SW 7071 Gray Screen
- 2 Sherwin Williams SW 7073 Network Gray
- 3 Sherwin Williams SW 7075 Web Gray
- 4 Sherwin Williams SW 6515 Leisure Blue
- 5 Clear Anodized MULLIONS
- 6 Blue Reflective GLAZING
- 7 Sherwin-Williams SW 7006 Extra White Metallic(Clearcoat) @ Metal CANOPY
- 8 (Veneer with cap) Coronado Stone Chiseled Limestone color: Silver Ash
- 9 (Stone base with cap) Coronado Stone Colosseum Travertine color: Harvard Gray





West Elevation



West Elevation



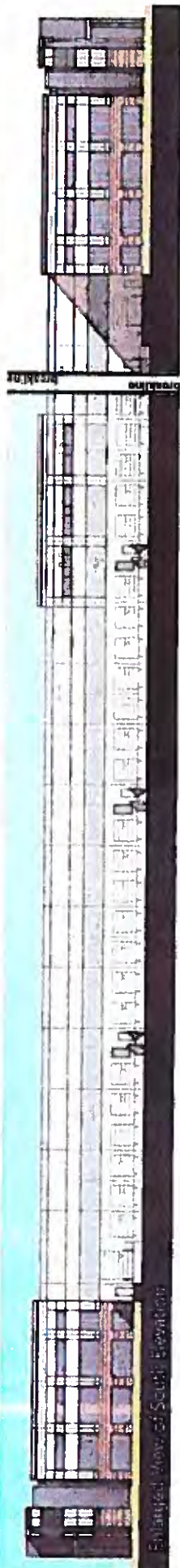
South Elevation



East Elevation



Elevated View of West Elevation



Elevated View of South Elevation



# Optimus Logistics Center II

Perris, California

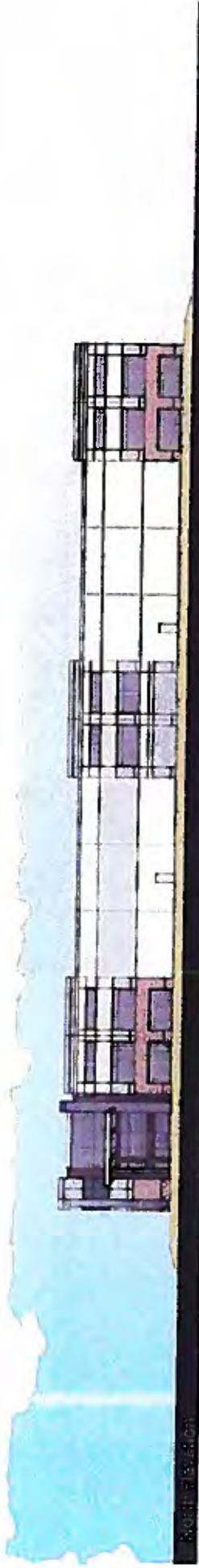
OPTIMUS  
BUILDING CORP.

JCS No 1324100

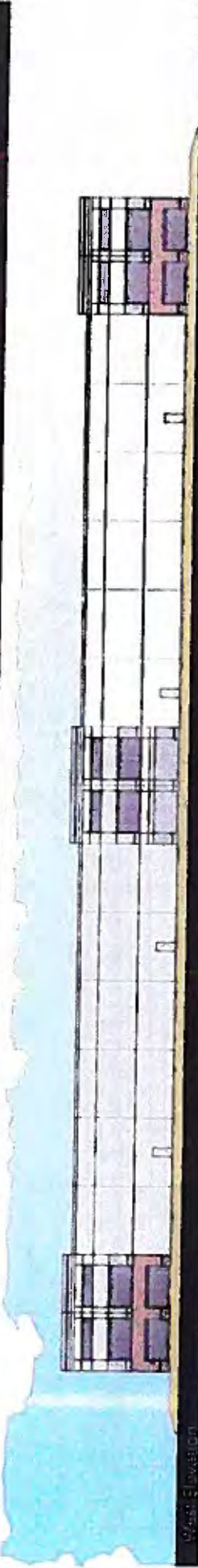
COLORED ELEVATIONS - BUILDING A

11.05.2015

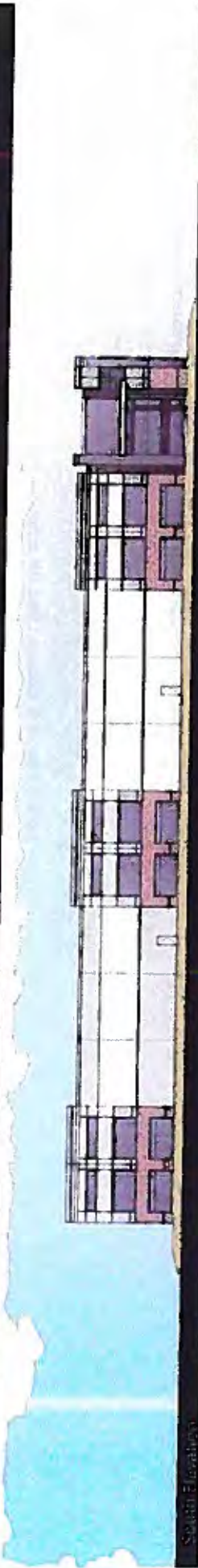




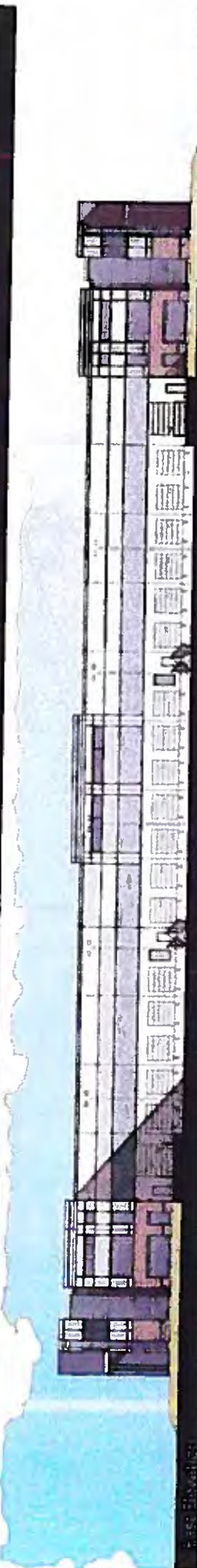
West Elevation



East Elevation



North Elevation



South Elevation



# Optimus Logistics Center II

Perris, California

OPTIMUS  
BUILDING CORP.

Rev No: 03/11/12

COLORED ELEVATIONS - BUILDING 3

11.05.2015



100%  
 100%  
 100%  
 100%

Organics Building  
 Components

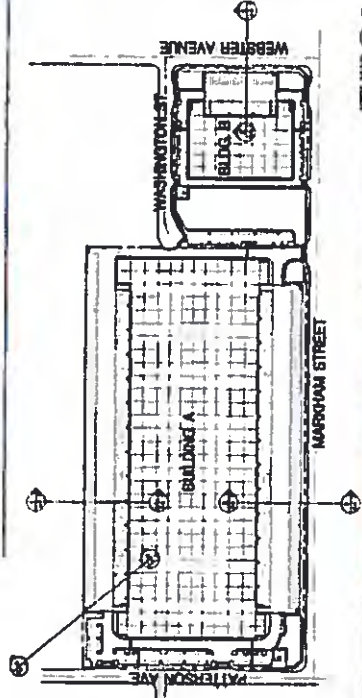
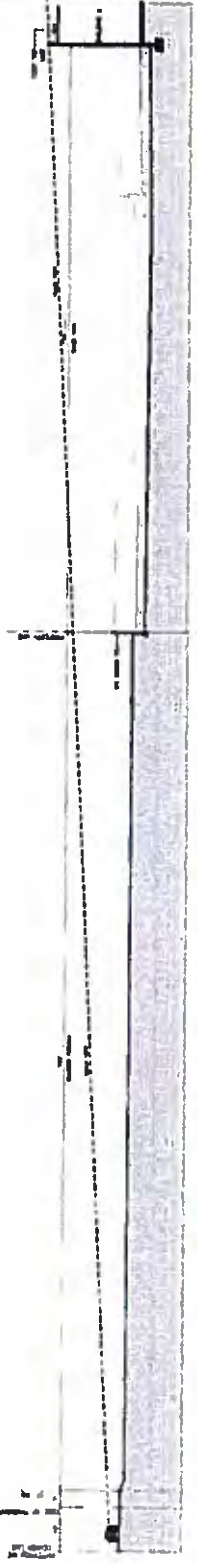
100%  
 100%  
 100%

Project  
 Organics Logistics  
 Center II

Contributor  
 E. J. J.  
 Electrical  
 Mechanical  
 Plumbing  
 Fire Protection  
 Structural  
 HVAC

100%  
 100%  
 100%  
 100%

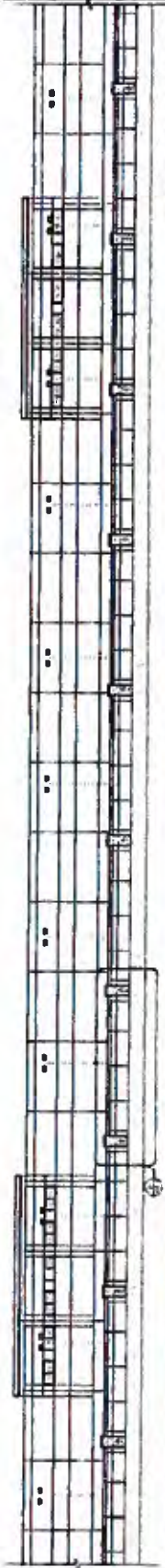
A4.1



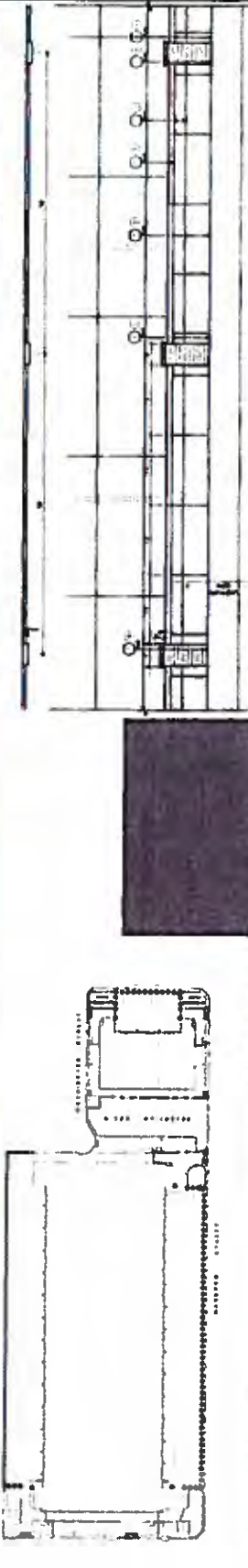
SITE MAP A-E

SCREEN WALL ELEVATION NOTES

- 1. SEE 100% FOR SCREEN WALL TO BE BUILT TO MATCH EXISTING SCREEN WALLS - ELEVATION
- 2. SCREEN WALL TO BE BUILT TO MATCH EXISTING SCREEN WALLS - ELEVATION
- 3. SCREEN WALL TO BE BUILT TO MATCH EXISTING SCREEN WALLS - ELEVATION
- 4. SCREEN WALL TO BE BUILT TO MATCH EXISTING SCREEN WALLS - ELEVATION
- 5. SCREEN WALL TO BE BUILT TO MATCH EXISTING SCREEN WALLS - ELEVATION



SITE SECTION WALL ELEVATION



ENLARGED SITE SECTION WALL ELEVATION

SITE WALL MAP



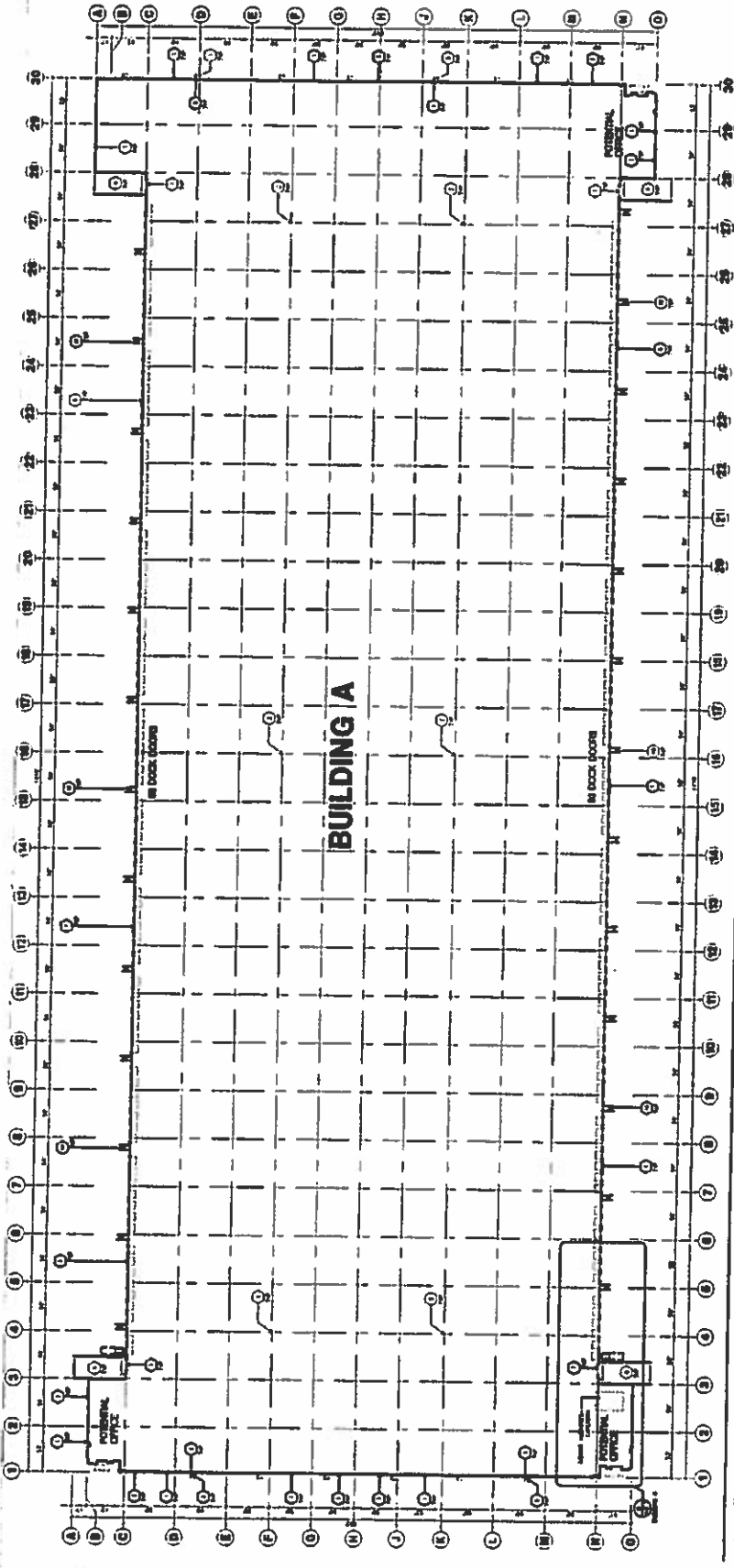


Optimus Building Corporation

Project: Optimus Logistics Center II

Commitment: M.C. ...

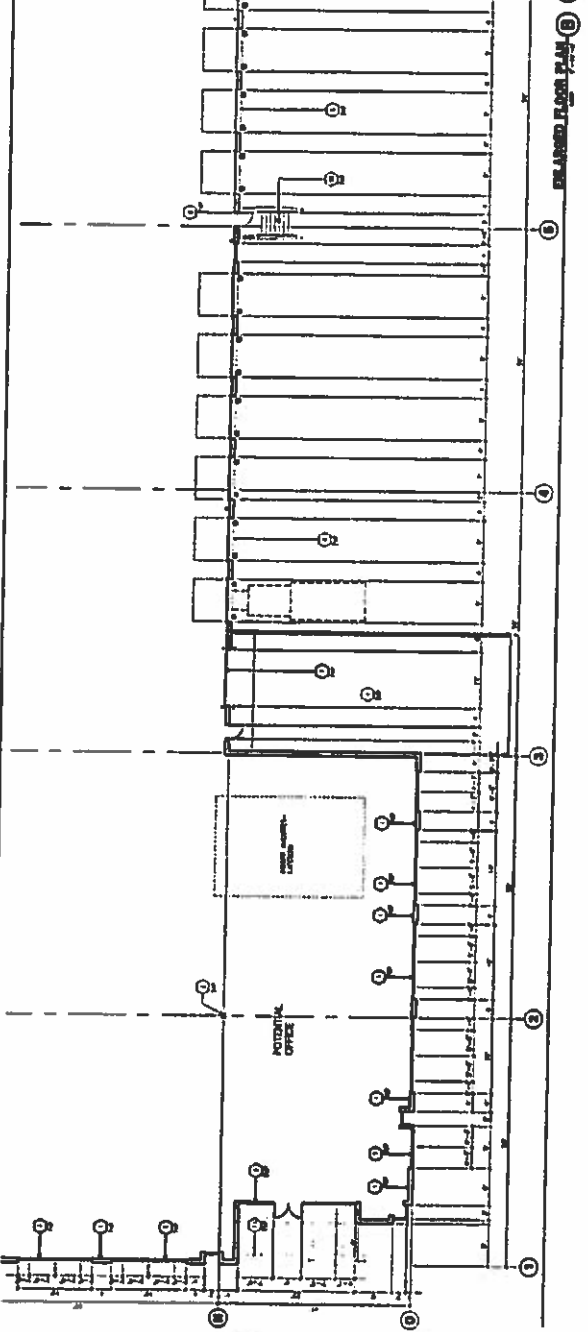
FLORIDA PLAN ... A2.1 BUILDING A




OVERALL FLOOR PLAN (A)

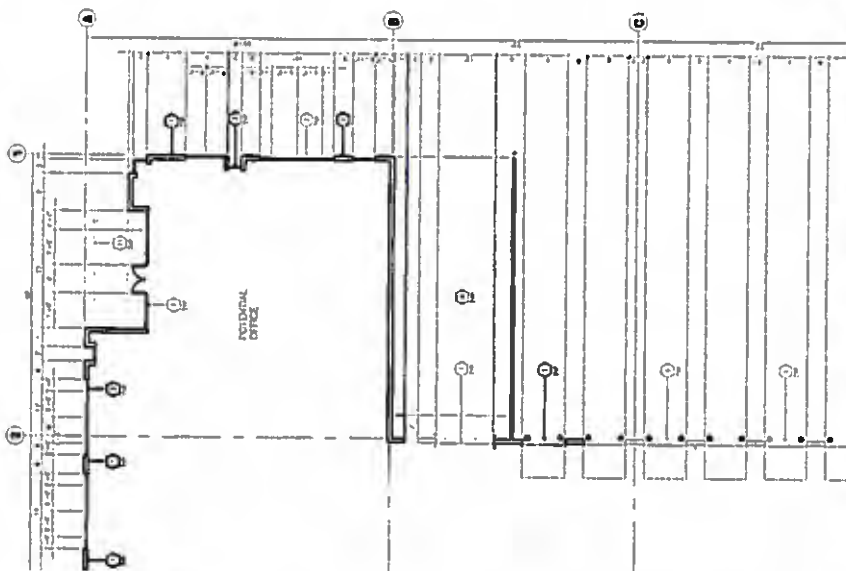
- GENERAL NOTES - FLOOR PLAN
1. THIS BUILDING IS DESIGNED FOR THE ...
2. THE BUILDING SHALL BE ...
3. THE BUILDING SHALL BE ...
4. THE BUILDING SHALL BE ...
5. THE BUILDING SHALL BE ...
6. THE BUILDING SHALL BE ...
7. THE BUILDING SHALL BE ...

- KEYNOTES - FLOOR PLAN
1. STRUCTURAL STEEL BEAMS ...
2. STRUCTURAL STEEL BEAMS ...
3. STRUCTURAL STEEL BEAMS ...
4. STRUCTURAL STEEL BEAMS ...
5. STRUCTURAL STEEL BEAMS ...
6. STRUCTURAL STEEL BEAMS ...
7. STRUCTURAL STEEL BEAMS ...



DETAILED FLOOR PLAN (B)

 <p> <b>HIPAA</b>          Health Insurance Portability and Accountability Act of 1996          45 CFR 164.504(a)(1)(ii)          45 CFR 164.506(a)          45 CFR 164.512(d)          45 CFR 164.514       </p>	<p> <b>Optimum Building Corporation</b>          1000 East Main Street          Suite 100, Tampa, FL 33602          813 271-1111       </p>	<p> <b>Project</b>  <b>Optimum Logistics Center II</b> </p>	<p> <b>Contractor</b>  <b>ALC</b>          1000 East Main Street          Suite 100, Tampa, FL 33602          813 271-1111       </p>
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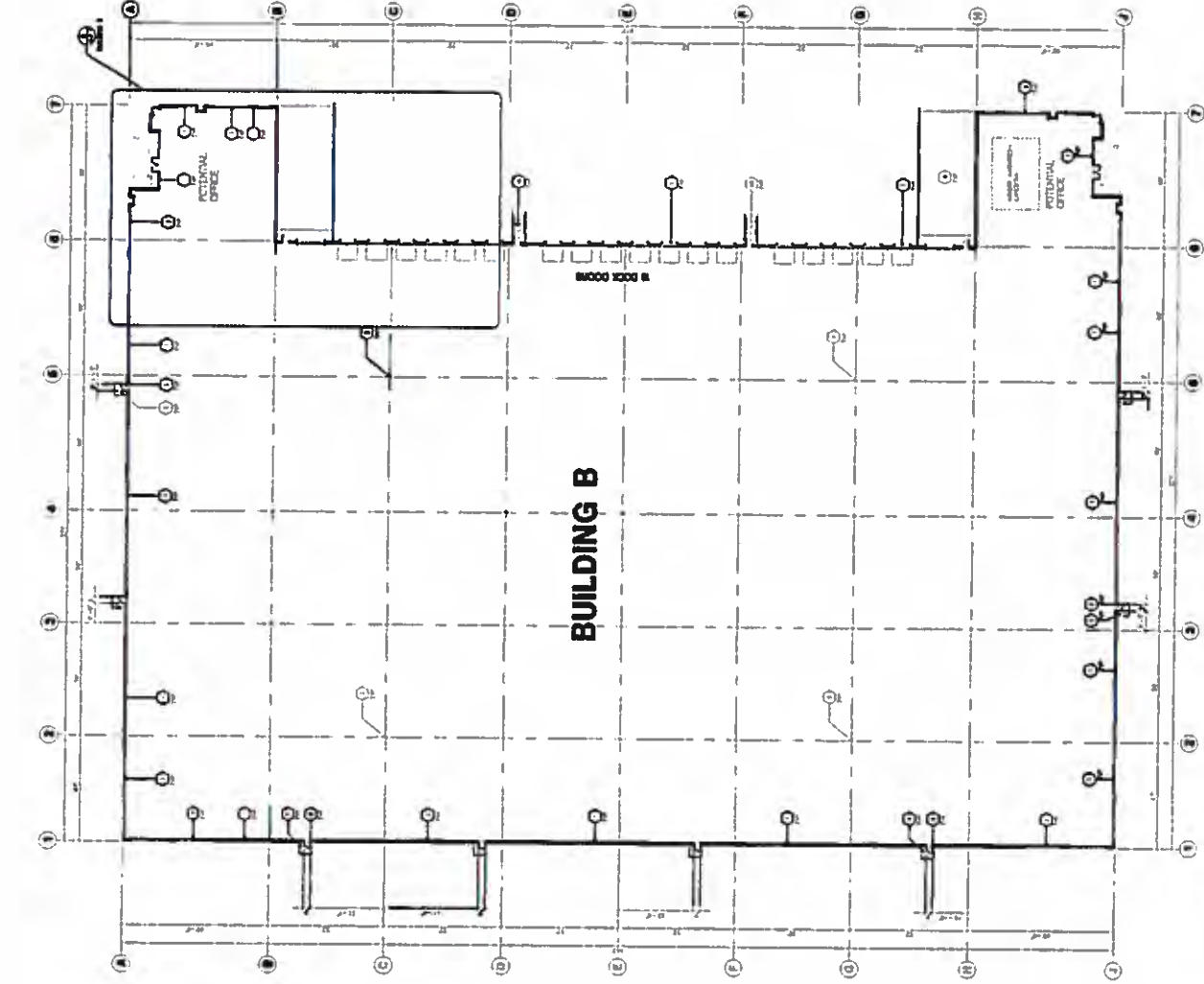
**POTENTIAL FLOOR PLAN (A)**

**GENERAL NOTES - FLOOR PLAN**

1. THE BUILDING IS DESIGNED FOR 100 PSF LIVE LOAD EXCEPT WHERE NOTED OTHERWISE.
2. THE FLOOR FINISH SHALL BE APPROX 1/2" THICK POLISHED CONCRETE.
3. THE FLOOR SHALL BE FINISHED WITH 1/2" THICK POLISHED CONCRETE.
4. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
7. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
8. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
9. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
10. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
11. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
12. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.

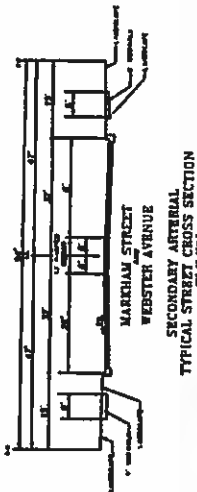
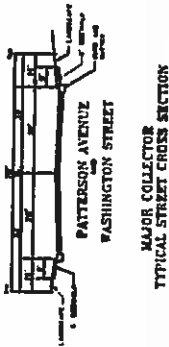
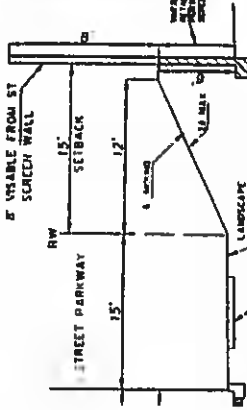
**REMARKS - FLOOR PLAN**

1. CONDUCT 15'-0" TEST.
2. STRUCTURAL STEEL COLUMN.
3. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
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9. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.
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12. ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, PARTIAL OR COMPLETE TO OTHER ROOMS, UNLESS NOTED OTHERWISE.



**BUILDING B FLOOR PLAN (A)**

# OPTIMUS LOGISTICS CENTER II PRELIMINARY GRADING PLAN



**EASMENTS**

1. THE EASMENTS SHOWN ON THIS PLAN ARE BASED ON THE ASSUMPTION THAT THE PROPERTY IS OWNED BY THE STATE OF CALIFORNIA AND THAT THE EASMENTS ARE NECESSARY FOR THE PROPOSED PROJECT. THE EASMENTS ARE SUBJECT TO THE RIGHTS OF THE STATE OF CALIFORNIA AND ITS AGENCIES AND TO THE RIGHTS OF THE PUBLIC.

2. AN EASEMENT IN FAVOR OF CALIFORNIA SHALL BE GRANTED TO THE STATE OF CALIFORNIA FOR THE PROPOSED PROJECT. THE EASEMENT SHALL BE SUBJECT TO THE RIGHTS OF THE STATE OF CALIFORNIA AND ITS AGENCIES AND TO THE RIGHTS OF THE PUBLIC.

3. AN EASEMENT IN FAVOR OF CALIFORNIA SHALL BE GRANTED TO THE STATE OF CALIFORNIA FOR THE PROPOSED PROJECT. THE EASEMENT SHALL BE SUBJECT TO THE RIGHTS OF THE STATE OF CALIFORNIA AND ITS AGENCIES AND TO THE RIGHTS OF THE PUBLIC.

4. AN EASEMENT IN FAVOR OF CALIFORNIA SHALL BE GRANTED TO THE STATE OF CALIFORNIA FOR THE PROPOSED PROJECT. THE EASEMENT SHALL BE SUBJECT TO THE RIGHTS OF THE STATE OF CALIFORNIA AND ITS AGENCIES AND TO THE RIGHTS OF THE PUBLIC.

**TOPOGRAPHY SOURCE**  
AERIAL, OCTOBER 2013

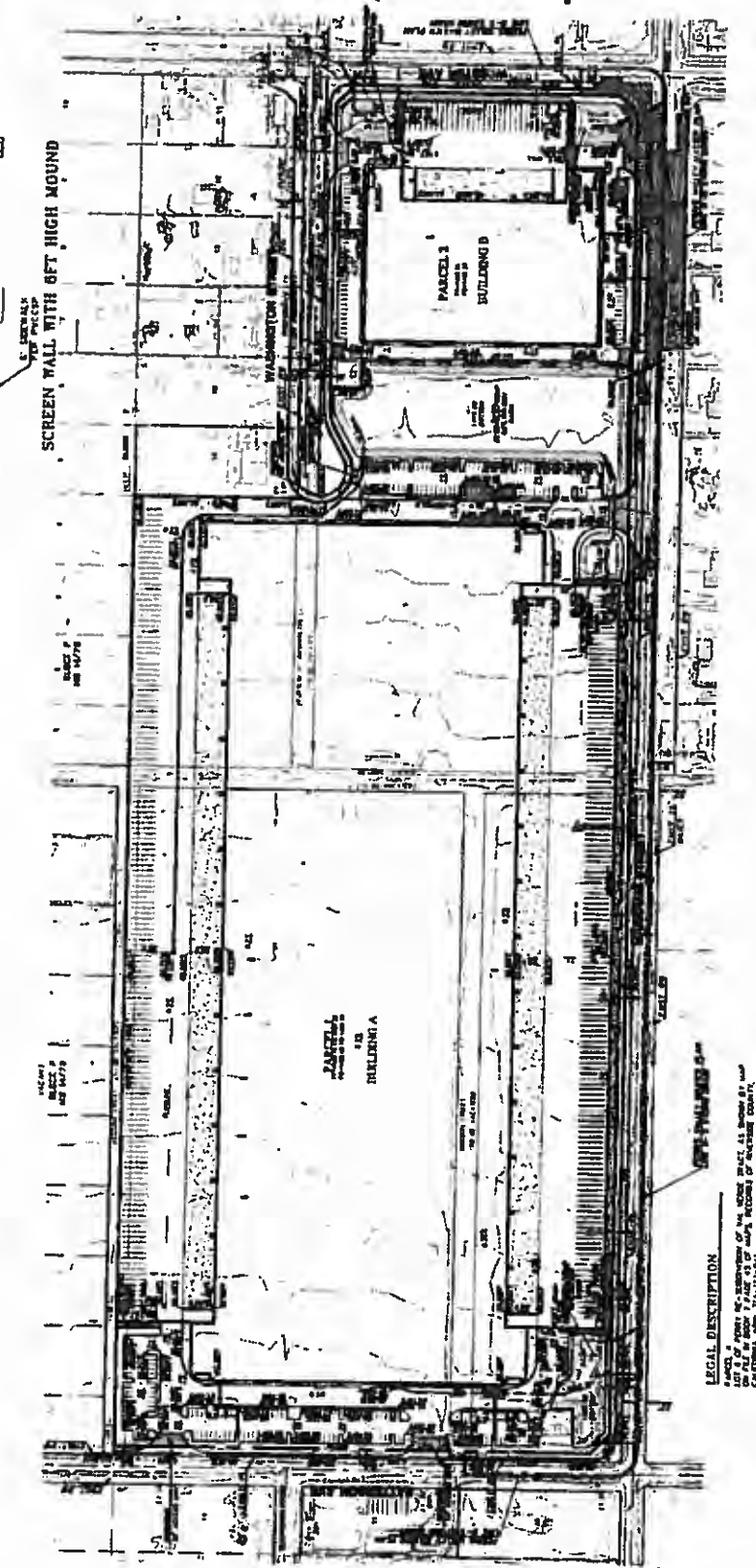
**EARTHWORK**  
TOTAL: 10,000 CY  
CUT: 5,000 CY  
FILL: 5,000 CY

**APPLICANT**  
OPTIMUS LOGISTICS CENTER II  
TENTATIVE PARCEL MAP 388778  
PRELIMINARY GRADING PLAN

**ENGINEER**  
MTC CIVIL ENGINEERING  
1000 S. GARDEN ST., SUITE 100  
ANAHEIM, CA 92805  
(714) 944-1000

**DATE**  
OCTOBER 2013

**SCALE**  
1" = 40'



**LEGAL DESCRIPTION**

PARCEL 1: 1/2 AC. OF LAND, MORE OR LESS, BEING ALL THAT PART OF THE 1/4 SECTION 28, T4N, R11E, S4W, CALIFORNIA COUNTY, AS SHOWN ON MAP 388778, PRELIMINARY GRADING PLAN, A 1/2 AC. PARCEL 1 AND PARCEL 2.

PARCEL 2: 1/2 AC. OF LAND, MORE OR LESS, BEING ALL THAT PART OF THE 1/4 SECTION 28, T4N, R11E, S4W, CALIFORNIA COUNTY, AS SHOWN ON MAP 388778, PRELIMINARY GRADING PLAN, A 1/2 AC. PARCEL 1 AND PARCEL 2.

PARCEL 3: 1/2 AC. OF LAND, MORE OR LESS, BEING ALL THAT PART OF THE 1/4 SECTION 28, T4N, R11E, S4W, CALIFORNIA COUNTY, AS SHOWN ON MAP 388778, PRELIMINARY GRADING PLAN, A 1/2 AC. PARCEL 1 AND PARCEL 2.

DATE	OCTOBER 2013
SCALE	1" = 40'
PROJECT	OPTIMUS LOGISTICS CENTER II
CLIENT	OPTIMUS LOGISTICS CENTER II
ENGINEER	MTC CIVIL ENGINEERING
APPLICANT	OPTIMUS LOGISTICS CENTER II
PROJECT NO.	388778
DATE	OCTOBER 2013

**OPTIMUS LOGISTICS CENTER II  
TENTATIVE PARCEL MAP 388778  
PRELIMINARY GRADING PLAN**

PREPARED FOR: OCTOBER 2013

SCALE: 1" = 40'

# OPTIMUS LOGISTIC CENTER II TENTATIVE PARCEL MAP 36678



VICINITY MAP

**EXHIBIT NOTES**

1. THIS PARCEL MAP IS PREPARED IN ACCORDANCE WITH THE PROVISIONS OF THE SUBDIVISION MAP ACT, CHAPTER 439, CIVIL CODE, CALIFORNIA, AND THE LOCAL ORDINANCES OF THE CITY OF SAN JOSE, CALIFORNIA, AND THE LOCAL ORDINANCES OF THE COUNTY OF SANTA CLARA, CALIFORNIA.

2. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

3. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

4. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

5. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

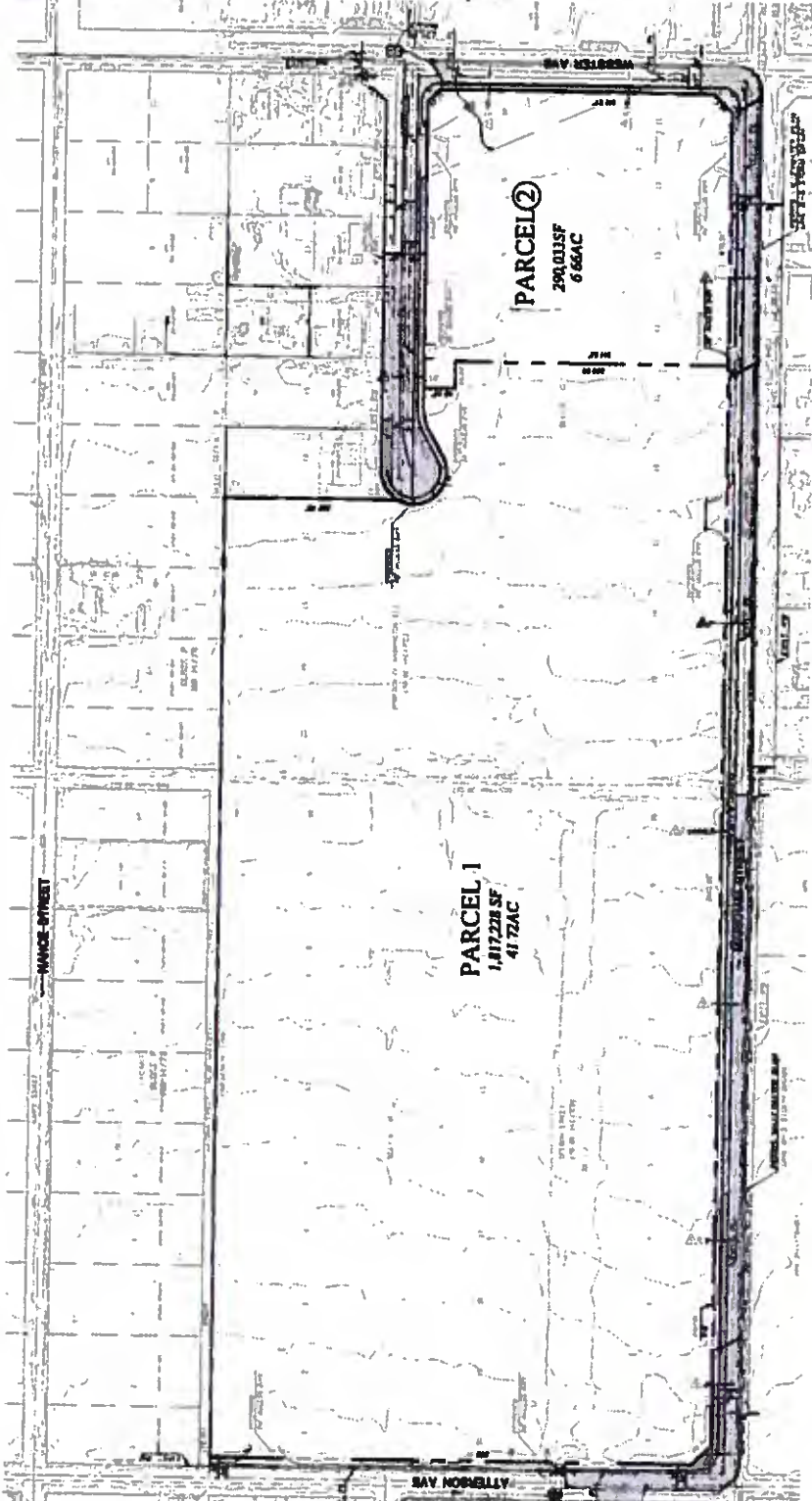
6. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

7. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

8. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

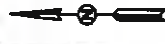
9. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.

10. THE PARCEL MAP IS PREPARED FOR THE PURPOSE OF SHOWING THE PROPOSED SUBDIVISION OF THE LAND DESCRIBED IN THE LEGAL DESCRIPTION HEREON INTO THE PARCELS SHOWN ON THIS PARCEL MAP.



**PARCEL 2**  
294,033 SF  
666AC

**PARCEL 1**  
1,817,238 SF  
41 ZAC



**LEGAL DESCRIPTION**  
PART OF THE SUBDIVISION OF THE EIGHT (8) ACRES, 41 ZONING DISTRICT, SAN JOSE, CALIFORNIA, AS SHOWN ON THE SUBDIVISION MAP OF SALES NO. 214-11-041, MAPS RECORDS OF SAN JOSE COUNTY, CALIFORNIA.

PART OF THE SUBDIVISION OF THE EIGHT (8) ACRES, 41 ZONING DISTRICT, SAN JOSE, CALIFORNIA, AS SHOWN ON THE SUBDIVISION MAP OF SALES NO. 214-11-041, MAPS RECORDS OF SAN JOSE COUNTY, CALIFORNIA.

PART OF THE SUBDIVISION OF THE EIGHT (8) ACRES, 41 ZONING DISTRICT, SAN JOSE, CALIFORNIA, AS SHOWN ON THE SUBDIVISION MAP OF SALES NO. 214-11-041, MAPS RECORDS OF SAN JOSE COUNTY, CALIFORNIA.

**SCHOOL DISTRICT**  
SCHOOL DISTRICT 1

**EXISTING/PROPOSED LAND USE**  
EXISTING: INDUSTRIAL  
PROPOSED: INDUSTRIAL

**EXISTING/PROPOSED ZONING**  
EXISTING: I-1  
PROPOSED: I-1

**TOPOGRAPHY SOURCE**  
AERIAL PHOTOGRAPHY

**GENERAL PLAN DESIGNATION**  
GENERAL PLAN DESIGNATION 1

**ASSESSOR'S PARCEL NUMBERS**  
ASSESSOR'S PARCEL NUMBER 1

**UTILITY PURVEYORS**  
SUNBELT ENERGY SERVICES, INC.  
SUNBELT ENERGY SERVICES, INC.  
SUNBELT ENERGY SERVICES, INC.

**PARCEL SUMMARY**  
TOTAL ACRES: 0.0077  
TOTAL SQUARE FEET: 2,111,271

**APPLICANT**  
OPTIMUS LOGISTIC CENTER II  
1000 LINDSEY AVENUE, SUITE 100  
SAN JOSE, CALIFORNIA 95128

**ENGINEER**  
F.L.C. ENGINEERING, INC.  
1000 LINDSEY AVENUE, SUITE 100  
SAN JOSE, CALIFORNIA 95128

**OPTIMUS LOGISTIC CENTER II  
TENTATIVE PARCEL MAP 36678**

DATE	DESCRIPTION
11/11/2011	PRELIMINARY PARCEL MAP
11/11/2011	FINAL PARCEL MAP

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
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<b>4.1 Aesthetics</b>  A new source of substantial light or glare which would adversely affect daytime or nighttime views in the area	<b>Additional Project-Level Mitigation Measures</b>  <b>AE 4.1A</b> Prior to the issuance of grading permits, the project applicant shall provide evidence to the City that construction staging areas are located in the northern and western portions of the project site. In addition, any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.	Prior to issuance of a grading permit  Periodic site inspections during construction	Review and approval of Contractor Specifications	City of Perris Development Services Department Building Division	
<b>4.3 Air Quality</b>  Violate any ambient air quality standards or contribute substantially to an existing air quality violation.  Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment area under an applicable federal or state ambient air quality standard.	<b>Applicable Construction PVCC Specific Plan Mitigation Measures</b>  <b>MM Air 2</b> 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 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.  <b>MM Air 3</b> 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: <ul style="list-style-type: none"> <li>• Requiring the application of non-toxic soil</li> </ul>	Prior to issuance of a grading permit	Approval of required traffic control plan	City of Perris Engineering Administration Division	
		Prior to issuance of a grading permit	Submittal of dust control plan approved by the SCAQMD or other sufficient proof of compliance with Rule 403	City of Perris Planning Division and Engineering Division	



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	<p>stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain).</p> <ul style="list-style-type: none"> <li>• Keeping disturbed/loose soil moist at all times.</li> <li>• Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered.</li> <li>• Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip.</li> <li>• Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site.</li> <li>• Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour.</li> <li>• Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.</li> <li>• Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials.</li> <li>• Replacement of ground cover in disturbed areas as quickly as possible.</li> </ul>				
	<p><b>MM Air 4</b> Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.</p>	<p>Prior to issuance of building and grading permits</p>	<p>Confirmation that building and grading permits include required</p>	<p>City of Perris Development Services Department</p>	



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	<p><b>MM Air 5</b> 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 the City of Perris' Building Division prior to issuance of grading permits.</p> <p><b>MM Air 6</b> The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road 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 USEPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuritVOx unless it is unavailable in Riverside County at the time of project construction activities. Contract construction documents, which shall be reviewed by the City of Perris' Building Division prior to issuance of a grading permit.</p> <p><b>MM Air 7</b> 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.</p> <p><b>MM Air 9</b> To reduce VOC emissions associated with architectural coating, the project designer and</p>	<p>Prior to issuance of a grading permit</p> <p>Prior to issuance of a grading permit</p> <p>Prior to issuance of a grading permit and during construction</p> <p>Prior to the issuance of building permits</p>	<p>restiction</p> <p>Confirmation that this requirement is included in Contractor Specifications</p> <p>Confirmation that these requirements are included in Contractor Specifications and project construction documents</p> <p>Confirmation that this requirement is included in Contractor Specifications</p> <p>Periodic review of equipment maintenance records and equipment design</p> <p>Confirmation that this</p>	<p>Building Division</p> <p>City of Perris Building Division</p> <p>City of Perris Development Services Department Building Division</p> <p>City of Perris Development Services Department Building Division</p> <p>City of Perris Development</p>	

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	<p>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 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.</p>		<p>requirement is included in Contractor Specifications</p>	<p>Services Department Building Division</p>	
	<p><b>Additional Construction Project-Level Mitigation Measures</b></p>				
	<p><b>AQ 4.3A</b> The Project developer shall require that the site preparation and grading contractors limit the daily disturbed area to 5 acres or less.</p>	<p>Prior to issuance of a grading permit</p>	<p>Confirmation that these requirements are included in Contractor Specifications</p>	<p>City of Perris Development Services Department Building Division</p>	
	<p><b>AQ 4.3B</b> The proposed Project developer and its contractors shall ensure that, during construction, construction when vehicles are not in use and contractors shall prohibit idling of vehicles for longer than five minutes.</p>	<p>Prior to issuance of a grading permit</p>	<p>Confirmation that these requirements are included in Contractor Specifications</p>	<p>City of Perris Development Services Department Building Division</p>	
	<p><b>AQ 4.3C</b> The proposed Project developer and its contractors shall ensure that, during construction, no diesel-powered generators shall be used to the extent feasible.</p>	<p>Prior to issuance of a grading permit</p>	<p>Confirmation that these requirements are included in Contractor Specifications</p>	<p>City of Perris Development Services Department Building Division</p>	
	<p><b>AQ 4.3D</b> The proposed Project's warehouse</p>	<p>Prior to issuance of a grading permit</p>	<p>Confirmation</p>	<p>City of Perris</p>	

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	structures shall utilize pre-coated/natural-colored building materials to reduce emissions from applying architectural coatings.		that these requirements are included in Contractor Specifications	Development Services Building Division	
	<b>Applicable Operational PVCC Specific Plan Mitigation Measures</b>				
	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 Development Services Building Division	
	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 Development Services Building Division	
	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	Prior to issuance of occupancy permits and annually thereafter	Confirmation that tenants have been provided with required information	City of Perris Development Services Department Planning Division	

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	<p>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/retoolit 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 (<a href="http://www.aqmd.gov">http://www.aqmd.gov</a>). Tenants would be required to use those funds, if awarded.</p> <p>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.</p>	<p>Prior to issuance of certificate of occupancy and periodically after development</p>	<p>Confirmation that designated parking spaces for high-occupancy vehicles and vans are included in building plans and verified during a site visit</p>	<p>City of Perris Development Services Department Building Division</p>		
	<p>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</p>				<p>Mitigation measure completed with preparation of the Draft EIR</p>	

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	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.				
	MM Air 19 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	Prior to the issuance of building permits	Submission of energy-efficient street lighting plans	City of Perris Development Services Building Division	
	MM Air 20 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.	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Building Division	
	<b>Additional Operational Project-Level Mitigation Measures</b>				
	AQ 4.3.E Either High-Volume, Low-Pressure (HVLFP) spraying equipment or manual application techniques shall be used to reapply architectural coatings. Paints shall have a VOC content no higher than 10 g/L.	Prior to the issuance of occupancy permits and annually thereafter	Confirmation that tenants have been provided with required information	City of Perris Development Services Building Division	
	AQ 4.3.F The facility operator shall require by lease agreements that any future building tenants shall utilize only electric yard trucks and forklifts.	Prior to issuance of occupancy permits and annually thereafter	Confirmation that this requirement is included lease agreements	City of Perris Development Services Planning Division	
	AQ 4.3.G The Project applicant shall require that any future tenants institute a ride sharing/ van pool program that is open to all employees.	Prior to issuance of occupancy permits and annually thereafter	Confirmation that this requirement is included lease agreements	City of Perris Development Services Planning Division	
	AQ 4.3.H Prior to issuance of a building permit, the Project proponent shall provide the City with project	Prior to the issuance of building permits	Confirmation that building	City of Perris Development	



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	<p>specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required. In addition, the Project will incorporate 2 electric vehicle charging stations for light-duty vehicles. Electrical lines shall be designed and sized to add additional charging stations when a demand is demonstrated.</p> <p>AQ 4.3.I Prior to the issuance of building permits, the Project proponent shall provide evidence that loading docks are designed to be compatible with SmartWay trucks.</p>		plans include the required design features	Services Department Planning Division	
	<p>AQ 4.3.J Upon occupancy, the facility operator shall require tenants that do not already operate 2010 and newer trucks to apply in good faith for funding to replace/retrofit their trucks, such as Carl Moyer, VIP, Prop 1B, SmartWay Finance, or other similar funds. If awarded, the tenant shall be required to accept and use the funding. Tenants shall be encouraged to consider the use of alternative fuelled trucks as well as new or retrofitted diesel trucks. Tenants shall also be encouraged to become SmartWay Partners, if eligible. This measure shall not apply to trucks that are not owned or operated by the facility operator or facility tenants since it would be infeasible to prohibit access to the site by any truck that is otherwise legal to operate on California roads and highways. The facility operator shall provide an annual report to the City of Perris Development Services Department. The report shall: one, list each engine design; two, describe the effort made by each tenant to obtain funding to upgrade their fleet and the results of that</p>	<p>Prior to issuance of building permits</p> <p>Prior to issuance of occupancy permits and annual reports</p>	<p>Confirmation that building plans include the required design features</p> <p>Confirmation that tenants have been provided with information regarding funding for cleaner than required heavy-duty engines and emission control devices</p> <p>Confirmation that annual reports are submitted</p>	<p>City of Perris Development Services Department Planning Division</p> <p>City of Perris Development Services Department Planning and Building Divisions</p>	

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	<p>effort; and three, describe the change in each fleet composition from the prior year.</p>					
	<p><b>AQ 4.3.K</b> Upon occupancy and annually thereafter, the facility operator shall provide information to all tenants, with instructions that the information shall be provided to employees and truck drivers as appropriate, regarding:</p> <ul style="list-style-type: none"> <li>• Building energy efficiency, solid waste reduction, recycling, and water conservation.</li> <li>• Vehicle GHG emissions, electric vehicle charging availability, and alternate transportation opportunities for commuting.</li> <li>• Participation in the Voluntary Interindustry Commerce Solutions (VICS) "Empty Miles" program to improve goods trucking efficiencies.</li> <li>• Health effects of diesel particulates, State regulations limiting truck idling time, and the benefits of minimized idling.</li> <li>• The importance of minimizing traffic, noise, and air pollutant impacts to residences on Markham Street and Webster Avenue.</li> </ul>	<p>Prior to issuance of occupancy permits and annual reports</p>	<p>Confirmation that tenants have been provided with required information</p>	<p>City of Peris Development Services Department Planning Division</p>		
	<p><b>AQ 4.3.L</b> Prior to issuance of an occupancy permit, the project proponent shall install a sign the east side of the property with telephone, email, and regular mail contact information for a designated representative of the tenant who would receive complaints about excessive noise, dust, fumes, or odors. The sign shall also identify contact data for the City for perceived Code violations. The tenant's representative shall keep records of any complaints received and actions taken to communicate with the complainant and resolve the complaint. The tenant's representative shall endeavor to resolve reasonable complaints within 24 hours.</p>	<p>Prior to issuance of occupancy permits</p>	<p>Inspection to confirm sign has been installed</p>	<p>City of Peris Development Services Department Planning Division and City Engineer</p>		

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	<p><b>AQ 4.3.M</b> Prior to the issuance of building permits, the Project proponent shall submit lighting plans to the City of Perris Building Division demonstrating that outdoor lighting is limited to levels needed for safety and security.</p>	Prior to issuance of building permits	Submission of site lighting plans	City of Perris Development Services Department Planning Division	
<p><b>4.4 Biological Resources</b></p> <p>Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native or resident migratory wildlife corridors, or impede the use of native wildlife nursery sites.</p>	<p><b>Additional Project-Level Mitigation Measures</b></p> <p><b>B 4.4A</b> 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:</p> <p>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 vegetation clearing. The migratory nesting bird survey 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.</p> <p>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</p>	<p>Mitigation measure required only between February 1 and September 15</p> <p>No more than 30 days prior to the issuance of a grading permit</p>	Pre-activity field survey report provided to City of Perris	City of Perris Development Services Department Planning Division	

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<b>4.5 Cultural Resources</b>	<p>be field checked weekly by a qualified 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.<sup>1</sup></p> <p><b>Additional Project-Level Mitigation Measures</b></p>				
<p>Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.</p>	<p><b>CUL 4.5A</b> The Project developer shall retain a professional archaeologist<sup>1</sup> prior to the issuance of grading permits. The task of the archaeologist shall be to monitor the initial ground-altering activities<sup>2</sup> 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.</p> <p>The archaeological monitor shall be responsible for maintaining daily field notes and a photographic record, and for reporting all finds to the developer</p>	<p>Prior to issuance of a grading permit and during subsurface excavation</p>	<p>Confirmation of professional archaeologist retention/ongoing monitoring/submittal of Report of Findings and discovered resources, if applicable</p>	<p>City of Perris Development Services Department Planning Division</p>	

<sup>1</sup> For 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.

<sup>2</sup> For 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.

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	<p>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.</p> <p>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 Pechanga Band of Luiseño Indians and the Soboba Band of Luiseño Indians. A designated Native American observer from either the Pechanga Band of Luiseño Indians or the Soboba Band of Luiseño Indians 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 cannot be avoided or relocated at the Project site shall be prepared in a manner for</p>				



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	<p>curation and the archaeological consultant shall deliver the materials to a federally accredited curation facility such as University of California, Riverside Archaeological Research Unit (UCR-ARU), the Western Center for Archaeology and Paleontology, or the Pechanga Cultural Resources Department within a reasonable amount of time.</p> <p>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.</p> <p>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 Division.</p> <p>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 development have been 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 Luiseno Indians and the Soboba Band of Luiseno Indians.</p> <p><b>CUL 4.5B</b> 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).</p>				
		Prior to the issuance of a grading permit	Confirmation of professional paleontologist retention	City of Perris Development Services Department	

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	<p>The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained 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 approval of the City of Perris Director of Development Services and no grading activities shall occur at the site until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older alluvium, which might be present below the surface. The approved 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.</p> <p>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.</p> <p>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, would signify completion of the program to mitigate impacts to paleontological resources.</p>		<p>Submittal of letter documenting procedures for periodic monitoring</p>	<p>Planning Division</p>	

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Result in any disturbance of human remains, including those interred outside of formal cemeteries.	<p>CUL 4.5.C 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).</p> <p>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 Descendant" (MLD).<sup>3</sup> 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 disagreement regarding the disposition of the</p>	During construction activities	Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable	City of Perris Development Services Department Planning Division	Initials Date Remarks

<sup>3</sup> The "Most Likely Descendant" (MLD) is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code, Section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials      Date      Remarks
	<p>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).</p> <p>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).</p> <p>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.</p> <p>Coordination with the Coroner's Office would be through the City of Perris and in consultation with the various stakeholders.</p>				
<b>4.6 Geology and Soils</b> Result in substantial soil erosion or the loss of topsoil.	<p><b>Additional Project-Level Mitigation Measures</b></p> <p><b>GEO 4.6A</b> Prior to the issuance of grading permits, the Project Proponent shall demonstrate to the City that the siting, design and construction of all structures and facilities within the project limits are in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code. These California Building Codes are specifically designed to ensure structural safety in the event of a seismic event.</p>	Prior to issuance of a building permit	Submission of plans prepared in accordance with the recommendation s provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code	City of Perris Development Services Department Building Division	

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on-site or off-site landslides, lateral spreading, subsidence, liquefaction, or collaps.	GEO 4.6A, above	Prior to issuance of a building permit	Submission of plans prepared in accordance with the recommendations provided in the site-specific Final Geotechnical Investigation and regulations established in the California Building Code	City of Perris Development Services Department Building Division		
<b>4.7 Greenhouse Gas</b> Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<b>Additional Project-Level Mitigation Measures</b> <b>GHG 4.7A</b> The project applicant shall require that all building structures meet Green Building Code Standards (CalGreen) and that all project buildings shall be designed to exceed 2008 Title 24 requirements by thirty percent (30%) or exceed current (2013) Title 24 standards by five percent (5%) (meets PVCCSP EIR MM Air 20). <b>GHG 4.7B</b> The project applicant shall require that any future tenants institute a ride sharing program and employee vanpool/shuttle that is open to all employees (same as AQ 4.3ML).	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division		
	<b>GHG 4.7C</b> The project applicant shall encourage all future tenants to institute recycling programs that reduces waste to landfills by a minimum of 50 percent and includes designated recycling bins at each proposed structure and requires all green waste to be processed at a recycling or composting facility. <b>GHG 4.7D</b> The project applicant shall require that at least 209 new trees are planted on site.	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division		
		Prior to issuance of building permits	Submission of a pedestrian network and provide traffic calming plans with building plans Submission of a landscape plan showing at least 209 new trees.	City of Perris Development Services Department Building Division City of Perris Development Services Department Building Division		



Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
		Prior to the issuance of occupancy permits	A inspection shall be conducted prior to occupancy permits are issued to ensure that at least 209 new trees are planted on site	Planning Division		
	<b>GHG 4.7E</b> The project shall incorporate a water conservation strategy of 25% or higher (meets PVCCSP EIR MM Air 20).	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department Building Division		
<b>4.8 Hazardous Materials</b> 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, result in a safety hazard for people residing or working in the project area.	<b>Additional Project-Level Mitigation Measures</b> <b>HH 4.8A</b> Prior to the issuance of building permits for the project, the project proponent shall provide evidence to the City through submittal of a lighting plan that any outdoor lighting shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible. <b>HH 4.8B</b> Prior to the issuance of building permits for the project, the project proponent shall provide evidence to the City through submittal and agreement of additional conditions of approval that the following uses shall be prohibited on site.	Prior to issuance of building permits	Submission of lighting plans demonstrating that lights are hooded or shielded to prevent either the spillage of lumens or reflection into the sky and that all outdoor lighting is downward facing as much as feasible	City of Perris Development Services Department Building Division		
		Prior to issuance of building permits	Submission of evidence that uses listed are prohibited in site	City of Perris Development Services Department Planning		

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
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	<p>a. 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.</p> <p>b. Any use which would cause sunlight to be reflected 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.</p> <p>c. 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. (Such uses include landscaping utilizing water features, aquaculture, production of grain, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)</p> <p>d. Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.</p> <p>e. Children's schools, day care centers, libraries, hospitals, congregate care facilities, hotels/motels, restaurants, places of assembly (including churches and theaters), noise sensitive outdoor nonresidential uses, and hazards to flight.</p>				
	<p>HH 4.8C Prior to recordation of a final map, the</p>	Prior to recordation of	Submission of	City of Perris	

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
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	issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act for the project site, whichever occurs first, the landowner of the project site shall convey an avigation easement to the MARB/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded.	a final map, the issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act for the project site, whichever occurs first	evidence of conveyance of an avigation easement to the MARB/MIP Airport or provide documentation to the City of Perris and the Airport Land Use Commission that such conveyance has previously been recorded	Development Services Department Planning Division		
	HH 4.8D Prior to the transfer of any real property or the finalization of a lease agreement for property associated with the project, the transferor (or lessor) shall provide to the transferee (or lessee), notification required by Condition 4 of the Riverside County Airport Land Use Commission's consistency determination.	Prior to transfer of any real property or the finalization of a lease agreement for property associated with the project	Submission of evidence of the transferor (or lessor) shall provide to the transferee (or lessee), notification required by Condition 4 of the Riverside County Airport Land Use Commission's consistency determination	City of Perris Development Services Department Planning Division		
	HH 4.8E Prior to issuance of building permits for the project, the applicant shall submit a Notice of Proposed Construction of Alteration (Form 7460-1) to the Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,542.5 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA. Copies of the FAA	Prior to issuance of building permits	Submission of evidence of submittal of a Notice of Proposed Construction of Alteration (Form 7460-1) to the	City of Perris Development Services Department Planning Division and RCALUC		

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	<p>determination shall be provided to the City of Perris Planning Department and the Riverside County Airport Land Use Commission.</p>		<p>Federal Aviation Administration (FAA) for each building with an elevation at top point exceeding 1,542 feet AMSL and shall have received a determination of "No Hazard to Air Navigation" from the FAA</p>			
	<p>HH 4.8F Prior to the issuance of occupancy permits for the project, the project proponent shall provide evidence to the City that vegetation proposed for in and around the proposed detention/retention basins does not provide food or cover for bird species that would be incompatible with airport operations.</p>	<p>Prior to the issuance of occupancy permits</p>	<p>Provide evidence to the City that vegetation proposed for in and around the proposed detention/retention basins does not provide food or cover for bird species</p>	<p>City of Perris Development Services Department Planning Division</p>		
<p><b>4.9 Hydrology and Water Quality</b> Violate any water quality standards or waste discharge requirements.</p>	<p><b>Additional Project-Level Mitigation Measures</b></p> <p>HW 4.9A Prior to grading plan approval and the issuance of a grading permit, the project proponent shall provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities.</p>	<p>Prior to grading plan approval and the issuance of a grading permit</p>	<p>Provide evidence to the City that a Notice of Intent (NOI) has been filed with the Regional Water Quality Control Board for coverage under the State National</p>	<p>City of Perris City Engineer</p>		

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance	
					Initials	Date Remarks
	<p><b>HW 4.9B</b> Prior to grading plan approval and the first issuance of a grading permit by the City, the project proponent shall submit to the City of Perris a Storm Water Pollution Prevention Plan (SWPPP). The SWPPP shall include a surface water control plan and erosion-control plan citing specific measures to control on-site and off-site erosion during the entire grading and construction period. Additionally, the SWPPP shall identify structural and non-structural Best Management Practices (BMPs) to control sediment and nonvisible discharges from the site. BMPs to be implemented in the SWPPP may include (but shall not be limited to) the following:</p> <ul style="list-style-type: none"> <li>• Sediment discharges from the site may be controlled by the following: bags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.</li> <li>• Sediment discharges from the site may be controlled by the following: bags; silt fences; straw wattles and temporary debris basins (if deemed necessary); and other</li> </ul>	<p>Prior to grading plan approval and the first issuance of a grading permit</p>	<p>Pollutant Discharge Elimination System (NPDES) General Construction Permit for discharge of storm water associated with construction activities</p> <p>Submit a Storm Water Pollution Prevention Plan (SWPPP) to the City of Perris</p>	<p>City of Perris City Engineer</p>		



Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials Date Remarks
	<p>discharge control devices. The construction and condition of the BMPs will be periodically inspected during construction, and repairs will be made when necessary as required by the SWPPP.</p> <ul style="list-style-type: none"> <li>• No materials of any kind shall be placed in drainage ways.</li> <li>• Materials that could contribute nonvisible pollutants to storm water must be contained, elevated, and placed in temporary storage containment areas.</li> <li>• All loose piles of soil, silt, clay, debris, and other earthen material shall be protected per RWQCB standards to eliminate any discharge from the site. Stockpiles will be surrounding by silt fences.</li> <li>• The SWPPP will include inspection forms for routine monitoring of the site during the construction phase to ensure NPDES compliance.</li> <li>• Additional BMPs and erosion-control measures will be documented in the SWPPP and utilized if necessary.</li> <li>• The SWPPP will be kept on site for the entire duration of project construction and will also be available to the local RWQCB for inspection at any time.</li> </ul> <p>In the event that it is not feasible to implement the above BMPs, the City of Perris can make a determination that other BMPs will provide equivalent or superior treatment either on or off site.</p> <p><b>HW 4.8C</b> Prior to issuance of grading permits, the project proponent shall provide evidence to the City that the following provisions have been added to construction contracts for the project:</p> <ul style="list-style-type: none"> <li>• The Construction Contractor shall be</li> </ul>	Prior to issuance of grading permits	Confirmation that these requirements are included Contractor	City of Perris City Engineer	

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials      Date      Remarks
	<p>responsible for performing and documenting the application of BMPs identified in the SWPPP. Weekly inspections shall be performed on sediment-control measures called for in the SWPPP. Monthly reports shall be maintained by the Contractor and submitted to the City for inspection. In addition, the Contractor will also be required to maintain an inspection log and have the log on site to be reviewed by the City of Perris and the representatives of the Regional Water Quality Control Board.</p>		Specifications		
	<p><b>HW 4.9D</b> Prior to grading plan approval and issuance of a grading permit by the City, the project proponent shall receive approval from the City of Perris for a Final Water Quality Management Plan (Final WQMP). The Final WQMP shall specifically identify pollution-prevention, site-design, source-control, and treatment-control BMPs that shall be used on site to control predictable pollutant runoff in order to reduce impacts to water quality to the maximum extent practicable. Source control BMPs to be implemented in the Final WQMP may include (but shall not be limited to) those listed in Table 4.9.H. Treatment-control BMPs shall include on-site detention/filtration basins to treat the site's runoff; these facilities shall be maintained and inspected at least twice per year and prior to October 1. Additional BMPs will be documented in the WQMP and utilized if necessary. In the event that it is not feasible to implement the BMPs identified in the Final WQMP, the City of Perris can make a determination that other BMPs shall provide equivalent or superior treatment either on or off site</p>	<p>Prior to grading plan approval and issuance of a grading permit by the City</p>	<p>Review and approval of Final WQMP</p>	<p>City of Perris City Engineer</p>	
<p>Otherwise substantially degrade water quality.</p>	<p><b>HW 4.9A</b> through <b>4.9D</b>, above</p>	<p>See above</p>	<p>See above</p>	<p>See above</p>	

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
		See above	See above	See above	Initials Date Remarks
Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.	HW 4.9A through 4.9D, above	See above	See above	See above	
<b>4.12 Noise</b>	<b>Additional Project-Level Mitigation Measures</b>				
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.	N 4.12A A 14-foot high concrete tilt-up screening wall will be constructed along the perimeter of areas designated for truck parking/loading. This includes the loading/unloading docks and truck parking area east of Building "B" and an 8-foot high wrought iron fence on top of retaining wall along the northern property line of Parcel 1 (Building "A"), as shown in Figure 4.12-7, Mitigation Measures.	Prior to issuance of building permit Prior to issuance of occupancy permits	Review and approval of Final Site Plan	City of Perris Development Services Department Building Planning Division	
	N 4.12B Project design shall incorporate screening walls for any rooftop HVAC condensers that are within a 600 foot radius of residential units. The wall shall be positioned to shield the residential area from equipment and be as tall as or taller than the equipment.	Prior to issuance of building permit	Review and approval of Final Site Plan	City of Perris Development Services Department Building Planning Division	
A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	N 4.12C Construction will be limited to the hours of 7:00 a.m. to 7 p.m., Monday through Saturday, in accordance with the City of Perris Municipal Code Section 7.34.060. No construction activities are permitted outside of these hours or on Sundays and legal holidays, except for Columbus Day and Washington's Birthday.	During construction	Verification by City of incorporation of the Contractor Specifications Periodic Monitoring Reports	City of Perris Development Services Department Building Division	

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance Initials      Date      Remarks	
	<p><b>N 4.12D</b> During all project site excavation and grading on site, the construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers consistent with manufacturer's standards. Construction equipment shall be maintained so that vehicles and their loads are secured from rattling and banging. Equipment shall be turned off when not in use and not allowed to idle. 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.</p>	During construction	<p>Verification by City of incorporation of the Contractor Specifications</p> <p>Periodic Monitoring Reports</p>	City of Perris Development Services Department Building Division		
	<p><b>N 4.12E</b> During construction, stationary construction equipment, stockpiling and vehicle staging areas would be placed a minimum of 446 feet away from the closest sensitive receptor.</p>	During construction	<p>Verification by City of incorporation of the Contractor Specifications</p> <p>Periodic Monitoring Reports</p>	City of Perris Development Services Department Building Division		
	<p><b>N 4.12F</b> 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.</p>	During construction	<p>Verification by City of incorporation of the Contractor Specifications</p> <p>Periodic Monitoring Reports</p>	City of Perris Development Services Department Building Division		
	<p><b>N 4.12G</b> 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.</p>	During construction	<p>Verification by City of incorporation of the Contractor Specifications</p>	City of Perris Development Services Department Building Division		

Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
			Periodic Monitoring Reports		Initials Date Remarks
<b>4.15 Traffic and Circulation</b> 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 not limited to intersections, streets, highways, and freeways, pedestrian and bicycle paths, and mass transit.	<b>Additional Project-Level Mitigation Measures</b> <b>T 4.15A</b> I-215 Southbound Ramps/Harley Knox Boulevard (2.0%) <ul style="list-style-type: none"> <li>Construct one exclusive southbound left-turn lane</li> <li>Construct one additional westbound left-turn lane</li> </ul> I-215 Northbound Ramps/Harley Knox Boulevard (3.0%) <ul style="list-style-type: none"> <li>Construct one additional westbound free right-turn lane</li> </ul> Western Way/Harley Knox Boulevard (3.3%) <ul style="list-style-type: none"> <li>Install a new traffic signal</li> <li>Construct one exclusive eastbound left-turn lane</li> </ul> Patterson Avenue/Harley Knox Boulevard (3.3%) <ul style="list-style-type: none"> <li>Construct one additional eastbound through lane</li> <li>Construct one additional westbound through lane</li> </ul> <b>T 4.15B</b> Prior to issuance of a building permit, the Project proponent shall provide the City with an on-site signage program that clearly identifies the required on-site circulation system. This shall be accomplished through posted signs and painting on driveways and internal roadways. Specifically, signage shall be posted for Project driveways on Patterson Avenue indicating that trucks shall enter and exit the site at Patterson Avenue and head north towards Harley Knox Boulevard, as well as Webster Avenue (which identifies that trucks are restricted from exiting the Project from that location). Further, the signage program shall include a requirement that signage be posted onsite along	Prior to issuance of occupancy permits	Site Inspection City acceptance of constructed roadways	City of Perris City Engineer	



Impact/Threshold	Applicable PVCC Specific Plan Mitigation Measures, Additional Project-Specific Project Design Features, or Additional Project-Level Mitigation Measures	Monitoring/Timing Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance
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<p>or other standards established by the county congestion management agency for designated roads or highways.</p>	<p>Ramona Expressway and Webster Avenue restricting trucks from utilizing Webster Avenue. Prior to issuance of an occupancy permit, installation of the required signs shall be confirmed by the City.</p>				
	<p>T 4.15C Prior to issuance of an occupancy permit, the City shall confirm that signs clearly identifying approved truck routes have been installed along the truck routes to and from the Project site requiring access on Patterson Avenue and prohibiting access on Webster Avenue to prevent trucks impacting adjacent residential uses.</p>	<p>Prior to issuance of an occupancy permit</p>	<p>Site Inspection</p>	<p>City of Perris City Engineer</p>	

**RESOLUTION NUMBER 15-20**

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, COUNTY OF RIVERSIDE, STATE OF CALIFORNIA, RECOMMENDING THAT THE CITY COUNCIL CERTIFY THE ENVIRONMENTAL IMPACT REPORT (EIR 14-01-0017/STATE CLEARINGHOUSE #2014051034), ADOPT A STATEMENT OF OVERRIDING CONSIDERATIONS AND MAKE FINDINGS IN SUPPORT THEREOF, AND APPROVE DEVELOPMENT PLAN REVIEW 14-01-0015, SPECIFIC PLAN AMENDMENT 14-04-0001, STREET VACATION 14-04-0002 AND TENTATIVE PARCEL MAP 14-01-0016 (TPM 36678) TO FACILITATE THE APPROVAL OF TWO INDUSTRIAL BUILDINGS TOTALING 1.1 MILLION SQUARE FEET LOCATED ON THE NORTH SIDE OF MARKHAM STREET BETWEEN PATTERSON AVENUE AND WEBSTER AVENUE, SUBJECT TO CONDITIONS OF APPROVAL AND THE FINDINGS NOTED HEREIN.**

**WHEREAS**, a Development Plan Review application (DPR 14-01-0015) was submitted for consideration of architectural design and site layout; and

**WHEREAS**, the Tentative Parcel Map (TPM 36678) application was submitted to allow the consolidation of fifty-five (55) lots into two (2) parcels to enable the two industrial buildings to sit on separate lots; and

**WHEREAS**, A Specific Plan Amendment (SPA 14-04-0001) application was submitted to change the land use designation of approximately 16 acres of land for Parcel 1 from General Industrial (GI) to Light Industrial (LI) so that the site can be completely zoned Light Industrial, while Parcel 2 will remain General Industrial; and

**WHEREAS**, a Street Vacation (SV 14-04-0002) application was submitted to abandon unimproved Arizona Street from improved Patterson Avenue to unimproved Nevada Avenue, unimproved Oregon Street from improved Patterson Avenue to unimproved Nevada Street, a portion of Washington Street from unimproved Nevada Avenue to approximately 670 feet west of Webster Avenue, and Nevada Avenue from improved Markham to unimproved Nance Street within the project site.

**WHEREAS**, during the course of review of the project it was deemed an Environmental Impact Report (EIR 14-01-0017/State Clearinghouse #2014051034) was required to assess environmental impacts associated with the project; and

**WHEREAS**, pursuant to CEQA and the State CEQA Guidelines (14 Cal. Code Regs. § 15000 *et seq.*), the City is the lead agency for the Project, as it is the public agency with general governmental powers over the Project; and

**EXHIBIT H**

**WHEREAS**, the City, as lead agency, determined that an Environmental Impact Report (“EIR”) should be prepared pursuant to CEQA in order to analyze all potentially significant adverse environmental impacts of the Project; and

**WHEREAS**, a scoping meeting was previously conducted for the proposed project on June 4, 2014 by the Planning Commission to hear from both public agencies and the public on the potential environmental impacts, site planning and building architecture; and

**WHEREAS**, between July 29, 2015 and September 11, 2015, the Draft Environmental Impact Report (*Draft EIR*) was made available for public review and comment during a state-mandated 45-day public review period; and

**WHEREAS**, on November 4, 2015, the Final EIR was distributed to those agencies and persons that commented in writing on the Draft EIR; and

**WHEREAS**, on November 18, 2015, the Planning Commission conducted a duly noticed public hearing and recommended approval of the project after considering public testimony and materials in the staff report and accompanying documents for the Statement of Overriding Consideration of Environmental Impact, the Environmental Impact Report (*EIR 14-01-0017/State Clearinghouse #2014051034*), Development Plan Review 14-01-0015, Tentative Parcel Map 14-01-0016 (TPM 36678), Specific Plan Amendment 14-04-0001 and Street Vacation 14-04-0002; and

**WHEREAS**, an Environmental Impact Report (*EIR 14-01-0017/Clearinghouse #2014051034*) was prepared in accordance with Sections 21000 through 21177 of the California Public Resources Code and Sections 15000 through 15387 of the California Code of Regulations (*CEQA Guidelines*); and

**WHEREAS**, the EIR identified several operational air quality impact, cumulative air quality impact and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge that would result in environmental impacts for which mitigation measures are not available to reduce impacts below levels of significance and a Statement of Overriding Consideration of Environmental Impact must be adopted prior to approval by the City Council; and

**WHEREAS**, the EIR identified all other potential environmental impacts as either not an impact, a less than significant impact, or a less than significant impact with mitigation and a Mitigation Monitoring Program has been prepared for those potential impacts requiring mitigation, which is part of the Final EIR; and

**WHEREAS**, Section 66411 of the California Government Code (*Subdivision Map Act*) vests in the legislative bodies of local agencies the regulation and control of the design and improvement of subdivisions; and

**WHEREAS**, Title 18 of the City of Perris Municipal Code (*Subdivisions*) implements the state Subdivision Map Act and authorizes the Planning Commission to act as an advisory agency to the City Council and authorizes the City Council to take action on a subdivision/parcel map; and

**WHEREAS**, Chapter 19.54 of the City of Perris Municipal Code (*Zoning Code, Authority and Review Procedures*) authorizes the City to approve, conditionally approve, or deny requests for Development Plan Review, Street Vacation, Specific Plan Amendment and Tentative Parcel Map; and

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Commission of the City of Perris, as follows:

**Section 1.** The above recitals are all true and correct.

**Section 2.** The Planning Commission further finds and determines that the City has complied with the California Environmental Quality Act and that Planning Commission determinations reflect the independent judgment of the City.

**Section 3.** The Planning Commission hereby recommends that the City Council certify the Environmental Impact Report (*EIR 14-01-0017/State Clearinghouse #2014051034*) finding that:

(a) The City has complied with the California Environmental Quality Act (CEQA) and the EIR is an accurate and objective statement that fully complies with CEQA and CEQA Guidelines; and

(b) No evidence of new significant impacts as defined by CEQA Guidelines Section 15088.5, has been received by the City after circulation of the Draft EIR which would require recirculation; and

(c) The EIR has identified and discussed several significant impacts to operational air quality, cumulative air quality and cumulative traffic impacts related to intersection, roadway segment capacity, freeway mainline segments and freeway merger/diverge, which may occur as a result of the Project and which require mitigation, but cannot be mitigated to less than significant levels, thereby requiring adoption of a Statement of Overriding Considerations as set forth in this Resolution; and

(d) The EIR has identified and discussed significant environmental impacts which may occur as a result of the Project and which require mitigation, and can be mitigated to less than significant levels (*except for unavoidable significant impacts as discussed in section 3, above*); and

(e) Staff has reviewed the project and all reasonable alternatives and is favor of the project; and

(f) Environmental, economic, social and other considerations and benefits derived from the project override and make infeasible any alternatives or further Mitigation Measures beyond those incorporated into the project; and

**Section 4.** The Planning Commission hereby recommends that the City Council adopt a Statement of Overriding Considerations of Environmental Impact finding that:

(a) Pursuant to CEQA Guidelines Section 15093, the City has balanced the benefits of the project against any unavoidable environmental impacts in determining whether to approve the project. If the benefits of the project outweigh the unavoidable adverse environmental impacts, those impacts may be considered "acceptable"; and

(b) The City has made a reasonable and good faith effort to eliminate or substantially mitigate the potential impacts resulting from the project; and

(c) To the extent any Mitigation Measure recommended in the EIR or project conditions of approval could not be incorporated, such Mitigation Measure is infeasible because it will impose restrictions on the project that will prohibit the realization of specific economic, social and other benefits that the City finds outweigh the unmitigated impacts; and

(d) Except for the project, all other alternatives set forth in the EIR are infeasible because they will prohibit the realization of project objectives and/or specific economic, social and other benefits that the City finds outweigh any environmental benefits of the alternatives; and

(e) Having reduced the adverse significant environmental effects of the project to the extent feasible by adopting the proposed Mitigation Measures, having considered the entire administrative record on the project, and having weighed the benefits of the project against its unavoidable adverse impacts after mitigation, the City has determined that each of the following social, economic and environmental benefits of the project outweigh the potential unavoidable adverse impacts and render those potential adverse environmental impacts acceptable based upon the Findings of Fact and Statement of Overriding Considerations attached hereto and incorporated herein by reference as if set forth in full; and

(f) The foregoing benefits provided to the public through approval and implementation of the project outweigh the identified significant adverse environmental impacts of the Project, which cannot be mitigated; and

(g) Each of the project benefits separately and individually outweighs the unavoidable adverse environmental effects identified in the EIR and therefore finds those impacts to be acceptable.

**Section 5.** The Planning Commission hereby recommends the City Council review and approve the Environmental Impact Report for case number Development Plan Review 14-01-0015, Tentative Parcel Map 14-01-0016 (TPM 36678), Specific Plan Amendment 14-04-0001 and Street Vacation 14-04-0002 to facilitate the construction of two industrial buildings totaling 1.1 million square feet, subject to the conditions of approval and finding that:

Specific Plan Amendment 14-04-0001

(a) The proposed Specific Plan Amendment will not result in a significant adverse effect on the environment and will not affect public health, safety, and welfare.



(b) The Specific Plan Amendment is consistent with and will contribute to achieving the goals and objectives established by the General Plan and Perris Valley Commerce Center Specific Plan to provide a diversity of commercial and industrial development that create jobs that will benefit the residents of Perris.

(c) The Specific Plan Amendment seeks to change the land use designation of approximately 16 acres from "General Industrial" to "Light Industrial" for Parcel 1 so that it can be completely zoned Light Industrial. Because two-thirds (2/3) of Parcel 1 is already zoned Light Industrial and only one-third (1/3) is General Industrial, changing the Parcel to completely Light Industrial is minor, as they permit similar land uses and will allow continuity with surrounding land uses to the west, north and south of the site which is zoned LI.

#### Tentative Parcel Map and Street Vacation

(a) Tentative Parcel Map 36678 is consistent with the Specific Plan land use designation of Light Industrial, General Industrial and all other applicable Zoning Code standards, as amended; and

(b) Tentative Parcel Map 36678 in compliance with the Subdivision Map Act; and

(c) The site is physically suitable to restructure lot lines and vacate streets to facilitate the industrial development; and

(d) The design of Tentative Parcel Map 36678 and the type of improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat, other than as addressed by the adopted Statement of Overriding Considerations of Environmental Impact; and

(e) The design of Tentative Parcel Map 36678 and the type of improvements are unlikely to cause serious public health problems; and

(f) The design of Tentative Parcel Maps 36678 and the type of improvements will not conflict with easements of record or easements established by court judgment, acquired by the public at large, for access through or use of property within the proposed subdivision; and

(g) The discharge of waste from implementation of Tentative Parcel Map 36678 will not result in violation of existing requirements prescribed by a California Regional Water Quality Control Board pursuant to Division 7 (commencing with Section 13000) of the California Water Code.

#### Development Plan Review

(a) Development Plan Review 14-01-0015, is consistent with the underlying Specific Plan land use designations (*i.e. Light Industrial and General Industrial*) and other applicable General Plan policies, including the location, size, design, and intensity of the development and related improvements; and

(b) Development Plan Review 14-01-0015, including the location, size, design, density and intensity of the development and related improvements, is consistent with the underlying landuse designations of Light Industrial and General Industrial and all other applicable Zoning Code standards, as amended; and

(c) All requirements of the California Environmental Quality Act have been met; and

(d) The site is physically suitable for the location, size, design, density, and intensity of the plotting and architectural design for the type of industrial development; and

(e) Development Plan Review 14-01-0015, including the location, size, design, density and intensity of the development and related improvements, is consistent with the Sustainable Community Element of the General Plan, in that the Project supports the City's commitment to protect the environment, improve quality of life, and promote sustainable development by incorporating certain measures into the design, construction, and maintenance of the buildings and overall project development.

(f) The subject site is physically suitable, including but not limited to parcel size, shape, access, and availability of utilities and services, for the type of light industrial development proposed with Development Plan Review 14-01-0015; and

(g) Development Plan Review 14-01-0015 and the conditions under which it would be operated or maintained is compatible with abutting properties and will not be detrimental to the public health, safety or welfare, or materially injurious to properties or improvements in the vicinity; and

(h) The architecture of Development Plan Review 14-01-0015 is compatible with community standards and protects the character of other City industrial developments; and

(i) The landscaping plan of Development Plan Review ensures visual relief and provides an attractive environment for the public's enjoyment; and

(j) The safeguards necessary to protect the public health, safety and general welfare have been required for Development Plan Review 14-01-0015.

**Section 6.** The Planning Commission declares that should any provision, section, paragraph, sentence, or word of this Resolution be rendered or declared invalid by any court of competent jurisdiction, or by reason of any preemptive legislation, the remaining provisions, sections, paragraphs, sentences and words of this Resolution shall remain in full force and effect.

**Section 7.** The Chairperson shall sign this Resolution and the City Clerk shall certify to the adoption of this Resolution.

**ADOPTED, SIGNED and APPROVED** this 18<sup>th</sup> day of November, 2015.

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**CHAIRPERSON, PLANNING COMMISSION**

**ATTEST:**

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**Secretary, Planning Commission**

STATE OF CALIFORNIA    )  
COUNTY OF RIVERSIDE    ) §  
CITY OF PERRIS            )

I, Clara Miramontes, SECRETARY OF THE PLANNING COMMISSION OF THE CITY OF PERRIS, DO HEREBY CERTIFY that the foregoing Resolution Number 15-20 was duly adopted by the Planning Commission of the City of Perris at a regular meeting of said Planning Commission on the 18<sup>th</sup> day of November 2015, and that it was so adopted by the following vote:

**AYES:**

**NOES:**

**ABSENT:**

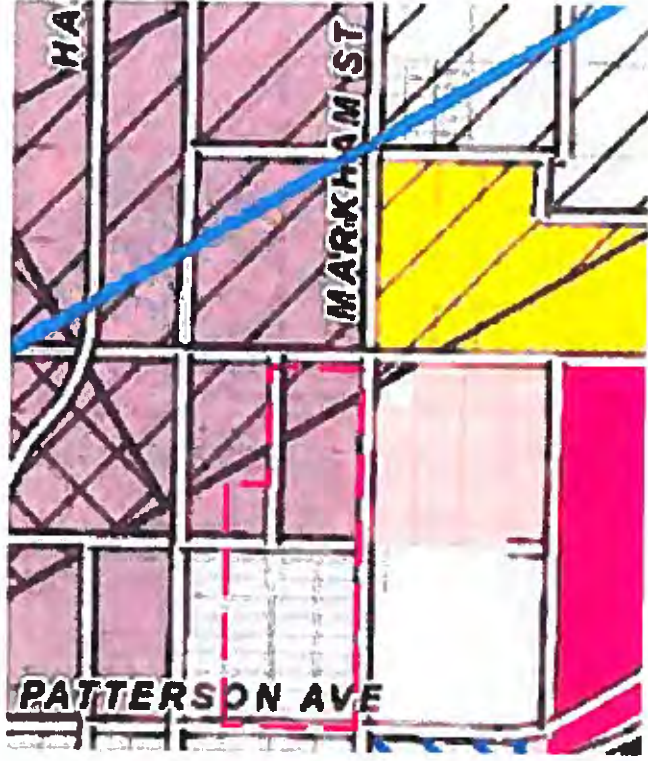
**ABSTAIN:**

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**Secretary, Planning Commission**

**Attachments: Statement of Overriding Consideration  
Statement of Facts and Findings**

**Existing Land Use**



**Proposed Land Use**



**LEGEND:**

- Business/Office
- Commercial
- Residential
- Light Industrial
- Detention Basin
- General Industrial

Approximately 16 acres modified from General Industrial to Light Industrial



**Proposed Land Use Change Map**