

Appendix A

2022 NOP Comment Letters

To:
(Potential Responsible, Trustee, Federal, and
Local Agencies and nearby property
Owners)

From:
City of Perris
135 North D Street
Perris, CA 92570

CEQA LEAD AGENCY:

City of Perris
Planning Division
135 North D Street
Perris, CA 92570
Staff Contact: Matthew Evans, Project Planner
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**SUBJECT: OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse
Project**

- Specific Plan Amendment (SPA) (Case No. PLN22-05047) for the Proposed Warehouse
- Development Plan Review (DPR) (Case No. DPR22-00006) for the Proposed Warehouse
- Conditional Use Permit (CUP) (Case No. PLN22-05180) for the Proposed Commercial
- Tentative Parcel Map (TPM) (Case No. PLN22-05048)
- Environmental Impact Report (EIR)

The City of Perris (City) is commencing with the preparation of a Draft Environmental Impact Report (EIR) for the proposed OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project (Project) described herein and has released this Notice of Preparation (NOP) in compliance with the California Environmental Quality Act (CEQA). The City requests the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities. As a responsible or trustee agency, your agency may need to use the EIR prepared by the City when considering issuance of a permit or other approval for the Project. The City also requests the issues of concern to the nearby property owners. Information gathered during the NOP comment period will be used to shape and focus future analyses of environmental impacts.

A description of the Project, its location, and potential environmental effects, is attached. The City of Perris has determined that an EIR is required and no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

NOP COMMENT PERIOD:

The City invites you to submit written comments describing your specific environmental concerns. If you are representing a public agency, please identify your specific areas of statutory responsibility if applicable. Written comments are desired at the earliest possible date, but due to

the time limits mandated by State law, your response must be sent no later than 30 days after the receipt of this notice. If a responsible or trustee agency fails to respond within this time period, the City may presume that your agency has no response to make pursuant to CEQA Guidelines Section 15082(b)(2). **The NOP comment period begins on July 8, 2022 and ends on August 8, 2022. A public scoping meeting is scheduled for the Planning Commission meeting to be held on July 20, 2022.** Please send your written comments to the City staff contact identified above and include your name, address, and contact information in your correspondence.

The Project description, location, and the potential environmental effects are contained in the attached materials. The City of Perris has determined that an EIR is required, and no Initial Study will be required pursuant to CEQA Guidelines Sections 15060 and 15081.

Project Title: OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse

Project Applicant: Optimus Building Corporation (c/o Mike Naggar and Associates)
445 South D Street
Perris, CA 92570

Date: July 8, 2022

Signature: Mathew Evans, Project Planner

I. PROJECT SITE LOCATION AND SETTING

The Project site is located in the City of Perris (City), in Riverside County, CA, near the intersection of Ramona Expressway and North Perris Boulevard (see Figure 1, *Regional Location*, and Figure 2, *Project Location and Vicinity*, attached at the end of this NOP). The Project site consists of approximately 45.7 acres and contains disturbed vacant land that was previously used for agricultural purposes. The Project site is generally bounded by Ramona Expressway to the south, N. Perris Boulevard to the west, Perry Street to the north, and Redlands Avenue to the east. It encompasses Assessor's Parcel Numbers (APNs) 302-130-002, -008, -018, -021, -022, -023, -024, and -027. The Project site is within the boundaries of the Perris Valley Commerce Center Specific Plan (PVCCSP) planning area.

The Project site is located about 1.4 miles southeast of the March Air Reserve Base/Inland Port Airport (ARB/IPA) and is located within the March ARB/IPA Airport Influence Area Boundary and the City's Airport Overlay Zone. The Project site is located almost entirely within Airport Compatibility Zone D (Flight Corridor Buffer) with a small portion of the site located within Zone C1 (Primary Approach/Departure Zone).

The Project site is generally flat with elevations ranging between 1,450 and 1,460 feet above mean sea level (amsl), with stormwater runoff generally flowing to the southeast. An existing drainage swale is located along the north side of Ramona Expressway (i.e., along the southern edge of the project site), which is owned and maintained by the Riverside County Flood Control and Water Conservation District (RCFC&WCD) and runs in an east-west direction connecting to the Perris Valley Storm Drain about 1,850 feet to the east.

As shown on Figure 3, *Aerial Photograph* (attached to this NOP), land uses surrounding the Project site include a mix of undeveloped and developed land. Specifically, surrounding properties include undeveloped vacant land to the west, east and south; commercial uses to the west and south; industrial and warehouse development to the north and east; and a gas station and commercial uses immediately adjacent to the southwest.

The Project site is located within the Mead Valley Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project site is not located within any MSHCP Criteria Cell or designated conservation area, Core or Linkage area, Mammal Survey Area, Amphibian Survey Area, Criteria Area Species Survey Area, Narrow Endemic Plant Species Survey Area, or Burrowing Owl Survey Area.

The existing General Plan land use designation and zoning for the Project site is Specific Plan (i.e., the PVCCSP). The PVCCSP designates the site for Commercial uses. Commercial land use designations are identified immediately to the west and south. Light Industrial uses are designated to the north, while Light Industrial and Commercial designations are located immediately to the east. Multi-family residential uses (that currently include a mobile home park) occur approximately 300 feet south of the Project site at the closest point, beyond the existing commercial uses southeast of the intersection of Ramona Expressway and North Perris Boulevard.

II. PROJECT BACKGROUND

On January 10, 2012, the City of Perris City Council adopted the PVCCSP, which was prepared pursuant to the authority granted to the City by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 to 65457. On the same date, the City also adopted Ordinance No. 1284, adopting Specific Plan Zoning for properties within the PVCCSP planning area. The PVCCSP land uses allow for the development of approximately 3,500 acres which consist of industrial, commercial, and office uses, as well as public facilities. The PVCCSP has been subsequently amended, with Amendment No. 12 occurring in January 2022. In conjunction with its approval of the PVCCSP, the City complied with CEQA by preparing and certifying the Perris Valley Commerce Center Specific Plan Final Environmental Impact Report (PVCCSP EIR) (State Clearinghouse No. 2009081086) (City of Perris, 2011).

III. PROJECT DESCRIPTION

The proposed Project involves the approval of a Development Plan to allow the construction and operation of a warehouse building with ancillary office uses on 36.3 acres and future development of commercial retail/restaurant uses within two portions of the Project site: one approximately 4.6-acre area along Ramona Expressway in the southern portion of the site (“southern commercial site”) and one approximately 4.8-acre area along Perris Boulevard in the western portion of the site (“western commercial site”). The Project Applicant is requesting the discretionary approvals described below. Figure 4, *Overall Project Site Plan*, Figure 5, *Southern Commercial Conceptual Site Plan*, and Figure 6, *Western Commercial Conceptual Site Plan*, present the conceptual site plan for the proposed warehouse and retail uses, respectively. The Project is anticipated to be constructed in one phase by the year 2024.

The proposed warehouse use is not consistent with the current commercial land use and zoning designations for the Project site; however, the applicant is requesting an amendment to the PVCCSP to change the warehouse portion of the Project site to Light Industrial, under which warehouse uses are permitted. The proposed commercial uses are consistent with the land use and zoning designations for the Project site. Specific retail tenants have not been identified; therefore, for purposes of analysis in the EIR, the proposed conceptual site plans represent the anticipated mix and site design for retail uses at the Project site. However, other retail uses may ultimately be contemplated, consistent with that allowed under the PVCCSP.

1. Development Plan Review (DPR) for the Proposed Industrial Warehouse Building and Commercial Development

- **Warehouse Building.** Warehouse development would occur within the central portion of the Project site. The warehouse building would include 774,419 total square feet of a high-cube fulfillment center warehouse building that includes 20,000 square feet of planned office area (see Figure 4). The tenant is not known at this time; therefore, for purposes of analysis, it is assumed that the building square footage would be operated as a high-cube fulfillment center warehouse, and the building could operate 24 hours a day, seven days a week.

The building would comply with applicable standards and guidelines outlined in the PVCCSP related to architecture and, in general, would have a modern industrial

- design. The building would have a maximum building height of 50 feet. Required indoor and outdoor employee amenities would also be provided.
- **Commercial Retail Development.** The Project proposes commercial retail/restaurant uses within the approximately 4.6-acre southern commercial site fronting on Ramona Expressway and future development of retail and restaurant uses within the approximately 4.8-acre western commercial site fronting on Perris Boulevard, as shown on Figures 5 and 6. The proposed commercial development within the southern commercial site would include approximately 45,000 square feet of retail and food uses (comprised of 21,825 square feet of strip retail plaza use, 5,000 square foot high turnover (sit-down) restaurant, 14,775 square feet of fast-food restaurant without drive-through window use in line with retail use, and 3,400 square foot fast-food restaurant with drive-through window use). Although not currently included in the Project's Development Plan Review request, future commercial development within the western commercial site would include approximately 25,000 square feet of retail and food uses (comprised of 18,000 square feet of strip retail/restaurant use and two fast-food restaurants with drive-through window totaling 4,000 square feet and 3,000 square feet, respectively). The buildings would comply with applicable standards and guidelines outlined in the PVCCSP related to architecture. The buildings would have a maximum building height of 45 feet.
 - **Access, Circulation, and Parking.** The Project would provide two automobile access driveways to future commercial uses within the western commercial site fronting Perris Boulevard with right-in/right-out access only (which would also provide indirect automobile access to the warehouse portion of the site), as well as two truck and automobile access driveways off of Perry Street (with left-in/right-out access only for trucks and no turn restrictions for automobiles). The southern retail component would have two driveways on Ramona Expressway: the western driveway would have right-in/right-out access only, while the eastern driveway would be signalized and thus would have no access restrictions. The proposed warehouse site plan includes 298 automobile parking stalls, 144 truck docks, and 174 trailer parking stalls. The southern commercial site plan includes 212 automobile parking spaces, while the western commercial site plan includes 172 automobile parking spaces. Bike racks would also be provided.
 - **Truck Routes.** Trucks traveling to/from the Project site would be required to access PVCCSP-designated truck routes. Directional signage would be provided onsite to direct drivers accordingly. Based on direction from the City, all trucks would access the warehouse facility only from Perry Street via Redlands Avenue, a PVCCSP-designated truck route, to Harley-Knox Boulevard to the north to travel to and from I-215. No truck traffic would be permitted on Redlands Avenue south of Perry Street or anywhere along Perris Boulevard or Ramona Expressway.
 - **Landscaping, Walls/Fences, and Lighting.** Landscaped parkways would be provided along Ramona Expressway consistent with PVCCSP requirements, as Ramona Expressway is a designated as an Expressway. To obstruct views from this thoroughfare, a 14-foot-high concrete screening wall would be provided along the boundary between the proposed retail and warehouse uses and landscaping would be

provided along the Ramona Expressway and Perris Boulevard frontages of the retail portions of the Project site. A 14-foot-high concrete screening wall would also be provided along the warehouse facility's Perry Street frontage on the north. Landscaping would be provided along the entire site perimeter of both the warehouse and retail portions of the Project site, within the automobile parking areas for visual quality and shading, and at select building-adjacent locations. Approximately 12.1 percent of the warehouse portion of the Project site would be landscaped. Onsite exterior lighting would be provided throughout the warehouse and retail portions of the Project site as required for security and wayfinding.

- **Utilities.** The Project would include the installation of on-site storm drain, water quality, water, sewer, electric, natural gas, and telecommunications infrastructure systems to serve the proposed warehouse and retail uses. Infrastructure improvements would also include the construction of an extension of the planned Line E storm drain box culvert, which would be constructed below grade along the southern edge of the warehouse portion of the Project site, then turning to the southeast beneath the southern retail portion of the Project site and continuing eastward to either terminate at the eastern edge of the Project site, or continuing onto and through the off-site property immediately adjacent to the east. If undertaken by the Project applicant, is anticipated that this off-site portion of the Line E storm drain would be constructed as part of the Project. The onsite utility infrastructure would connect to existing utilities in the vicinity of the Project site or new utility lines that would be installed within the public right-of-way adjacent to the Project site. Eastern Municipal Water District (EMWD) is willing to provide water and sewer services to the subject project.

2. Specific Plan Amendment for the Proposed Industrial Warehouse Building

The current General Plan land use designation and Zoning for the Project site is Specific Plan (i.e., the PVCCSP). The Project site has a PVCCSP land use designation of Commercial. A Specific Plan Amendment is required to change a portion of the site's zoning to Light Industrial, which includes warehouse facilities as a permitted use. Specifically, the following amendments to the PVCCSP (most recently amended in January 2022) are proposed.

- Change (rezone) the PVCCSP land use designation for 36.3 acres of Commercial to Light Industrial (LI) to facilitate development of the proposed 878,750 square foot warehouse building.
- Revise Figure 2.0-1, Specific Plan Land Use Designation, to change the land use designations for the northern portion of the Project site (approximately 36.3 acres) from Commercial to Light Industrial (LI) as indicated above.
- Revise Table 2.0-1, Land Use Comparison, to update the acreage calculations for "Proposed Acres" as follows: reduce Commercial from 270 to 234 acres and increase LI from 2,033 to 2,069 acres.

3. Tentative Parcel Map (TPM) No. 05048

The Project involves proposed TPM No. 05048 to re-subdivide the existing eight-parcel Project site into eight parcels (one parcel for the proposed warehouse use, two parcels for the proposed retail uses, and up to four parcels for future commercial/retail uses. It should be noted that the ultimate number and location of parcels within the property may be adjusted at a later date. The existing APNs subject to the proposed changes are: 302-130-002, 302-130-008, 302-130-018, 302-130-021, 302-130-022, 302-130-023, 302-130-024, and 302-130-027.

4. Conditional Use Permit (CUP) for Commercial Uses

The Project includes proposed drive-through restaurant uses within the southern commercial site fronting Ramona Expressway, which requires the issuance of the CUP to allow for these uses on a site designated as Commercial under the PVCCSP.

IV. REQUIRED PERMITS/ACTIONS

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Perris, as the Lead Agency, is charged with the responsibility of deciding whether to approve the Project. As identified above, the following permits and discretionary actions are required by the City of Perris to implement the proposed Project:

- **Development Plan Review** for the warehouse and commercial site plans and building elevations;
- **Certification of an EIR** with the determination that the EIR has been prepared in compliance with the requirements of CEQA;
- **Tentative Parcel Map No. 05048** to re-subdivide the existing eight-parcel Project site into eight new parcels (subject to change as noted above); and
- **Specific Plan Amendment** to amend the PVCCSP to change a portion of the site's zoning to Light Industrial, which includes warehouse facilities as a permitted use.
- **Conditional Use Permit** to allow for drive-through restaurant uses within the southern commercial area along Ramona Expressway.

Other non-discretionary actions anticipated to be taken by the City at the staff level for 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 of all plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan 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;
- A determination by the **Riverside County Airport Land Use Commission** (ALUC) of consistency with the March ARB/IPA Airport Land Use Compatibility Plan (ALUCP);
- Compliance with the **South Coast Air Quality Management District** Indirect Source Rule (Rule 2305) for warehouse owners and operators;
- Approval of Water Supply Assessment and water and sewer improvement plans by the **Eastern Municipal Water District**; and
- Permits or associated approval by other utility agencies as necessary, for installation of new utility infrastructure or connections to existing facilities.

V. PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT

The PVCCSP EIR is a program EIR and project-specific evaluation in a later-tier environmental document for individual development projects within the Specific Plan area was anticipated. As stated in Section 15168(d)(3) of the 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 Project will be based on, or tiered from, the analysis presented in the PVCCSP EIR, when applicable.

The PVCCSP EIR analyzes the direct and indirect impacts resulting from implementation of the allowed development under the PVCCSP. Measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts resulting from that development are identified in the PVCCSP EIR. In conjunction with certification of the PVCCSP EIR, the City adopted a Mitigation Monitoring and Reporting Program (MMRP). Additionally, the PVCCSP includes Standards and Guidelines to be applied to future development projects in the Specific Plan area. The City requires that future development projects in the Specific Plan area comply with the required PVCCSP Standards and Guidelines and PVCCSP EIR mitigation measures as outlined in the MMRP, and that these requirements are implemented in a timely manner. Relevant Standards and Guidelines and PVCCSP EIR mitigation measures that are incorporated into the Project will be listed for each topical issue in the EIR.

The Draft EIR shall contain a detailed Project description, a map identifying the location of the Project site and surrounding land uses, a description of the existing environmental setting, Project-specific impacts, cumulative impacts, mitigation measures to reduce potentially significant impacts, and an alternatives analysis.

Based on currently available information, and as discussed below, the City has determined that the Project would have no impacts or less than significant impacts related to agriculture and forestry resources, mineral resources, population and housing, public services, recreation, and

wildfire. Therefore, as discussed in greater detail below, no further analysis of these environmental topics will be provided in the Draft EIR.

- **Agriculture and Forestry Resources.** Pursuant to CEQA Section 21060.1, agricultural land means Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria as modified for California. The State CEQA Guidelines Appendix G thresholds of significance used by the City of Perris for CEQA purposes states that a significant impact to agriculture could occur if a project was to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. Based on the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program, the Project site is classified as Farmland of Local Importance (DOC 2018) and is surrounded by areas also designated as Farmland of Local Importance or Urban and Built-Up Land. The Project site and surrounding areas are not currently being utilized for agricultural purposes. Moreover, the Project site is not within an area subject to a California Land Conservation Act of 1965 (Williamson Act) contract, and is not otherwise zone by the City for agricultural use. Similarly, the Project site does not contain forest resources. Therefore, the Project would have no impact related to agriculture and forestry resources.
- **Mineral Resources.** According to the City's General Plan, the land within the City is classified as Mineral Resource Zone (MRZ) 3 and MRZ 4, which are not considered to be significant mineral resource areas. The CDC is primarily interested in the preservation of significant resources in MRZ 2 regions. Further, the City does not have designated locally important mineral resource recovery sites in the General Plan. In addition, the California DOC does not show oil, gas, or geothermal fields underlying the site; and no oil or gas wells are recorded on or near the site in the Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder (DOC, 2021). Therefore, implementation of the proposed Project would not result in the loss of availability of a regionally or locally important mineral resource and no impact would occur.
- **Population and Housing.** The Project does not propose residential structures or other infrastructure that would encourage residential development. The Project would create jobs within the City that would be expected to be filled by the existing population. The job creation would not be of a magnitude to induce substantial population growth. Additionally, the Project site is currently vacant and therefore implementation of the Project would not necessitate the construction of replacement housing.

Table 4.8-E, Development Intensity and Employment Projections, of the PVCCSP EIR, identifies average employment generation factors for the allowed development types identified in the PVCCSP. One employee per 1,030 square feet is estimated for Light Industrial floor space and one employee per 500 square feet is estimated for commercial uses. The Project consists of the construction and operation of up to 774,419 square feet of warehouse uses, and 70,000 square feet of commercial retail uses.

Based on the employment generation factors in the PVCCSP EIR, the Project could generate approximately 752 new industrial employees and 140 new commercial retail employees (approximately 892 new jobs). The PVCCSP EIR estimates that

implementation of the land uses allowed under the PVCCSP would result in the generation of approximately 56,087 jobs/employees in the area (see Table 4.8-E under Section 4.8, Land Use and Planning, and the discussion of “Growth Inducing Impacts” in Section 5 of the PVCCSP EIR). Therefore, the employment generation estimated for the Project (892 employees) represents approximately 1.6 percent of the total employment generation anticipated in the Specific Plan area. Further, this represents approximately 3.4 percent of the City's projected employment base by 2045 as presented in the Southern California Association of Governments (SCAG) Connect SoCal (26,400 employees) (SCAG, 2020).

Additionally, similar to the short-term construction jobs, it is anticipated that these new retail and warehouse positions would be filled by workers who would already reside in the region. The Project would involve the installation of utilities necessary to connect to existing infrastructure systems adjacent to or in the vicinity of the Project site and would involve improvements to adjacent roadways, consistent with the PVCCSP. Therefore, the Project would not directly or indirectly generate substantial unplanned population growth in the area. No significant impacts related to population or housing are expected as a result of the proposed Project.

- **Public Services.** The PVCCSP EIR Initial Study concluded that development within the PVCCSP area, which includes the Project site, would result in less than significant impacts to public services. The City of Perris has concluded that the Project would not result in potentially significant impacts to public services as discussed below.
 - **Fire Protection.** While implementation of the Project would not involve new residential uses or uses that would increase the City's population, the operation of the proposed industrial and retail buildings would increase the demand for fire protection, prevention, and emergency medical services at the currently undeveloped site. California Department of Forestry and Fire Protection (CAL FIRE), under contract with Riverside County and operating as Riverside County Fire Department (RCFD), provides fire prevention and suppression to the City of Perris. RCFD Station No. 1 located at 210 W. San Jacinto Avenue and RCFD Station No. 90 at 333 Placentia Avenue exclusively serve the City of Perris. RCFD Station No. 1 is approximately 4.6 roadway miles southwest of the Project site. RCFD Station No. 90 is approximately 2.2 roadway miles south of the Project site. Other RCFD stations respond to emergency service calls in the City on an as-needed basis. The Project would create the typical range of service calls for industrial and retail developments, such as medical aid, fire response, and traffic collisions. The Project would be designed in compliance with all applicable ordinances and standard conditions established by the RCFD and/or the City or State including, but not limited to those regarding fire prevention and suppression measures, such as fire hydrants, fire access, emergency exits, combustible construction, fire flow, and fire sprinkler systems. Compliance with applicable regulations would be confirmed by the RCFD during its review of development plans to ensure it has the capacity to provide proper fire protection to the development. The development of the Project would not cause fire staffing, facilities, or equipment to operate at a deficient level of service. Additionally, the

Project Applicant would be required to pay North Perris Road and Bridge Benefit District (NPRBBD) fees, inclusive of the City's Development Impact Fee (DIF), which provides a funding source for construction of fire facilities as a result of impacts related to future growth in the City. The Project would not require the construction of new or expanded fire protection facilities; therefore, no physical impacts would result and the impact would be less than significant.

- **Police Protection.** While implementation of the Project would not involve new residential uses or uses that would increase the City's population, the operation of proposed industrial and commercial retail buildings would increase the demand for police protection services at the currently undeveloped site. The City of Perris contracts with the Riverside County Sheriff Department (RCSD) for the provision of municipal police services in the City. The Project would be designed and operated in compliance with the standards provided within the City's Municipal Code, RCSD, and the PVCCSP for new development with regard to public safety. The Perris Police Station is located at 137 N. Perris Boulevard and is located approximately 4.5 roadway miles southwest of the Project site. Sheriff response times vary by time of day and priority of the call. Typical operational police protection services involved with the proposed industrial and retail uses include after-hours patrol, crime and traffic accident/collision responses, and calls for service. The Project Applicant would be required to contribute DIF fees which would ensure the Project provides fair share funds for the provision of additional police protection services, which may be applied to sheriff facilities and/or equipment, to offset the incremental increase in the demand that would be created by the Project. Therefore, Project's incremental demand for sheriff protection services would be less than significant with the Project's mandatory payment of DIF fees. The Project would not require the construction of new or expanded police protection facilities; therefore, no physical impacts would result and the impact would be less than significant.
- **Schools.** The Project site is located with the Val Verde Unified School District (VVUSD), which covers 67 square miles in Riverside County, and is comprised of 22 schools serving pre-kindergarten through 12th grade (VVUSD, 2022). The Project site is within the service area for the following schools: May Ranch Elementary School, Vista Verde Middle School, Rancho Verde High School, and Val Verde High School. The Project would not directly create a source of students, as the Project does not involve the development of residential land uses. Therefore, no school-age children would be living at the Project, and no direct demand for school services and facilities would occur. Additionally, as previously discussed, it is expected that the new jobs that would be created by the Project would be filled by individuals that reside in the area. Appropriate developer impact fees, as required by State law, shall be assessed and paid by the Project Applicant to the VVUSD. Section 65995(b) of the California Government Code establishes the base amount of allowed developer fees and allows increases in the base fee every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the payment of the required fees and with no additional students generated from the

Project, no significant impacts to school services would result. The Project would not require the construction of new or expanded police protection facilities; therefore, no physical impacts would result and the impact would be less than significant.

- **Parks.** The City of Perris Community Services Department provides community services and recreational and leisure time opportunities and is responsible for the planning, development, and maintenance of the City's parks and recreational facilities. The Project area currently does not contain any parkland or recreational facilities. The nearest park is Morgan Park, located approximately 0.7 miles southeast, and includes the following amenities: basketball courts, parking lot, picnic tables, playground, restrooms, group shelter, snack bar, soccer field, walking trail, and barbeques (City of Perris, 2022). The Project does not propose the development of any type of residential land use or other use that would result in a direct increase in the City's population or demand for park services. The Project would not require the construction of new or expanded park facilities; therefore, no physical impacts would result and the impact would be less than significant.
- **Other Public Facilities.** Residents of the City of Perris are provided library services through the Riverside County Library System (RCLS). As identified in the PVCCSP EIR Initial Study, development of allowed uses under the PVCCSP, including industrial and retail uses proposed as part of the Project, would not directly increase the demand for library or other public services as no new residential uses would be developed and no direct increase in the resident population would result that may create a demand for library services. As previously discussed, it is expected that the new jobs that would be created by the Project would be filled by individuals that reside in the area. The Project would not require the construction of new or expanded library facilities; therefore, no physical impacts would result and the impact would be less than significant.

The proposed Project, while it would require a Specific Plan Amendment, would require similar public services to the site's planned commercial use. As discussed above, the Project would not generate population growth that would further increase the demand for public services. Impacts would be less than significant.

- **Recreation.** The City's Community Services Department is responsible for recreational facilities in the City. As required by Section 8.2 of the PVCCSP, the Project would provide onsite employee amenities. The proposed Project is a commercial and warehouse site, which would not induce population growth or otherwise increase the use of or create the need for new parks and recreational facilities. Similarly, the proposed Project would not result in physical deterioration of existing recreation facilities such that there would be a need to construct expanded facilities. Therefore, no impact would occur in relation to existing recreation facilities. The impacts associated with the construction of on-site recreational facilities for Project site employees will be addressed in the applicable sections of the EIR.

- **Wildfire.** According to Exhibit S-16, Wildfire Constraint Areas, of the City General Plan Safety Element, the Project site is not located in or near an area identified as being a “Wildfire Hazard Area.” Additionally, the Project site is not classified as a Wildfire Hazard Area in the City’s General Plan or as a Very High Fire Hazard Severity Zone by CAL FIRE’s map for the City. The Project site is located within the limits of the City of Perris and is therefore not within a State Responsibility Area (SRA), which is the land where the State of California is financially responsible for the prevention and suppression of wildfires. Therefore, the Project would have no impacts related to wildfire.

The analysis to be provided in the forthcoming Draft EIR, and its supporting technical studies, will address potentially significant impacts and identify mitigation measures as necessary for the following environmental topics:

- A. **Aesthetics.** The Project would alter the existing visual character of the area and would introduce new sources of light during construction and operation. The Project site is not located within a state scenic highway. The Project’s compliance with applicable site development criteria governing scenic quality contained within the PVCCSP will be discussed in the Draft EIR. The Project is not consistent with the site’s current zoning and therefore may not be consistent with planned bulk, scale, and intensity. The Draft EIR will evaluate the potential for the Project to have an impact on scenic vistas, visual character, and light and glare effects.
- B. **Air Quality.** The Project site is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District. Impacts related to the following topics will be addressed in the forthcoming Draft EIR: consistency with the Air Quality Management Plan for the Basin; the potential for a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under applicable air quality standards; the potential exposure of sensitive receptors to substantial pollutant concentrations, including mobile source health risk impacts; and potential for the other emissions (such as those leading to odors adversely affecting a substantial number of people. The Draft EIR will discuss these issues and include the results of a technical report and Health Risk Assessment.
- C. **Biological Resources.** The Project site is within the area subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Discussion of the results of a biological resources assessment and consistency with the MSHCP will be included in the Draft EIR, which will also evaluate potential impacts to sensitive species and communities, riparian habitats, protected wetlands, wildlife movement, and local plans and policies.
- D. **Cultural Resources.** A Cultural Resources Survey will be prepared for the Project and discussed in the Draft EIR. The Project’s potential to cause adverse changes to historical or archaeological resources pursuant to CEQA Guidelines Section 15064.5 or unknown human remains will be evaluated in the Draft EIR.
- E. **Energy.** The construction and operation of the proposed Project would involve the consumption of energy. Potential impacts related to wasteful, inefficient, or unnecessary

consumption of energy resources will be addressed in the Draft EIR. The Draft EIR will also address the Project's consistency with applicable plans related to renewable energy and energy efficiency.

- F. **Geology and Soils.** While the Project site is not expected to have impacts related to geological and seismic hazards, the site does have potential for discovery of paleontological resources. The Draft EIR will address potential impacts related to geological or seismic hazards and paleontological resources.
- G. **Greenhouse Gas Emissions.** The Project has the potential to generate greenhouse gas emissions that may have a significant impact on the environment or conflict with applicable plans and policies. To determine the Project's construction and operational greenhouse gas emissions, a technical report will be prepared for the proposed Project and potential impacts related to emissions and regulations will be analyzed in the Draft EIR.
- H. **Hazards and Hazardous Materials.** The Draft EIR will address the potential for impacts related to hazardous materials transport, use, disposal, and accidents. The Project site is not located within one-quarter mile of a school and is not on a hazardous materials site pursuant to Government Code Section 65692.5; therefore, these issues will not be further addressed in the EIR. As the site is within the Airport Overlay Zone for the March ARB/IPA, the Project's consistency with the ALUCP will be addressed in the Draft EIR and confirmed by the ALUC. As identified above, the Project is not located in a VHFHSZ and therefore has limited potential for wildland fires. This issue will not be analyzed further in the Draft EIR, however the Project's compatibility with emergency response and evacuation plans will be addressed.
- I. **Hydrology and Water Quality.** The Project would alter the hydrology of the site and may result in impacts related to drainage patterns, flooding hazards, and water quality. The Draft EIR will address the potential for impacts related to water quality violations and the Project's Water Quality Management Plan (WQMP). Changes to groundwater recharge rates or issues related to impervious surfaces will also be addressed in the Draft EIR. Lastly, the Draft EIR will discuss possible risk of pollutant release due to inundation as well as consistency with any applicable water quality control plan or sustainable groundwater management plan.
- J. **Land Use and Planning.** The Project would develop a vacant lot and would not physically divide an established community. Consistency of the Project with each of the applicable policies from the City of Perris General Plan that have been adopted for the purpose of avoiding or mitigating an environmental effect will be addressed in the Draft EIR. Analysis of the Project's consistency with applicable provisions of the MARB/IPA ALUCP will also be provided.
- K. **Noise.** The Draft EIR will address noise and vibration levels during construction and operation and their consistency with applicable policies. Additionally, the Draft EIR will address noise impacts related to the nearby March ARB/IPA.

- L. **Transportation.** The Project applicant proposes new access points and site uses that would alter circulation near the site. The Draft EIR will include analysis of the Project's consistency with local transportation policies, potential for hazardous or incompatible features, and adequacy of emergency access. Further, vehicle miles traveled (VMT) will be addressed according to the City's significance threshold and CEQA Guidelines Section 15064.3.
- M. **Tribal Cultural Resources.** Potential impacts related to historical resources or otherwise important tribal cultural resources will be discussed in the Draft EIR. Results of consultation activities required by AB 52 will also be included in the Draft EIR.
- N. **Utilities and Service Systems.** The Project would require storm drain alterations that would be partially funded by the Project sponsor. Potential environmental impacts related to this expansion as well as other utility infrastructure will be included in the Draft EIR. Further discussion of water supplies, wastewater treatment capacity, and solid waste production and regulatory compliance will be addressed in the Draft EIR.

VI. FUTURE PUBLIC MEETINGS

As noted above, the City of Perris will hold a public scoping meeting with the City's Planning Commission on July 20, 2022 for the proposed Project. The City will provide background information, solicit public input, respond to questions, and focus the document on issues or public concern. Issues identified at the scoping meeting will be addressed in the Draft EIR as appropriate.

VII. RESPONSE TO THIS NOTICE OF PREPARATION

Please provide written comments to the City of Perris no later than 30 days from receipt of this Notice of Preparation. According to CEQA Guidelines Section 15082(b), your comments should address the scope and content of environmental information related to your agency's area of statutory responsibility. More specifically, your response should identify the significant environmental issues and reasonable alternative and mitigation measures that your agency will need to have explored in the Draft EIR and whether your agency will be a responsible agency or a trustee agency, as defined in CEQA Sections 15381 and 15386, respectively. Please return all comments to the following address:

Mathew Evans, Project Planner
Planning Division
City of Perris Development Services Department
135 North D Street, Perris, CA 92570
Email: mevans@cityofperris.org

The City of Perris appreciates your conscientious attention to this Notice of Preparation.

VIII. DOCUMENTS INCORPORATED BY REFERENCE AND REFERENCES

The following reports and/or studies are applicable to development of the Project site and are hereby incorporated by reference. The reports are available for review at the City of Perris Planning Division at the address above.

- Perris General Plan 2030 Environmental Impact Report, SCH No. 2004031135, certified April 26, 2005 (City of Perris, 2005)
- Perris Valley Commerce Center Specific Plan, adopted January 10, 2012 and amended through January 2022 (Amendment No. 12) (City of Perris, 2021b)
- Perris Valley Commerce Center Final Environmental Impact Report, SCH No. 2009081086, certified January 10, 2012 (City of Perris, 2011)

The following supporting documentation was used in preparing this NOP:

California Department of Conservation (DOC)

2021 Division of Oil, Gas, and Geothermal Resources (DOGGR). Accessed April 2, 2022. Division of Oil, Gas, and Geothermal Resources Well Finder. Sacramento, CA. Available at:

<https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.35333/33.95744/11>

2018 California Important Farmland Map. Available at:

<http://maps.conservation.ca.gov/ciff/ciff.html>

Perris, City of

2022 Community Services Department, Perris City Parks, Morgan Park. Accessed May 4. Available at: <https://www.cityofperris.org/Home/Components/FacilityDirectory/FacilityDirectory/26/88>

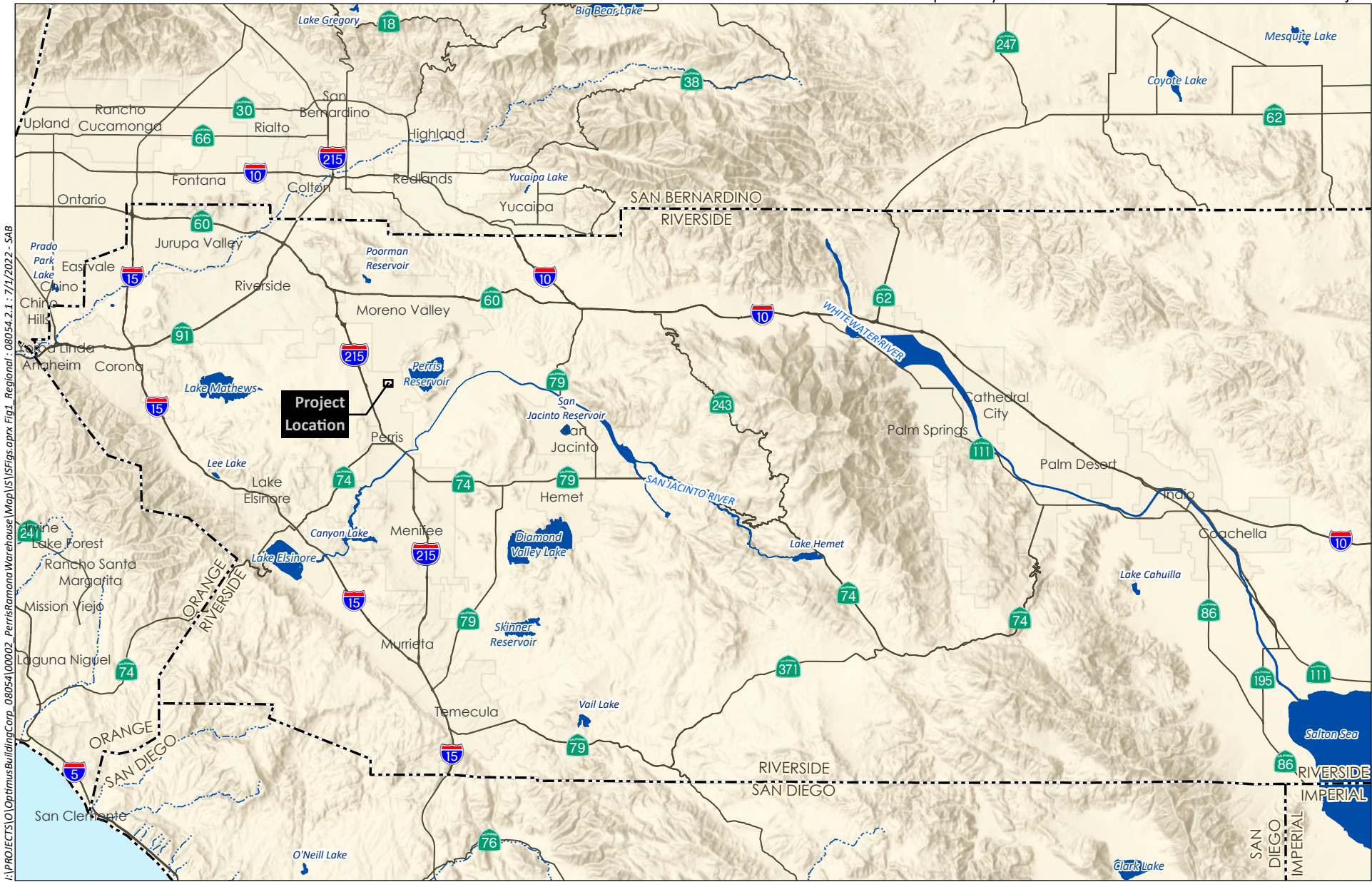
2011 Perris Valley Commerce Center Specific Plan Environmental Impact Report. July. Perris, CA. Available at: <https://www.cityofperris.org/departments/development%C3%82services/specific-plans>

Southern California Association of Governments (SCAG)

2020 Connect SoCal Demographics Growth Forecast Appendix. Profile of the City of Perris. Los Angeles, CA. Available at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-andgrowth-forecast.pdf?1606001579

Val Verde Unified School District (VVUSD)

2022 Infographic on District statistics. Accessed May 4. Available at: <https://drive.google.com/file/d/1oAs0YGt1yDs43NCd1WOCqRJlBv-WZkig/view>



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Source: Base Map Layers (ESRI, 2013)



I:\PROJECTS\IO\OptimusBuildingCorp_08054\00002_PerrisRamonaWarehouse\Map\IS\Figs.aprx Fig2_Project Location and Vicinity_08054.2.1 : 7/1/2022 - SAB

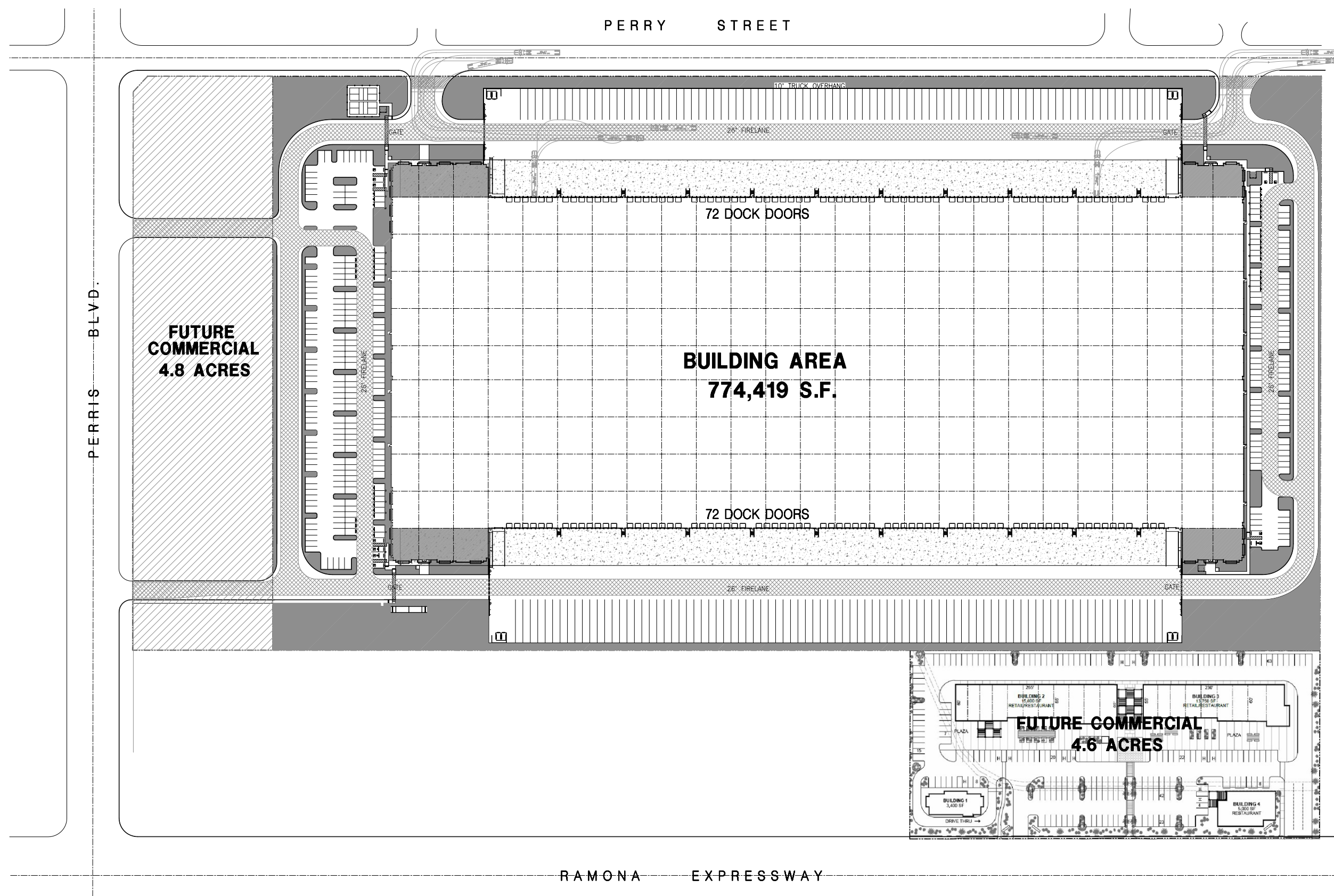
Source: Aerial (County of Riverside, 2020)



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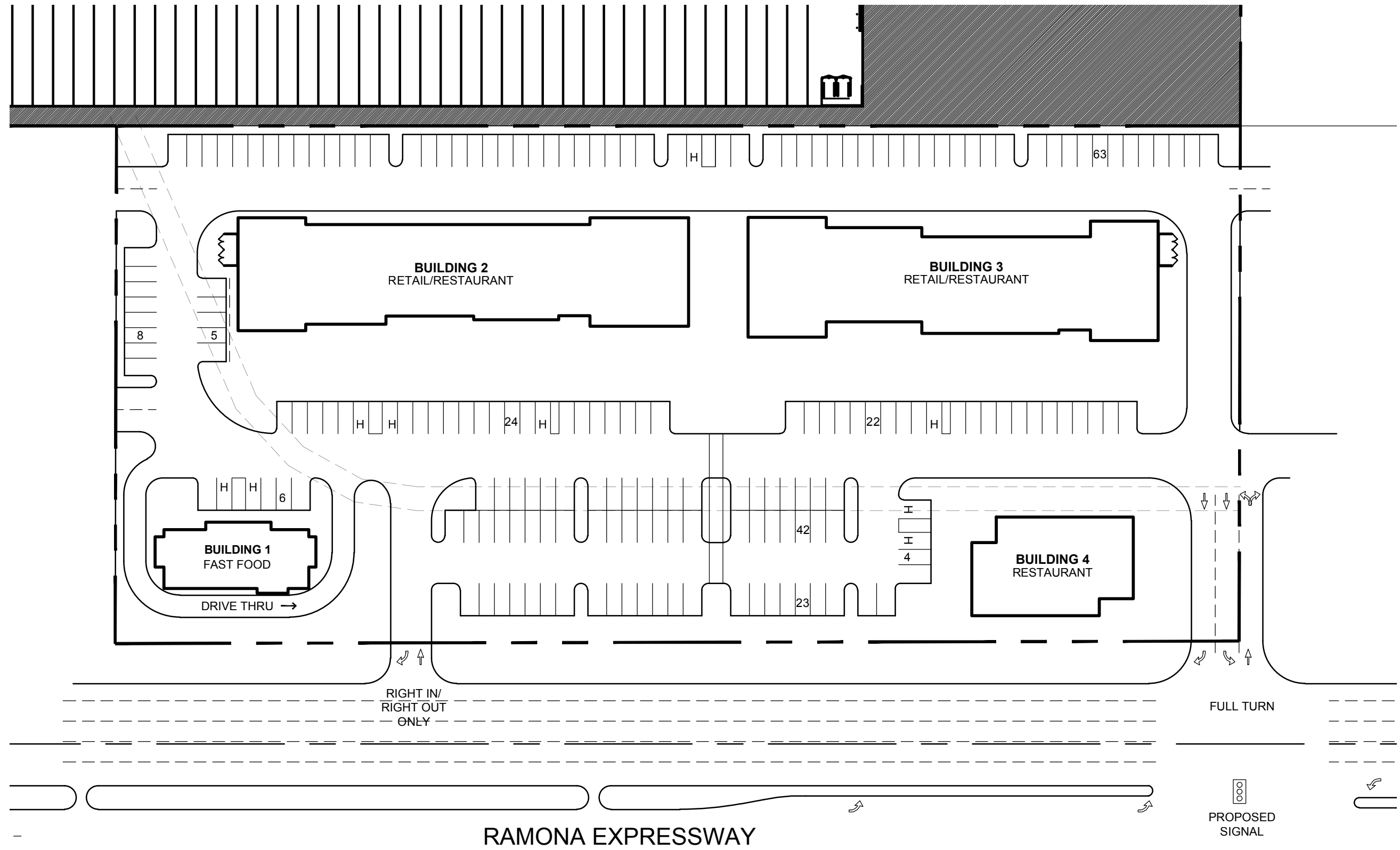


Source: Aerial (County of Riverside, 2020)



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Source: HPA Architecture, 2021



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Source: HPA Architecture, 2021



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

mevans@cityofperris.org

Mathew Evans, Project Planner
City of Perris, Planning Division
135 North "D" Street
Perris, California 92570

July 26, 2022

Notice of Preparation of a Draft Environmental Impact Report for the OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. Our comments are recommendations on the analysis of potential air quality impacts from the Proposed Project that should be included in the Draft Environmental Impact Report (EIR). Please send a copy of the Draft EIR upon its completion and public release directly to South Coast AQMD as copies of the Draft EIR submitted to the State Clearinghouse are not forwarded. **In addition, please send all appendices and technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all emission calculation spreadsheets, and air quality modeling and health risk assessment input and output files (not PDF files). Any delays in providing all supporting documentation for our review will require additional review time beyond the end of the comment period.**

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website¹ as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod² land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds³ and localized significance thresholds (LSTs)⁴ to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of

¹ South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: <http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook>.

² CalEEMod is available free of charge at: www.caleemod.com.

³ South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>.

⁴ South Coast AQMD's guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips, and hauling trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers and air pollution control devices), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis. Furthermore, emissions from the overlapping construction and operational activities should be combined and compared to South Coast AQMD's regional air quality CEQA *operational* thresholds to determine the level of significance.

If the Proposed Project generates diesel emissions from long-term construction or attracts diesel-fueled vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment⁵.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*⁶ is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory⁷.

The South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*⁸ includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions⁹. According to the MATES V Carcinogenic Risk interactive Map, the area surrounding the Proposed Project has an estimated cancer risk over 426 in one million¹⁰. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

In the event that the Proposed Project results in significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized to minimize these impacts. Any impacts resulting from mitigation measures must also be analyzed. Several resources to

⁵ South Coast AQMD's guidance for performing a mobile source health risk assessment can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>.

⁶ CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>.

⁷ CARB's technical advisory can be found at: <https://www.arb.ca.gov/ch/landuse.htm>.

⁸ South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Available at: <http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf>.

⁹ South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: <http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v>.

¹⁰ South Coast AQMD. MATES V Data Visualization Tool. Accessed at: [MATES Data Visualization \(arcgis.com\)](https://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v).

assist the Lead Agency with identifying potential mitigation measures for the Proposed Project include South Coast AQMD's CEQA Air Quality Handbook¹, South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2016 Air Quality Management Plan¹¹, and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy¹².

Mitigation measures for operational air quality impacts from mobile sources that the Lead Agency should consider in the Draft EIR may include the following:

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule¹³ and the Heavy-Duty Low NOx Omnibus Regulation¹⁴, ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentive the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year¹⁵ that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or at a minimum, provide the electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

Mitigation measures for operational air quality impacts from other area sources that the Lead Agency should consider in the Draft EIR may include the following:

¹¹ South Coast AQMD's 2016 Air Quality Management Plan can be found at: <http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf> (starting on page 86).

¹² Southern California Association of Governments' 2020-2045 RTP/SCS can be found at:

https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

¹³ CARB. June 25, 2020. *Advanced Clean Trucks Rule*. Accessed at: <https://ww2.arb.ca.gov/our-work/programs/advanced-clean-trucks>.

¹⁴ CARB has recently passed a variety of new regulations that require new, cleaner heavy-duty truck technology to be sold and used in state. For example, on August 27, 2020, CARB approved the Heavy-Duty Low NOx Omnibus Regulation, which will require all trucks to meet the adopted emission standard of 0.05 g/hp-hr starting with engine model year 2024. Accessed at: <https://ww2.arb.ca.gov/rulemaking/2020/hdomnibuslownox>.

¹⁵ CARB adopted the statewide Truck and Bus Regulation in 2010. The Regulation requires diesel trucks and buses that operate in California to be upgraded to reduce emissions. Newer heavier trucks and buses must meet particulate matter filter requirements beginning January 1, 2012. Lighter and older heavier trucks must be replaced starting January 1, 2015. By January 1, 2023, nearly all trucks and buses will need to have 2010 model year engines or equivalent. More information on the CARB's Truck and Bus Regulation is available at: <https://www.arb.ca.gov/msprog/onrdiesel/onrdiesel.htm>.

- Maximize use of solar energy by installing solar energy arrays.
- Use light colored paving and roofing materials.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low VOC cleaning products that go beyond the requirements of South Coast AQMD Rule 1113.

Design considerations for the Proposed Project that the Lead Agency should consider to further reduce air quality and health risk impacts include the following:

- Clearly mark truck routes with trailblazer signs, so that trucks will not travel next to or near sensitive land uses (e.g., residences, schools, day care centers, etc.).
- Design the Proposed Project such that truck entrances and exits are not facing sensitive receptors and trucks will not travel past sensitive land uses to enter or leave the Proposed Project site.
- Design the Proposed Project such that any check-in point for trucks is inside the Proposed Project site to ensure that there are no trucks queuing outside.
- Design the Proposed Project to ensure that truck traffic inside the Proposed Project site is as far away as feasible from sensitive receptors.
- Restrict overnight truck parking in sensitive land uses by providing overnight truck parking inside the Proposed Project site.

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NO_x) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 774,419 square foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation¹⁶. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage¹⁷.

¹⁶ South Coast AQMD Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program. Accessed at: <http://www.aqmd.gov/docs/default-source/rule-book/reg-xxiii/r2305.pdf>.

¹⁷ South Coast AQMD WAIRE Program. Accessed at: <http://www.aqmd.gov/waire>.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at mmorris@aqmd.gov.

Sincerely,

Michael Morris

Michael Morris
Planning and Rules Manager, CEQA IGR
Planning, Rule Development & Area Sources

MM
RVC220712-06
Control Number



July 15, 2022

Mr. Matthew Evans, Project Planner
City of Perris, Planning Division
135 North D Street
Perris, CA 92570
Email: mevans@cityofperris.org

Subject: EMWD Comments for the OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project NOP EIR

APN: 302-130-002, -008, -018, -021 to -024, and -027

Location: Ramona Expressway to the south, N. Perris Blvd. to the west, Perry St. to the north, and Redlands Ave. to the east, in the city of Perris, Riverside County, California.

Dear Matthew Evans:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Notice of Preparation of the draft Environmental Impact Report for the proposed OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project. The Project site consists of approximately 45.7 acres. The proposed Project will construct and operate a warehouse building with ancillary office uses on 36.3 acres and future development of commercial retail/restaurant uses within two portions of the Project site: one approximately 4.6-acre area along Ramona Expressway in the southern portion of the and one approximately 4.8-acre area along Perris Boulevard in the western portion of the site.

EMWD offers the following comments:

To define the impact(s) on the environment and on existing EMWD facilities, and as development within this area occurs over time, the proponents of implementing development projects shall consult EMWD's Development Services Department to compare proposed and existing water demands and sewer flows, and prepare a Design Conditions report (DC), formally known as the Plan of Service (POS), to detail all

Board of Directors

Philip E. Paule, *President* Randy A. Record, *Vice President* Jeff Armstrong Stephen J. Corona David J. Slawson

2270 Trumble Road • P.O. Box 8300 • Perris, CA 92572-8300

T 951.928.3777 • F 951.928.6177 www.emwd.org

pertinent facilities necessary to serve such implementing development projects, resulting in an approved DC, prior to final design and plan check of such facilities.

To help define EMWD's Design Conditions, EMWD requires beginning dialogue with project proponents at an early stage in the site design and development, via a one-hour complementary Due Diligence meeting. To set up this meeting the project proponent should complete a Project Questionnaire (form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page www.emwd.org, then select the "Developer" link, then select the "New Development Process Forms" link. This meeting will offer the following benefits:

1. Describe EMWD's development process
2. Identify project scope and parameters
3. Provide a preliminary review of the project within the context of existing infrastructure
4. Discuss potential candidacy for recycled water service
5. Identify project submittal requirements to start the Design Conditions review

Following the Due Diligence meeting, and to proceed with a project, the Design Conditions will need to be developed by the developer's engineer and reviewed/approved by EMWD prior to submitting improvement plans for Plan Check. The DC process and approval will provide the following:

1. Technical evaluation of the project's demands and existing system capacities
2. Identification of impacts to existing facilities
3. Identification of additional on-site and off-site facilities, necessary to serve the project
4. Identification of easement requirements, if necessary
5. Identification of potential EMWD's cost participation in facility oversizing, if applicable

If you have questions or concerns, please do not hesitate to contact Maroun El-Hage at (951) 928-3777, extension 4468 or by e-mail at El-hagem@emwd.org.

Sincerely,

Alfred Javier
Director of Environmental and Regulatory Compliance

ARJ:arj

Attachments: Copy of Public Notice

Job No. P22-070

**NOTICE OF PREPARATION AND SCOPING MEETING
RAMONA GATEWAY COMMERCE CENTER PROJECT
Draft Environmental Impact Report**

SUBJECT: OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project

- Specific Plan Amendment (SPA) (Case No. PLN22-05047) for the Proposed Warehouse
- Development Plan Review (DPR) (Case No. DPR22-00006) for the Proposed Warehouse
- Conditional Use Permit (CUP) (Case No. PLN22-05180) for the Proposed Commercial
- Tentative Parcel Map (TPM) (Case No. PLN22-05048)
- Environmental Impact Report (EIR)

The City of Perris (City) is commencing with the preparation of a Draft Environmental Impact Report (EIR) for the proposed OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project (Project) described herein and has released this Notice of Preparation (NOP) in compliance with the California Environmental Quality Act (CEQA). The City requests the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities. As a responsible or trustee agency, your agency may need to use the EIR prepared by the City when considering issuance of a permit or other approval for the Project. The City also requests the issues of concern to the nearby property owners. Information gathered during the NOP comment period will be used to shape and focus future analyses of environmental impacts.

A description of the Project, its location, and potential environmental effects, is attached. The City of Perris has determined that an EIR is required and no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

NOP COMMENT PERIOD:

The City invites you to submit written comments describing your specific environmental concerns. If you are representing a public agency, please identify your specific areas of statutory responsibility, if applicable. Written comments are desired at the earliest possible date, but due to the time limits mandated by State law, your response must be sent no later than 30 days after receipt of this notice. **The NOP public comment period begins on July 8, 2022 and ends on August 8, 2022. A public scoping meeting is scheduled for 6:00 p.m., on July 20, 2022 in the City Council Chambers of the City of Perris, 101 North "D" Street.** Please send your written comments to the City staff contact identified above, and please include your name, address, and contact information in your correspondence.

Project Title: Ramona Gateway Commerce Center Project

Project Applicant: Optimus Building Corporation (c/o Mike Naggar and Associates)
445 South D Street
Perris, CA 92570

Date: July 8, 2022

Signature: *Mathew Evans*
Mathew Evans, Project Planner

Please provide written comments no later than 30 days from receipt of this Notice of Preparation. According to Section 15082(b) of the State CEQA Guidelines, your comments should address the scope and content of environmental information related to your agency's area of statutory responsibility. More specifically, your response should identify the significant environmental issues and reasonable alternatives and mitigation measures that your agency will need to have explored in the Draft EIR; and, whether your agency will be a responsible agency or a trustee agency, as defined by CEQA Code Sections 15381 and 15386, respectively. Please return all comments to the following address:

Mathew Evans, Project Planner
City of Perris Planning Division
135 North "D" Street
Perris, California 92570
Email: mevans@cityofperris.org
(951) 943-5003 ext. 115

The NOP for the Project may be viewed in person at City Hall or downloaded from the City's website:

Notice of Preparation

<https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review>

City of Perris General Plan and EIR

<https://www.cityofperris.org/departments/development-services/general-plan>

Perris Valley Commerce Center Specific Plan and EIR

<https://www.cityofperris.org/departments/development-services/specific-plans>

The NOP will also be available on the CEQANET website:

<https://ceqanet.opr.ca.gov/>



08/08/2022

VIA EMAIL ONLY

Mathew Evans, Project Planner
Planning Division
City of Perris Development Services Department
135 North D Street
Perris, CA 92570
Email: mevans@cityofperris.org

RE: NOP Comments for OLC3 Ramona Expressway and Perris Blvd Commercial Warehouse Project

Dear Mr. Evans,

Thank you for providing Californians Allied for a Responsible Economy ("CARE CA") the opportunity to provide comments on the Notice of Preparation ("NOP") for environmental review of the OLC3 Ramona Expressway and Perris Blvd Commercial Warehouse Project (the "Project"). The Project proposes the construction of a 774,419 square foot high-cube fulfillment center warehouse building, along with 45,000 square feet of retail and restaurant space. Future commercial development will include 25,000 square feet of retail and restaurant uses. The Project requires various discretionary actions including Development Plan Review, Tentative Parcel Map, Specific Plan Amendment, and Conditional Use Permit.

CARE CA respectfully requests, under CEQA complete analysis of all identified potential environmental impacts, imposition of all feasible mitigation and study of a reasonable range of alternatives, including at least two environmentally superior alternatives to the Project.

General Comments

- i) Project Description: Please clarify the exact size of the proposed warehouse building. The building is listed as 774,419 square feet on page 4 of the NOP and 878,750 square feet on page 6.
- ii) Air Quality & Public Health: Goods movement industry is one of the major contributors of air pollutants across Southern California. Warehouse operations including trips by heavy duty trucks and cargo handling equipment contribute to local pollution. This project will have high

daily volumes of heavy-duty diesel truck traffic and on-site diesel-powered equipment (e.g., forklifts and yard tractors) that pollute the air with toxic diesel emissions. We are therefore encouraged by the fact that the DEIR will include a Health Risk Assessment. The HRA should also account for other emission sources such as backup generators.

iii) Mitigation measures: Mitigation measures must be effective and enforceable. For example, requirements such as zero emission, near-zero emissions, or alternative-fueled off-road construction equipment, zero emission motorized operational equipment, 10% EV parking and solar panels for 100% non-refrigerated uses would both reduce and/or eliminate air pollution impacts and CO2 emissions. Mitigation measures can also include requirements to install cool roofs to reduce operational energy demand and solar canopies on the parking lot to generate energy, electrification of loading docks, and measures to reduce urban heat island effect impacts.

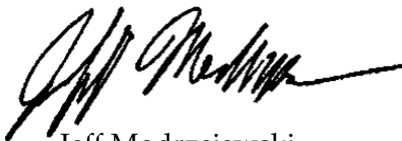
iv) Full Disclosure: Provide all sources and referenced materials when the DEIR is made available.

Conclusion

Thank you for the opportunity to submit NOP comments. Again, CARE CA respectfully requests under CEQA full analysis of the environmental impacts, feasible mitigation, and reasonable alternatives to the Project.

We look forward to reviewing and commenting on subsequent environmental review documents when these documents are released for public review.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Modrzejewski', with a long horizontal flourish extending to the right.

Jeff Modrzejewski
Executive Director

August 8, 2022

To: Matthew Evans, Project Manager
City of Perris
Planning Division
135 North D Street
Perris, CA 92570

From: B&B Gardner, LP
7811 West 81st Street
Playa del Rey, CA 90293

Re: Environmental Impact Report
OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project

Mr. Evans,

As property owner of APN 304-140-004, we are submitting written comments describing our specific environmental concerns regarding this project, along with questions related to issues that will impact our parcel, which is East of this proposed project.

Specifically, we have concerns about the following areas:

- **Utilities.** The Project would include the installation of on-site storm drain, water quality, water, sewer, electric, natural gas, and telecommunications infrastructure systems to serve the proposed warehouse and retail uses. Infrastructure improvements would also include the construction of an extension of the planned Line E storm drain box culvert, which would be constructed below grade along the southern edge of the warehouse portion of the Project site, then turning to the southeast beneath the southern retail portion of the Project site and continuing eastward to either terminate at the eastern edge of the Project site, or continuing onto and through the off-site property immediately adjacent to the east. If undertaken by the Project applicant, is anticipated that this off-site portion of the Line E storm drain would be constructed as part of the Project. The onsite utility infrastructure would connect to existing utilities
1. As a property owner East of this project, we are concerned about the off-site portion of the Line E storm drains construction and how this will affect not only our property but all properties East of this project.
 2. We request that the EIR reviews, addresses, and explains directly how all off-site infrastructure plans, including street and utility improvements pursuant to the conditions of approval deal with and prevent drainage issues for our property and all other properties adjacent to the project.
 3. We request that the EIR review addresses the impact on our property and all properties around this project through the permits or associated approval by other utility agencies as necessary, for installation of new utility infrastructure or connections to existing facilities.

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The PVCCSP EIR analyzes the direct and indirect impacts resulting from implementation of the allowed development under the PVCCSP. Measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts resulting from that development are identified in the PVCCSP EIR. In conjunction with certification of the PVCCSP EIR, the City adopted a Mitigation Monitoring and Reporting Program (MMRP). Additionally, the PVCCSP includes Standards and Guidelines to be applied to future development projects in the Specific Plan area. The City requires that future development projects in the Specific Plan area comply with the required PVCCSP Standards and Guidelines and PVCCSP EIR mitigation measures as outlined in the MMRP, and that these requirements are implemented in a timely manner. Relevant Standards and Guidelines and PVCCSP EIR mitigation measures that are incorporated into the Project will be listed for each topical issue in the EIR.

The Draft EIR shall contain a detailed Project description, a map identifying the location of the Project site and surrounding land uses, a description of the existing environmental setting, Project-specific impacts, cumulative impacts, mitigation measures to reduce potentially significant impacts, and an alternatives analysis.

1. We request that the EIR specifically develop a Mitigation Monitoring and Reporting Program (MMRP) that includes specific standards and guidelines that will be applied to future development projects in the Specific Plan area.
2. Given that these specific plans must comply with the required PVCCSP Standards and Guidelines, we request and expect that the impact of our parcel be addressed within this report.
3. We request that this EIR addresses the specific impact and land use associated with EA18-05287, as these parcels, along with ours can be negatively impacted future development, create environmental concerns for surrounding properties.
4. What specific mitigation measures will be done to reduce these impacts.
5. A specific alternative analysis that does not utilize or impact properties East of this development, specifically our parcel.

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I. Hydrology and Water Quality. The Project would alter the hydrology of the site and may result in impacts related to drainage patterns, flooding hazards, and water quality. The Draft EIR will address the potential for impacts related to water quality violations and the Project's Water Quality Management Plan (WQMP). Changes to groundwater recharge rates or issues related to impervious surfaces will also be addressed in the Draft EIR. Lastly, the Draft EIR will discuss possible risk of pollutant release due to inundation as well as consistency with any applicable water quality control plan or sustainable groundwater management plan.

1. We request that the EIR addresses specific hydrology, drainage patterns, flooding hazards and ground water impacts for properties East of this project, including our parcel, as the plans specifically state that properties East of this project will be used to mitigate and manage run-off and drainage.

2. We request that the EIR specifically addresses the risk of pollutants released due to inundation or any other known or unknown potential risks associated with water run-off, spill-over or other issues that can pollute our property, especially given its proximity to the Perris Valley Storm Drain.

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N. Utilities and Service Systems. The Project would require storm drain alterations that would be partially funded by the Project sponsor. Potential environmental impacts related to this expansion as well as other utility infrastructure will be included in the Draft EIR. Further discussion of water supplies, wastewater treatment capacity, and solid waste production and regulatory compliance will be addressed in the Draft EIR.

1. We request that alterations to the storm drain specifically address:
 - a. Infrastructure on or around our property, as it borders the Perris Valley Storm Drain.
 - b. Potential environmental impacts related to the expansion of the Perris Valley Storm Drain on our parcel.
 - c. The impact of water supplies, wastewater treatment and solid waste production will have on our parcel.
2. We specifically request that drawings, engineering plans and other visual documents be created and supplied to illustrate any current and/or new expansion of the Perris Valley Storm Drain and how expansion and utility infrastructure will impact our parcel.

In conclusion, we state, for the record, that we request to receive electronic copies of any and all Draft EIR documents prior to any public hearings for this project. There are real concerns about this project that impact the viability of our property that needs to be considered and addressed by the Developer, the City of Perris, Riverside Flood Control and the City of Perris Planning Department.

Please direct all direct contact and correspondence to:

Dr. Doug Gardner, Partner
B&B Gardner, LP
Email: gardnerlpdoug@gmail.com
Phone: 925-788-5413

Respectfully submitted,

Doug Gardner
B&B Gardner, LP
7811 West 81st Street
Playa del Rey, CA 90293

Staff Contact: Matthew Evans, Project Planner
Phone: (951) 943-5003 ext. 115
Email: mevans@cityofperris.org

2023 NOP Comment Letters



NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT OLC3 RAMONA EXPRESSWAY
AND PERRIS BOULEVARD COMMERCIAL WAREHOUSE PROJECT

To:
(Potential Responsible, Trustee, Federal, and
Local Agencies and nearby property
Owners)

From:
City of Perris
135 North "D" Street
Perris, CA 92570

CEQA LEAD AGENCY:

City of Perris
Planning Division
135 North "D" Street
Perris, CA 92570
Staff Contact: Douglass Fenn,
Project Planner
Phone: (909) 730-2424
Email: dfenn@cityofperris.org

**SUBJECT: OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse
Project**

- Specific Plan Amendment (SPA) (Case No. PLN22-05047) for the Proposed Warehouse
- Development Plan Review (DPR) (Case No. DPR22-00006) for the Proposed Warehouse
- Conditional Use Permit (CUP) (Case No. PLN22-05180) for the Proposed Commercial
- Tentative Parcel Map (TPM) (Case No. PLN22-05048)
- Environmental Impact Report (EIR)

The City of Perris (City) is commencing with the preparation of a Draft Environmental Impact Report (EIR) for the proposed OLC3 Ramona Expressway and Perris Boulevard Commercial

Warehouse Project (Project) described herein and has released this Notice of Preparation (NOP) in compliance with the California Environmental Quality Act (CEQA). The City requests the views of your agency as to the scope and content of the environmental information relevant to your agency's statutory responsibilities. As a responsible or trustee agency, your agency may need to use the EIR prepared by the City when considering issuance of a permit or other approval for the Project. The City also requests the issues of concern to the nearby property owners. Information gathered during the NOP comment period will be used to shape and focus future analyses of environmental impacts.

A description of the Project, its location, and potential environmental effects, is attached. The City of Perris has determined that an EIR is required and no Initial Study will be prepared (see State CEQA Guidelines, Sections 15060 and 15081).

NOP COMMENT PERIOD:

The City invites you to submit written comments describing your specific environmental concerns. If you are representing a public agency, please identify your specific areas of statutory responsibility if applicable. Written comments are desired at the earliest possible date, but due to the time limits mandated by State law, your response must be sent no later than 30 days after the receipt of this notice. If a responsible or trustee agency fails to respond within this time period, the City may presume that your agency has no response to make pursuant to CEQA Guidelines Section 15082(b)(2). **This NOP comment period begins on April 14, 2023, and ends on May 14, 2023. A public scoping meeting was held at the Planning Commission meeting on July 20, 2022. This issuing of the NOP is to clarify issues raised in the public scoping process that has eliminated the the need for off-site storm drain improvements. No off-site storm drain improvements are anticipated.** Please send your written comments to the City staff contact identified above and include your name, address, and contact information in your correspondence.

The Project description, location, and the potential environmental effects are contained in the attached materials. The City of Perris has determined that an EIR is required, and no Initial Study will be required pursuant to CEQA Guidelines Sections 15060 and 15081.

Project Title: OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse

Project Applicant: Optimus Building Corporation (c/o Mike Naggar and Associates)
445 South D Street
Perris, California 92570

Date: March 14, 2023

Signature: Douglass Fenn, Project Planner

I. PROJECT SITE LOCATION AND SETTING

The Project site is located in the City of Perris (City), in Riverside County, CA, near the intersection of Ramona Expressway and North Perris Boulevard (see Figure 1, *Regional Location*, and Figure 2, *Project Location and Vicinity*, attached at the end of this NOP). The Project site consists of approximately 45.7 acres and contains disturbed vacant land that was previously used for agricultural purposes. The Project site is generally bounded by Ramona Expressway to the south, N. Perris Boulevard to the west, Perry Street to the north, and Redlands Avenue to the east. It encompasses Assessor's Parcel Numbers (APNs) 302-130-002, -008, -018, -021, -022, -023, -024, and -027. The Project site is within the boundaries of the Perris Valley Commerce Center Specific Plan (PVCCSP) planning area.

The Project site is located about 1.4 miles southeast of the March Air Reserve Base/Inland Port Airport (ARB/IPA) and is located within the March ARB/IPA Airport Influence Area Boundary and the City's Airport Overlay Zone. The Project site is located almost entirely within Airport Compatibility Zone D (Flight Corridor Buffer) with a small portion of the site located within Zone C1 (Primary Approach/Departure Zone).

The Project site is generally flat with elevations ranging between 1,450 and 1,460 feet above mean sea level (amsl), with stormwater runoff generally flowing to the southeast. An existing drainage swale is located along the north side of Ramona Expressway (i.e., along the southern edge of the project site), which is owned and maintained by the Riverside County Flood Control and Water Conservation District (RCFC&WCD) and runs in an east-west direction connecting to the Perris Valley Storm Drain about 1,850 feet to the east.

As shown on Figure 3, *Aerial Photograph* (attached to this NOP), land uses surrounding the Project site include a mix of undeveloped and developed land. Specifically, surrounding properties include undeveloped vacant land to the west, east and south; commercial uses to the west and south; industrial and warehouse development to the north and east; and a gas station and commercial uses immediately adjacent to the southwest.

The Project site is located within the Mead Valley Area Plan of the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). The Project site is not located within any MSHCP Criteria Cell or designated conservation area, Core or Linkage area, Mammal Survey Area, Amphibian Survey Area, Criteria Area Species Survey Area, Narrow Endemic Plant Species Survey Area, or Burrowing Owl Survey Area.

The existing General Plan land use designation and zoning for the Project site is Specific Plan - (i.e., the PVCCSP). The PVCCSP designates the site for Commercial uses. Commercial land use designations are identified immediately to the west and south. Light Industrial uses are designated to the north, while Light Industrial and Commercial designations are located immediately to the east. Multi-family residential uses (that currently include a mobile home park) occur approximately 300 feet south of the Project site at the closest point, beyond the existing commercial uses southeast of the intersection of Ramona Expressway and North Perris Boulevard.

II. PROJECT BACKGROUND

On January 10, 2012, the City of Perris City Council adopted the PVCCSP, which was prepared pursuant to the authority granted to the City by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 65450 to 65457. On the same date, the City also adopted Ordinance No. 1284, adopting Specific Plan Zoning for properties within the PVCCSP planning area. The PVCCSP land uses allow for the development of approximately 3,500 acres which consist of industrial, commercial, and office uses, as well as public facilities. The PVCCSP has been subsequently amended, with Amendment No. 12 occurring in January 2022. In conjunction with its approval of the PVCCSP, the City complied with CEQA by preparing and certifying the Perris Valley Commerce Center Specific Plan Final Environmental Impact Report (PVCCSP EIR) (State Clearinghouse No. 2009081086) (City of Perris, 2011).

III. PROJECT DESCRIPTION

The proposed Project involves the approval of a Development Plan to allow the construction and operation of a warehouse building with ancillary office uses on 36.3 acres and future development of commercial retail/restaurant uses within two portions of the Project site: one approximately 4.6-acre area along Ramona Expressway in the southern portion of the site (“southern commercial site”) and one approximately 4.8-acre area along Perris Boulevard in the western portion of the site to remain undeveloped (“western commercial site”). The Project Applicant is requesting the discretionary approvals described below. Figure 4, *Overall Project Site Plan*, present the conceptual site plan for the proposed warehouse and retail uses. The Project is anticipated to be constructed in one phase by the year 2024.

The proposed warehouse use is not consistent with the current commercial land use and zoning designations for the Project site; however, the applicant is requesting an amendment to the PVCCSP to change the warehouse portion of the Project site to Light Industrial, under which warehouse uses are permitted. The proposed commercial uses are consistent with the land use and zoning designations for the Project site. Specific retail tenants have not been identified; therefore, for purposes of analysis in the EIR, the proposed conceptual site plans represent the anticipated mix and site design for retail uses at the Project site. However, other retail uses may ultimately be contemplated, consistent with that allowed under the PVCCSP.

1. Development Plan Review (DPR) for the Proposed Industrial Warehouse Building and Commercial Development

- **Warehouse Building.** Warehouse development would occur within the central portion of the Project site. The warehouse building would include 774,419 total square feet of a high-cube fulfillment center warehouse building that includes 20,000 square feet of planned office area (see Figure 4). The tenant is not known at this time; therefore, for purposes of analysis, it is assumed that the building square footage would be operated as a high-cube fulfillment center warehouse, and the building could operate 24 hours a day, seven days a week.

- The building would comply with applicable standards and guidelines outlined in the PVCCSP related to architecture and, in general, would have a modern industrial design. The building would have a maximum building height of 50 feet. Required indoor and outdoor employee amenities would also be provided.
- **Commercial Retail Development.** The Project proposes commercial retail/restaurant uses within the approximately 4.6-acre southern commercial site fronting on Ramona Expressway and future development of retail and restaurant uses within the approximately 4.8-acre western commercial site fronting on Perris Boulevard, as shown on Figures 5 and 6. The proposed commercial development within the southern commercial site would include approximately 45,000 square feet of retail and food uses (comprised of 21,825 square feet of strip retail plaza use, 5,000 square foot high turnover (sit-down) restaurant, 14,775 square feet of fast-food restaurant without drive-through window use in line with retail use, and 3,400 square foot fast-food restaurant with drive-through window use). Although not currently included in the Project's Development Plan Review request, future commercial development within the western commercial site would include approximately 25,000 square feet of retail and food uses (comprised of 18,000 square feet of strip retail/restaurant use and two fast-food restaurants with drive-through window totaling 4,000 square feet and 3,000 square feet, respectively). The buildings would comply with applicable standards and guidelines outlined in the PVCCSP related to architecture. The buildings would have a maximum building height of 45 feet.
 - **Access, Circulation, and Parking.** The Project would provide two automobile access driveways to future commercial uses within the western commercial site fronting Perris Boulevard with right-in/right-out access only (which would also provide indirect automobile access to the warehouse portion of the site), as well as two truck and automobile access driveways off of Perry Street (with left-in/right-out access only for trucks and no turn restrictions for automobiles). The southern retail component would have two driveways on Ramona Expressway: the western driveway would have right-in/right-out access only, while the eastern driveway would be signalized and thus would have no access restrictions. The proposed warehouse site plan includes 298 automobile parking stalls, 144 truck docks, and 174 trailer parking stalls. The southern commercial site plan includes 212 automobile parking spaces, while the western commercial site plan includes 172 automobile parking spaces. Bike racks would also be provided.
 - **Truck Routes.** Trucks traveling to/from the Project site would be required to access PVCCSP-designated truck routes. Directional signage would be provided onsite to direct drivers accordingly. Based on direction from the City, all trucks would access the warehouse facility only from Perry Street via Redlands Avenue, a PVCCSP-designated truck route, to Harley-Knox Boulevard to the north to travel to and from I-215. No truck traffic would be permitted on Redlands Avenue south of Perry Street or anywhere along Perris Boulevard or Ramona Expressway.

- **Landscaping, Walls/Fences, and Lighting.** Landscaped parkways would be provided along Ramona Expressway consistent with PVCCSP requirements, as Ramona Expressway is designated as an Expressway. To obstruct views from this thoroughfare, a 14-foot-high concrete screening wall would be provided along the boundary between the proposed retail and warehouse uses and landscaping would be provided along the Ramona Expressway and Perris Boulevard frontages of the retail portions of the Project site. A 14-foot-high concrete screening wall would also be provided along the warehouse facility's Perry Street frontage on the north. Landscaping would be provided along the entire site perimeter of both the warehouse and retail portions of the Project site, within the automobile parking areas for visual quality and shading, and at select building-adjacent locations. Approximately 12.1 percent of the warehouse portion of the Project site would be landscaped. Onsite exterior lighting would be provided throughout the warehouse and retail portions of the Project site as required for security and wayfinding.
- **Utilities.** The Project would include the installation of on-site storm drain, water quality, water, sewer, electric, natural gas, and telecommunications infrastructure systems to serve the proposed warehouse and retail uses. Infrastructure improvements would also include the construction of an extension of the planned Line E storm drain box culvert, which would be constructed below grade along the southern edge of the warehouse portion of the Project site, then turning to the southeast beneath the southern retail portion of the Project site and continuing eastward to terminate at the eastern edge of the Project site. The onsite utility infrastructure would connect to existing utilities in the vicinity of the Project site or new utility lines that would be installed within the public right-of-way adjacent to the Project site. Eastern Municipal Water District (EMWD) is willing to provide water and sewer services to the subject project.

2. Specific Plan Amendment for the Proposed Industrial Warehouse Building

The current General Plan land use designation and Zoning for the Project site is Specific Plan (i.e., the PVCCSP). The Project site has a PVCCSP land use designation of Commercial. A Specific Plan Amendment is required to change a portion of the site's zoning to Light Industrial, which includes warehouse facilities as a permitted use. Specifically, the following amendments to the PVCCSP (most recently amended in January 2022) are proposed.

- Change (rezone) the PVCCSP land use designation for 36.3 acres of Commercial to Light Industrial (LI) to facilitate development of the proposed 774,419 square foot warehouse building.
- Revise Figure 2.0-1, Specific Plan Land Use Designation, to change the land use designations for the northern portion of the Project site (approximately 36.3 acres) from Commercial to Light Industrial (LI) as indicated above.

- Revise Table 2.0-1, Land Use Comparison, to update the acreage calculations for "Proposed Acres" as follows: reduce Commercial from 270 to 234 acres and increase LI from 2,033 to 2,069 acres.

3. Tentative Parcel Map (TPM) No. 05048

The Project involves proposed TPM No. 05048 to re-subdivide the existing eight-parcel Project site into eight parcels (one parcel for the proposed warehouse use, two parcels for the proposed retail uses, and up to four parcels for future commercial/retail uses. It should be noted that the ultimate number and location of parcels within the property may be adjusted at a later date. The existing APNs subject to the proposed changes are: 302-130-002, 302-130-008, 302-130-018, 302-130-021, 302-130-022, 302-130-023, 302-130-024, and 302-130-027.

4. Conditional Use Permit (CUP) for Commercial Uses

The Project includes proposed drive-through restaurant uses within the southern commercial site fronting Ramona Expressway, which requires the issuance of the CUP to allow for these uses on a site designated as Commercial under the PVCCSP.

IV. REQUIRED PERMITS/ACTIONS

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Perris, as the Lead Agency, is charged with the responsibility of deciding whether to approve the Project. As identified above, the following permits and discretionary actions are required by the City of Perris to implement the proposed Project:

- **Development Plan Review** for the warehouse and commercial site plans and building elevations;
- **Certification of an EIR** with the determination that the EIR has been prepared in compliance with the requirements of CEQA;
- **Tentative Parcel Map No. 05048** to re-subdivide the existing eight-parcel Project site into eight new parcels (subject to change as noted above); and
- **Specific Plan Amendment** to amend the PVCCSP to change a portion of the site's zoning to Light Industrial, which includes warehouse facilities as a permitted use.
- **Conditional Use Permit** to allow for drive-through restaurant uses within the southern commercial area along Ramona Expressway.

Other non-discretionary actions anticipated to be taken by the City at the staff level for 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 of all plans, including grading and on-site utilities; and
- Approval of a Preliminary Water Quality Management Plan 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;
- A determination by the **Riverside County Airport Land Use Commission** (ALUC) of consistency with the March ARB/IPA Airport Land Use Compatibility Plan (ALUCP);
- Compliance with the **South Coast Air Quality Management District** Indirect Source Rule (Rule 2305) for warehouse owners and operators;
- Approval of Water Supply Assessment and water and sewer improvement plans by the **Eastern Municipal Water District**; and
- Permits or associated approval by other utility agencies as necessary, for installation of new utility infrastructure or connections to existing facilities.

V. PROBABLE ENVIRONMENTAL EFFECTS OF THE PROJECT

The PVCCSP EIR is a program EIR and project-specific evaluation in a later-tier environmental document for individual development projects within the Specific Plan area was anticipated. As stated in Section 15168(d)(3) of the 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 Project will be based on, or tiered from, the analysis presented in the PVCCSP EIR, when applicable.

The PVCCSP EIR analyzes the direct and indirect impacts resulting from implementation of the allowed development under the PVCCSP. Measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts resulting from that development are identified in the PVCCSP EIR. In conjunction with certification of the PVCCSP EIR, the City adopted a Mitigation Monitoring and Reporting Program (MMRP). Additionally, the PVCCSP includes Standards and Guidelines to be applied to future development projects in the Specific Plan area. The City requires that future development projects in the Specific Plan area comply with the required PVCCSP Standards and Guidelines and PVCCSP EIR mitigation measures as outlined in the MMRP, and that these requirements are implemented in a timely manner. Relevant Standards and Guidelines and PVCCSP EIR mitigation measures that are incorporated into the Project will be listed for each topical issue in the EIR.

The Draft EIR shall contain a detailed Project description, a map identifying the location of the Project site and surrounding land uses, a description of the existing environmental setting, Project-specific impacts, cumulative impacts, mitigation measures to reduce potentially significant impacts, and an alternatives analysis.

Based on currently available information, and as discussed below, the City has determined that the Project would have no impacts or less than significant impacts related to agriculture and forestry resources, mineral resources, population and housing, public services, recreation, and wildfire. Therefore, as discussed in greater detail below, no further analysis of these environmental topics will be provided in the Draft EIR.

- **Agriculture and Forestry Resources.** Pursuant to CEQA Section 21060.1, agricultural land means Prime Farmland, Farmland of Statewide Importance, or Unique Farmland, as defined by the U.S. Department of Agriculture land inventory and monitoring criteria as modified for California. The State CEQA Guidelines Appendix G thresholds of significance used by the City of Perris for CEQA purposes states that a significant impact to agriculture could occur if a project was to convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to non-agricultural use. Based on the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program, the Project site is classified as Farmland of Local Importance (DOC 2018) and is surrounded by areas also designated as Farmland of Local Importance or Urban and Built-Up Land. The Project site and surrounding areas are not currently being utilized for agricultural purposes. Moreover, the Project site is not within an area subject to a California Land Conservation Act of 1965 (Williamson Act) contract, and is not otherwise zone by the City for agricultural use. Similarly, the Project site does not contain forest resources. Therefore, the Project would have no impact related to agriculture and forestry resources.
- **Mineral Resources.** According to the City's General Plan, the land within the City is classified as Mineral Resource Zone (MRZ) 3 and MRZ 4, which are not considered to be significant mineral resource areas. The CDC is primarily interested in the preservation of significant resources in MRZ 2 regions. Further, the City does not have designated locally important mineral resource recovery sites in the General Plan. In addition, the California DOC does not show oil, gas, or geothermal fields underlying the site; and no oil or gas wells are recorded on or near the site in the Division of Oil, Gas, and Geothermal Resources (DOGGR) Well Finder (DOC, 2021). Therefore, implementation of the proposed Project would not result in the loss of availability of a regionally or locally important mineral resource and no impact would occur.
- **Population and Housing.** The Project does not propose residential structures or other infrastructure that would encourage residential development. The Project would create jobs within the City that would be expected to be filled by the existing

population. The job creation would not be of a magnitude to induce substantial population growth. Additionally, the Project site is currently vacant and therefore implementation of the Project would not necessitate the construction of replacement housing.

Table 4.8-E, Development Intensity and Employment Projections, of the PVCCSP EIR, identifies average employment generation factors for the allowed development types identified in the PVCCSP. One employee per 1,030 square feet is estimated for Light Industrial floor space and one employee per 500 square feet is estimated for commercial uses. The Project consists of the construction and operation of up to 774,419 square feet of warehouse uses, and 70,000 square feet of commercial retail uses.

Based on the employment generation factors in the PVCCSP EIR, the Project could generate approximately 752 new industrial employees and 140 new commercial retail employees (approximately 892 new jobs). The PVCCSP EIR estimates that implementation of the land uses allowed under the PVCCSP would result in the generation of approximately 56,087 jobs/employees in the area (see Table 4.8-E under Section 4.8, Land Use and Planning, and the discussion of "Growth Inducing Impacts" in Section 5 of the PVCCSP EIR). Therefore, the employment generation estimated for the Project (892 employees) represents approximately 1.6 percent of the total employment generation anticipated in the Specific Plan area. Further, this represents approximately 3.4 percent of the City's projected employment base by 2045 as presented in the Southern California Association of Governments (SCAG) Connect SoCal (26,400 employees) (SCAG, 2020).

Additionally, similar to the short-term construction jobs, it is anticipated that these new retail and warehouse positions would be filled by workers who would already reside in the region. The Project would involve the installation of utilities necessary to connect to existing infrastructure systems adjacent to or in the vicinity of the Project site and would involve improvements to adjacent roadways, consistent with the PVCCSP. Therefore, the Project would not directly or indirectly generate substantial unplanned population growth in the area. No significant impacts related to population or housing are expected as a result of the proposed Project.

- **Public Services.** The PVCCSP EIR Initial Study concluded that development within the PVCCSP area, which includes the Project site, would result in less than significant impacts to public services. The City of Perris has concluded that the Project would not result in potentially significant impacts to public services as discussed below.
 - **Fire Protection.** While implementation of the Project would not involve new residential uses or uses that would increase the City's population, the operation of the proposed industrial and retail buildings would increase the

demand for fire protection, prevention, and emergency medical services at the currently undeveloped site. California Department of Forestry and Fire Protection (CAL FIRE), under contract with Riverside County and operating as Riverside County Fire Department (RCFD), provides fire prevention and suppression to the City of Perris. RCFD Station No. 1 located at 210 W. San Jacinto Avenue and RCFD Station No. 90 at 333 Placentia Avenue exclusively serve the City of Perris. RCFD Station No. 1 is approximately 4.6 roadway miles southwest of the Project site. RCFD Station No. 90 is approximately 2.2 roadway miles south of the Project site. Other RCFD stations respond to emergency service calls in the City on an as-needed basis. The Project would create the typical range of service calls for industrial and retail developments, such as medical aid, fire response, and traffic collisions. The Project would be designed in compliance with all applicable ordinances and standard conditions established by the RCFD and/or the City or State including, but not limited to those regarding fire prevention and suppression measures, such as fire hydrants, fire access, emergency exits, combustible construction, fire flow, and fire sprinkler systems. Compliance with applicable regulations would be confirmed by the RCFD during its review of development plans to ensure it has the capacity to provide proper fire protection to the development. The development of the Project would not cause fire staffing, facilities, or equipment to operate at a deficient level of service. Additionally, the Project Applicant would be required to pay North Perris Road and Bridge Benefit District (NPRBBD) fees, inclusive of the City's Development Impact Fee (DIF), which provides a funding source for construction of fire facilities as a result of impacts related to future growth in the City. The Project would not require the construction of new or expanded fire protection facilities; therefore, no physical impacts would result and the impact would be less than significant.

- **Police Protection.** While implementation of the Project would not involve new residential uses or uses that would increase the City's population, the operation of proposed industrial and commercial retail buildings would increase the demand for police protection services at the currently undeveloped site. The City of Perris contracts with the Riverside County Sheriff Department (RCSD) for the provision of municipal police services in the City. The Project would be designed and operated in compliance with the standards provided within the City's Municipal Code, RCSD, and the PVCCSP for new development with regard to public safety. The Perris Police Station is located at 137 N. Perris Boulevard and is located approximately 4.5 roadway miles southwest of the Project site. Sheriff response times vary by time of day and priority of the call. Typical operational police protection services involved with the proposed

industrial and retail uses include after-hours patrol, crime and traffic accident/collision responses, and calls for service. The Project Applicant would be required to contribute DIF fees which would ensure the Project provides fair share funds for the provision of additional police protection services, which may be applied to sheriff facilities and/or equipment, to offset the incremental increase in the demand that would be created by the Project. Therefore, Project's incremental demand for sheriff protection services would be less than significant with the Project's mandatory payment of DIF fees. The Project would not require the construction of new or expanded police protection facilities; therefore, no physical impacts would result and the impact would be less than significant.

- **Schools.** The Project site is located with the Val Verde Unified School District (VVUSD), which covers 67 square miles in Riverside County, and is comprised of 22 schools serving pre-kindergarten through 12th grade (VVUSD, 2022). The Project site is within the service area for the following schools: May Ranch Elementary School, Vista Verde Middle School, Rancho Verde High School, and Val Verde High School. The Project would not directly create a source of students, as the Project does not involve the development of residential land uses. Therefore, no school-age children would be living at the Project, and no direct demand for school services and facilities would occur. Additionally, as previously discussed, it is expected that the new jobs that would be created by the Project would be filled by individuals that reside in the area. Appropriate developer impact fees, as required by State law, shall be assessed and paid by the Project Applicant to the VVUSD. Section 65995(b) of the California Government Code establishes the base amount of allowed developer fees and allows increases in the base fee every two years. School districts are placed into a specific "level" based on school impact fee amounts that are imposed on the development. With the payment of the required fees and with no additional students generated from the Project, no significant impacts to school services would result. The Project would not require the construction of new or expanded police protection facilities; therefore, no physical impacts would result and the impact would be less than significant.
- **Parks.** The City of Perris Community Services Department provides community services and recreational and leisure time opportunities and is responsible for the planning, development, and maintenance of the City's parks and recreational facilities. The Project area currently does not contain any parkland or recreational facilities. The nearest park is Morgan Park, located approximately 0.7 miles southeast, and includes the following amenities: basketball courts, parking lot, picnic tables,

playground, restrooms, group shelter, snack bar, soccer field, walking trail, and barbeques (City of Perris, 2022). The Project does not propose the development of any type of residential land use or other use that would result in a direct increase in the City's population or demand for park services. The Project would not require the construction of new or expanded park facilities; therefore, no physical impacts would result and the impact would be less than significant.

- **Other Public Facilities.** Residents of the City of Perris are provided library services through the Riverside County Library System (RCLS). As identified in the PVCCSP EIR Initial Study, development of allowed uses under the PVCCSP, including industrial and retail uses proposed as part of the Project, would not directly increase the demand for library or other public services as no new residential uses would be developed and no direct increase in the resident population would result that may create a demand for library services. As previously discussed, it is expected that the new jobs that would be created by the Project would be filled by individuals that reside in the area. The Project would not require the construction of new or expanded library facilities; therefore, no physical impacts would result and the impact would be less than significant.

The proposed Project, while it would require a Specific Plan Amendment, would require similar public services to the site's planned commercial use. As discussed above, the Project would not generate population growth that would further increase the demand for public services. Impacts would be less than significant.

- **Recreation.** The City's Community Services Department is responsible for recreational facilities in the City. As required by Section 8.2 of the PVCCSP, the Project would provide onsite employee amenities. The proposed Project is a commercial and warehouse site, which would not induce population growth or otherwise increase the use of or create the need for new parks and recreational facilities. Similarly, the proposed Project would not result in physical deterioration of existing recreation facilities such that there would be a need to construct expanded facilities. Therefore, no impact would occur in relation to existing recreation facilities. The impacts associated with the construction of on-site recreational facilities for Project site employees will be addressed in the applicable sections of the EIR.
- **Wildfire.** According to Exhibit S-16, Wildfire Constraint Areas, of the City General Plan Safety Element, the Project site is not located in or near an area identified as being a "Wildfire Hazard Area". Additionally, the Project site is not classified as a Wildfire Hazard Area in the City's General Plan or as a Very High Fire Hazard Severity Zone by CAL FIRE's map for the City. The Project site is located within the limits of the City of Perris and is therefore not within a State Responsibility Area

(SRA), which is the land where the State of California is financially responsible for the prevention and suppression of wildfires. Therefore, the Project would have no impacts related to wildfire.

The analysis to be provided in the forthcoming Draft EIR, and its supporting technical studies, will address potentially significant impacts and identify mitigation measures as necessary for the following environmental topics:

- A. **Aesthetics.** The Project would alter the existing visual character of the area and would introduce new sources of light during construction and operation. The Project site is not located within a state scenic highway. The Project's compliance with applicable site development criteria governing scenic quality contained within the PVCCSP will be discussed in the Draft EIR. The Project is not consistent with the site's current zoning and therefore may not be consistent with planned bulk, scale, and intensity. The Draft EIR will evaluate the potential for the Project to have an impact on scenic vistas, visual character, and light and glare effects.
- B. **Air Quality.** The Project site is located within the South Coast Air Basin, which is regulated by the South Coast Air Quality Management District. Impacts related to the following topics will be addressed in the forthcoming Draft EIR: consistency with the Air Quality Management Plan for the Basin; the potential for a cumulatively considerable net increase of any criteria pollutant for which the region is non-attainment under applicable air quality standards; the potential exposure of sensitive receptors to substantial pollutant concentrations, including mobile source health risk impacts; and potential for the other emissions (such as those leading to odors adversely affecting a substantial number of people. The Draft EIR will discuss these issues and include the results of a technical report and Health Risk Assessment.
- C. **Biological Resources.** The Project site is within the area subject to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Discussion of the results of a biological resources assessment and consistency with the MSHCP will be included in the Draft EIR, which will also evaluate potential impacts to sensitive species and communities, riparian habitats, protected wetlands, wildlife movement, and local plans and policies.
- D. **Cultural Resources.** A Cultural Resources Survey will be prepared for the Project and discussed in the Draft EIR. The Project's potential to cause adverse changes to historical or archaeological resources pursuant to CEQA Guidelines Section 15064.5 or unknown human remains will be evaluated in the Draft EIR.
- E. **Energy.** The construction and operation of the proposed Project would involve the consumption of energy. Potential impacts related to wasteful, inefficient, or unnecessary consumption of energy resources will be addressed in the Draft EIR. The Draft EIR will also address the Project's consistency with applicable plans related to renewable energy and energy efficiency.

- F. **Geology and Soils.** While the Project site is not expected to have impacts related to geological and seismic hazards, the site does have potential for discovery of paleontological resources. The Draft EIR will address potential impacts related to geological or seismic hazards and paleontological resources.
- G. **Greenhouse Gas Emissions.** The Project has the potential to generate greenhouse gas emissions that may have a significant impact on the environment or conflict with applicable plans and policies. To determine the Project's construction and operational greenhouse gas emissions, a technical report will be prepared for the proposed Project and potential impacts related to emissions and regulations will be analyzed in the Draft EIR.
- H. **Hazards and Hazardous Materials.** The Draft EIR will address the potential for impacts related to hazardous materials transport, use, disposal, and accidents. The Project site is not located within one-quarter mile of a school and is not on a hazardous materials site pursuant to Government Code Section 65692.5; therefore, these issues will not be further addressed in the EIR. As the site is within the Airport Overlay Zone for the March ARB/IPA, the Project's consistency with the ALUCP will be addressed in the Draft EIR and confirmed by the ALUC. As identified above, the Project is not located in a VHFHSZ and therefore has limited potential for wildland fires. This issue will not be analyzed further in the Draft EIR, however the Project's compatibility with emergency response and evacuation plans will be addressed.
- I. **Hydrology and Water Quality.** The Project would alter the hydrology of the site and may result in impacts related to drainage patterns, flooding hazards, and water quality. The Draft EIR will address the potential for impacts related to water quality violations and the Project's Water Quality Management Plan (WQMP). Changes to groundwater recharge rates or issues related to impervious surfaces will also be addressed in the Draft EIR. Lastly, the Draft EIR will discuss possible risk of pollutant release due to inundation as well as consistency with any applicable water quality control plan or sustainable groundwater management plan.
- J. **Land Use and Planning.** The Project would develop a vacant lot and would not physically divide an established community. Consistency of the Project with each of the applicable policies from the City of Perris General Plan that have been adopted for the purpose of avoiding or mitigating an environmental effect will be addressed in the Draft EIR. Analysis of the Project's consistency with applicable provisions of the MARB/IPA ALUCP will also be provided.
- K. **Noise.** The Draft EIR will address noise and vibration levels during construction and operation and their consistency with applicable policies. Additionally, the Draft EIR will address noise impacts related to the nearby March ARB/IPA.

- L. **Transportation.** The Project applicant proposes new access points and site uses that would alter circulation near the site. The Draft EIR will include analysis of the Project's consistency with local transportation policies, potential for hazardous or incompatible features, and adequacy of emergency access. Further, vehicle miles traveled (VMT) will be addressed according to the City's significance threshold and CEQA Guidelines Section 15064.3.
- M. **Tribal Cultural Resources.** Potential impacts related to historical resources or otherwise important tribal cultural resources will be discussed in the Draft EIR. Results of consultation activities required by AB 52 will also be included in the Draft EIR.
- N. **Utilities and Service Systems.** Potential environmental impacts related to this expansion as well as other utility infrastructure will be included in the Draft EIR. Further discussion of water supplies, wastewater treatment capacity, and solid waste production and regulatory compliance will be addressed in the Draft EIR.

VI. PUBLIC MEETING

As noted above, the City of Perris held a public scoping meeting with the City's Planning Commission on July 20, 2022 for the proposed Project. The City provided background information, solicited public input, responded to questions in order to focus the document on issues or public concern. Issues identified at the scoping meeting will be addressed in the Draft EIR as appropriate.

VII. RESPONSE TO THIS NOTICE OF PREPARATION

Please provide written comments to the City of Perris no later than 30 days from receipt of this Notice of Preparation. According to CEQA Guidelines Section 15082(b), your comments should address the scope and content of environmental information related to your agency's area of statutory responsibility. More specifically, your response should identify the significant environmental issues and reasonable alternative and mitigation measures that your agency will need to have explored in the Draft EIR and whether your agency will be a responsible agency or a trustee agency, as defined in CEQA Sections 15381 and 15386, respectively. Please return all comments to the following address:

Douglass Fenn, Project Planner
Planning Division
City of Perris Development Services Department
135 North "D" Street
Email: dfenn@cityofperris.org

The City of Perris appreciates your conscientious attention to this Notice of Preparation.

VIII. DOCUMENTS INCORPORATED BY REFERENCE AND REFERENCES

The following reports and/or studies are applicable to development of the Project site and are hereby incorporated by reference. The reports are available for review at the City of Perris Planning Division at the address above.

- Perris General Plan 2030 Environmental Impact Report, SCH No. 2004031135, certified April 26, 2005 (City of Perris, 2005)
- Perris Valley Commerce Center Specific Plan, adopted January 10, 2012 and amended through January 2022 (Amendment No. 12) (City of Perris, 2021b)
- Perris Valley Commerce Center Final Environmental Impact Report, SCH No. 2009081086, certified January 10, 2012 (City of Perris, 2011)

The following supporting documentation was used in preparing this NOP:

California Department of Conservation (DOC)

- 2021 Division of Oil, Gas, and Geothermal Resources (DOGGR). Accessed April 2, 2022. Division of Oil, Gas, and Geothermal Resources Well Finder. Sacramento, CA. Available at: <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-117.35333/33.95744/11>
- 2018 California Important Farmland Map. Available at: <http://maps.conservation.ca.gov/ciff/ciff.html>.

Perris, City of

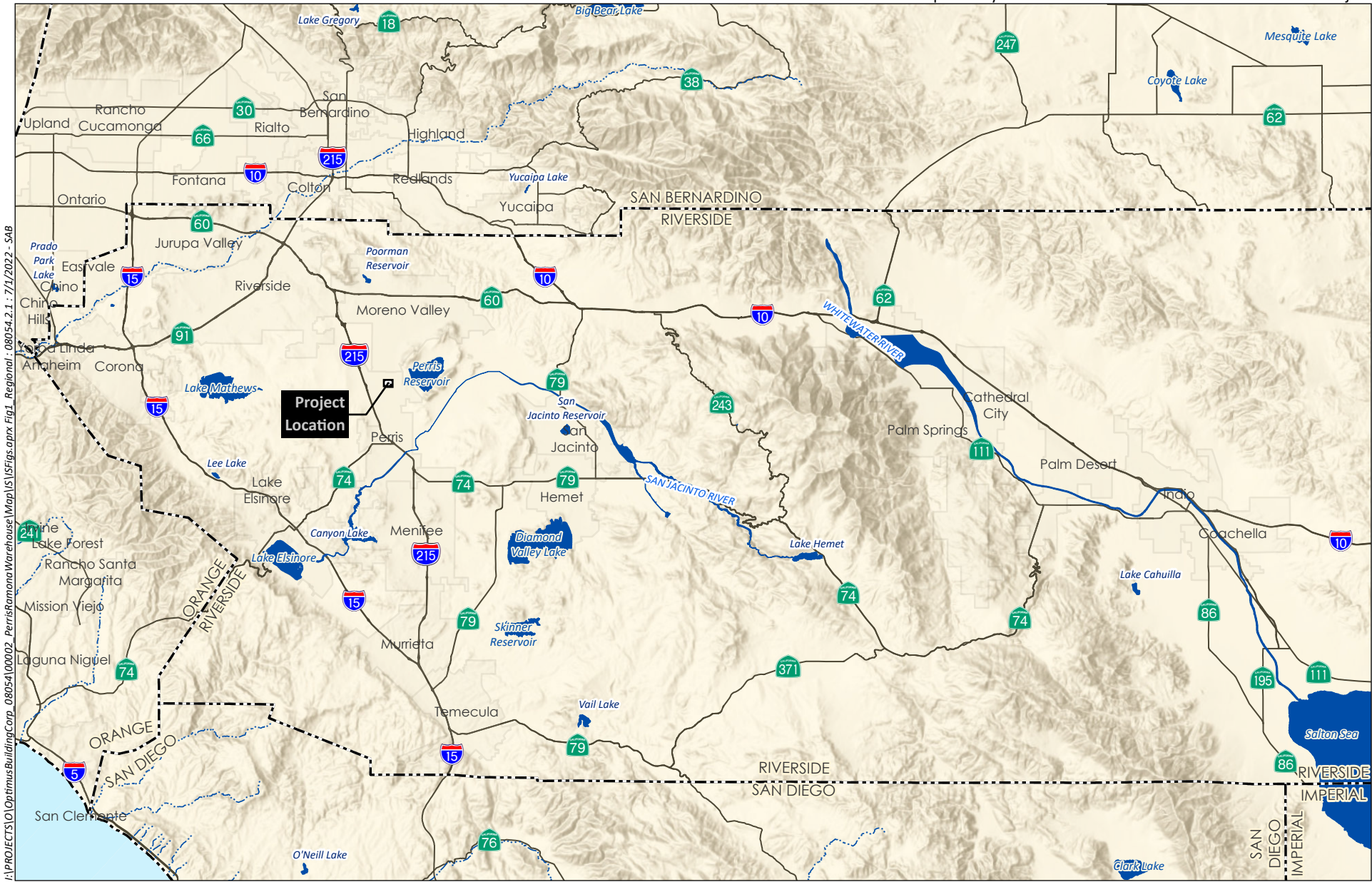
- 2022 Community Services Department, Perris City Parks, Morgan Park. Accessed May 4. Available at: <https://www.cityofperris.org/Home/Components/FacilityDirectory/FacilityDirectory/26/88>
- 2011 Perris Valley Commerce Center Specific Plan Environmental Impact Report. July. Perris, CA. Available at: <https://www.cityofperris.org/departments/development^services/specific-plans>

Southern California Association of Governments (SCAG)

- 2020 Connect SoCal Demographics Growth Forecast Appendix. Profile of the City of Perris. Los Angeles, CA. Available at: https://scag.ca.gov/sites/main/files/file-attachments/0903fconnectsocial_demographics-and-growth-forecast.pdf?1606001579

Val Verde Unified School District (VVUSD)

- 2022 Infographic on District statistics. Accessed May 4. Available at: <https://drive.google.com/file/d/1oAs0YGt1yDs43NCd1WOCqRJIbv-WZkig/view>



I:\PROJECTS\10\OptimusBuildingCorp_08054\00002_PerrisRamonaWarehouse\Map\GIS\Figs\aprx\Fig1_Regional_08054.2.1_7/1/2022 - SAB

Source: Base Map Layers (ESRI, 2013)



I:\PROJECTS\IO\OptimusBuildingCorp_08054\00002_PerrisRamonaWarehouse\Map\IS\Figs.aprx Fig2_Project Location and Vicinity_08054.2.1 : 7/1/2022 - SAB

Source: Aerial (County of Riverside, 2020)



hpa, inc.
18831 bardeen avenue - ste.
#100 Irvine, ca
92612
tel: 949-863-1770
fax: 949-863-0851
email: hpa@hparchs.com

Owner:
OPTIMUS GROUP

RAMONA EXPY AND PERRIS BLVD.
PERRIS, CALIFORNIA

Project:
RAMONA EXPY.
&
PERRIS BLVD.

PERRIS, CA

Consultants:

Civil: _____
Structural: _____
Mechanical: _____
Plumbing: _____
Electrical: _____
Landscape: HUNTER LANDSCAPE
Fire Protection: _____
Soils Engineer: _____

Title: OVERALL SITE PLAN

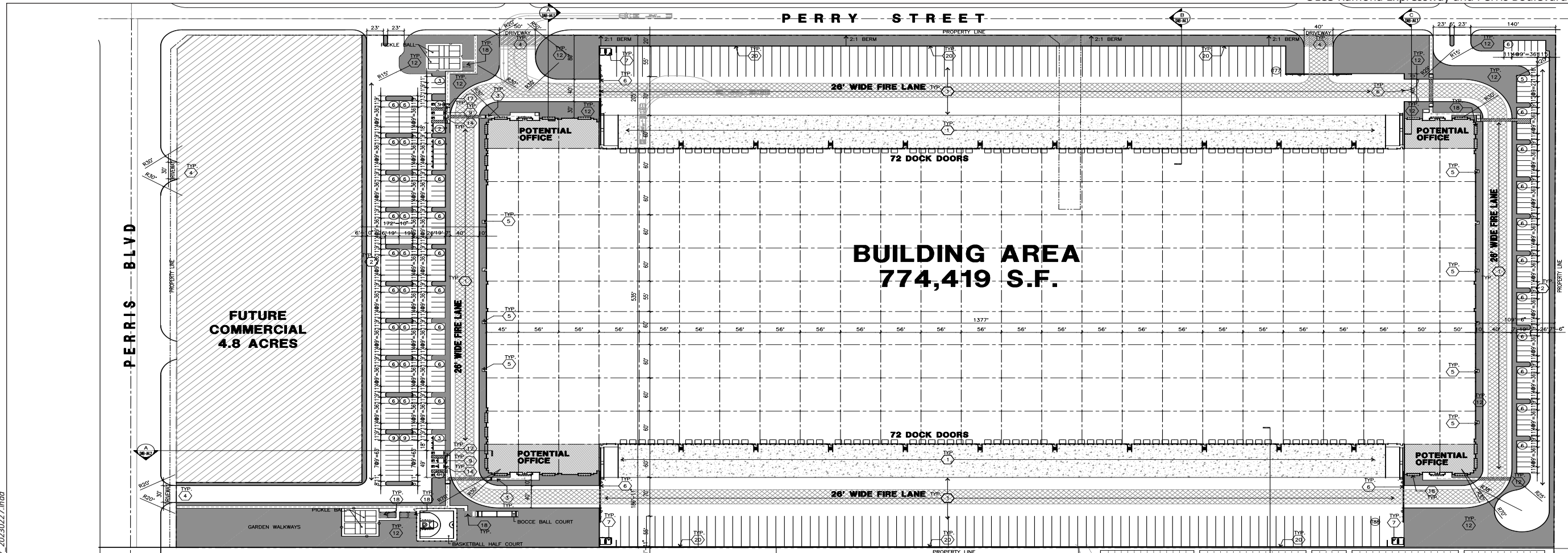
Project Number: 20505
Drawn by: RC
Date: _____
Revision: _____
DAB 2ND SUBMITAL 09/19/2022

Sheet:

DAB-A1.1

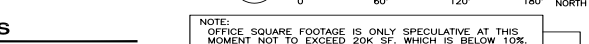
Source: HPA Architecture, 2021

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**BUILDING AREA
774,419 S.F.**

OVERALL SITE PLAN



PROPERTY OWNER
OPTIMUS BUILDING CORPORATION
629 DUFRANC AVE.
SEBASTOPOL, CA 95472

ADDRESS OF THE PROPERTY
TBD

ASSESSOR'S PARCEL NUMBER
302-130-02 AND 08 / 302-130-018 / 302-130-027
302-130-021, 022, 023 AND 024

LEGAL DESCRIPTION
LOT 2 AND 7 IN BLOCK 12 OF THE RIVERSIDE TRACT, AS SHOWN BY MAP ON FILE IN BOOK 14 PAGE 688 OF MAPS, SAN DIEGO COUNTY OF RECORDS; EXCEPTING THEREFROM THAT PORTION OF SAID LOT 7 CONVEYED TO THE COUNTY OF RIVERSIDE FOR FREEWAY PURPOSES BY DEED FILED FOR RECORD DECEMBER 8, 1958 IN BOOK 2378, PAGE 491 OFFICIAL RECORDS.
PARCEL 2 OF PARCEL MAP NO. 5467, AS PER PLAT RECORDED IN BOOK 10 OF PARCEL MAPS PAGE 43, IN THE OFFICE OF THE COUNTY RECORD OF SAID COUNTY.
PARCELS 1, 2, 3 AND 4 OF PARCEL NO. 14242 RECORDED IN BOOK 89 PAGES 91 AND 92, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA.
PARCEL 1 OF THAT CERTAIN LOT LINE ADJUSTMENT NO. 02/90, RECORDED MARCH 13, 1990 AS INSTRUMENT NO. 089441 OF OFFICIAL RECORDS OF COUNTY OF RIVERSIDE, CALIFORNIA, DESCRIBED AS FOLLOWS: PARCEL 3 AND EAST 421.77 OF PARCEL 4 OF PARCEL MAP NO. 5467 AS SHOWN BY MAP ON THE FILE BOOK 10 PAGE 43 OF PARCEL MAPS, RECORDS OF RIVERSIDE COUNTY, CALIFORNIA

ZONING
COMMERCIAL ZONING
PROPOSED LIGHT INDUSTRIAL ZONING

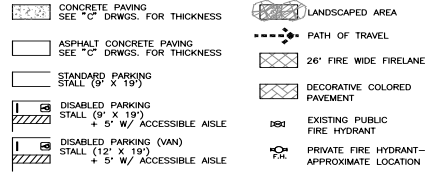
APPLICANT
KELLY OLAUSON
OPTIMUS BUILDING CORPORATION
629 DUFRANC AVE.
SEBASTOPOL, CA 95472

APPLICANT'S REPRESENTATIVE
HPA, INC.
18831 BARDEEN AVE SUITE 100
IRVINE, CA 92612
TEL: 949-862-2126
ATTN: RUBEN CHOI

SITE PLAN KEYNOTES

- HEAVY BROOM FINISH CONCRETE PAVEMENT.
- ASPHALT CONCRETE (AC) PAVING.
- CONCRETE WALKWAY, MEDIUM BROOM FINISH.
- DECORATIVE COLORED DRIVEWAY APRONS TO BE CONSTRUCTED.
- 5'-6"x5'-6"x4" THICK CONCRETE EXTERIOR LANDING PAD TYP. AT ALL EXTERIOR MAN DOORS TO LANDSCAPED AREAS. FINISH TO BE MEDIUM BROOM FINISH.
- PROVIDE 8" HIGH METAL GATES W/ KNOX-BOX PER FIRE DEPARTMENT STANDARDS PER DRIVEWAY.
- TRASH ENCLOSURE PER CITY STANDARD.
- APPROXIMATE LOCATION OF TRANSFORMER.
- PRE-CAST CONCRETE WHEEL STOP.
- CONCRETE FILLED GUARD POST "6 DIA. U.N.O. 42" H.
- DESIGNATED SMOKING AREA.
- LANDSCAPE. ALL LANDSCAPE AREAS INDICATED BY SHADING.
- ACCESSIBLE ENTRY SIGN.
- ACCESSIBLE PARKING STALL SIGN.
- 8" HIGH CONCRETE TILT-UP SCREEN WALL.
- 42" HIGH CONCRETE GUARDWALL.
- TRUNCATED DOME.
- EMPLOYEE BREAK AREA.
- EXTERIOR BIKE RACK.
- 14" HIGH DECORATIVE SCREENWALL.
- RAISED LANDSCAPE PLANTER

SITE LEGEND



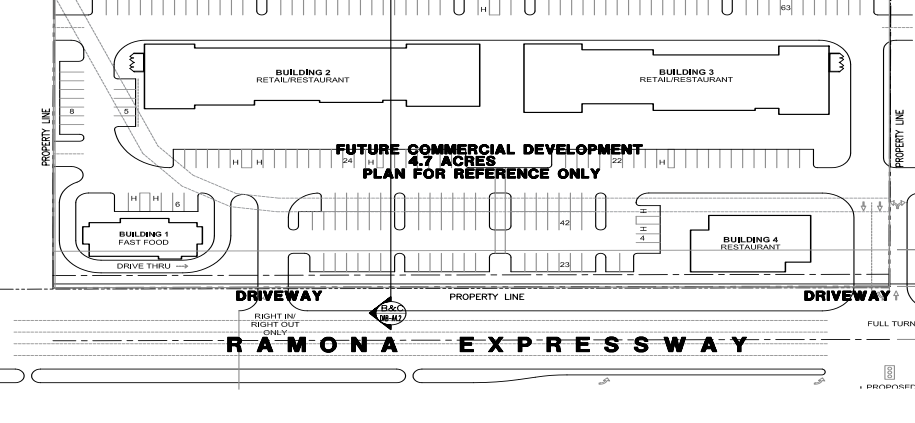
SITE PLAN GENERAL NOTES

- THE SITE PLAN BASED ON THE SOILS REPORT PREPARED BY: TBD
- IF SOILS ARE EXPANSIVE IN NATURE, USE STEEL REINFORCING FOR ALL SITE CONCRETE.
- ALL DIMENSIONS ARE TO THE FACE OF CONCRETE WALL, FACE OF CONCRETE CURB OR GRID LINE U.N.O.
- SEE "C" PLANS FOR ALL CONCRETE CURBS, GUTTERS AND SWALES.
- THE ENTIRE PROJECT SHALL BE PERMANENTLY MAINTAINED WITH AN AUTOMATIC IRRIGATION SYSTEM.
- SEE "C" DRAWINGS FOR POINT OF CONNECTIONS TO OFF-SITE UTILITIES. CONTRACTOR SHALL VERIFY ACTUAL UTILITY LOCATIONS.
- PROVIDE POSITIVE DRAINAGE AWAY FROM BLDG. SEE "C" DRAWINGS.
- CONTRACTOR TO REFER TO "C" DRAWINGS FOR ALL HORIZONTAL CONTROL DIMENSIONS. SITE PLANS ARE FOR GUIDANCE AND STARTING LAYOUT POINTS.
- SEE "C" DRAWINGS FOR FINISH GRADE ELEVATIONS.
- CONCRETE SIDEWALKS TO BE A MINIMUM OF 4" THICK W/ TOOLED JOINTS AT 6' O.C. EXPANSION/CONSTRUCTION JOINTS SHALL BE A MAXIMUM 12' EA. WAY. EXPANSION JOINTS TO HAVE COMPRESSIVE EXPANSION FILLER MATERIAL OF 1/4". FINISH TO BE A MEDIUM BROOM FINISH U.N.O.
- PAINT CURBS AND PROVIDE SIGNS TO INFORM OF FIRE LANES AS REQUIRED BY FIRE DEPARTMENT.
- CONSTRUCTION DOCUMENTS PERTAINING TO THE LANDSCAPE AND IRRIGATION OF THE ENTIRE PROJECT SITE SHALL BE SUBMITTED TO THE LANDSCAPE DEPARTMENT AND APPROVED BY PUBLIC FACILITIES DEVELOPMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
- PRIOR TO FINAL CITY INSPECTION, THE LANDSCAPE ARCHITECT SHALL SUBMIT A CERTIFICATE OF COMPLETION TO PUBLIC FACILITIES DEVELOPMENT.
- ALL LANDSCAPE AND IRRIGATION DESIGNS SHALL MEET CURRENT CITY STANDARDS AS LISTED IN GUIDELINES OR AS OBTAINED FROM PUBLIC FACILITIES DEVELOPMENT.
- LANDSCAPE AREAS SHALL BE DELINEATED WITH A MINIMUM SIX INCHES (6") HIGH CURB.
- ALL GROUND MOUNTED UTILITY STRUCTURES SUCH AS TRANSFORMERS, HVAC EQUIPMENT AND BACK FLOW PREVENTION VALVES SHALL BE LOCATED OUT OF VIEW FROM A PUBLIC STREET OR ADEQUATELY SCREENED THROUGH THE USE OF LANDSCAPING AND/OR MASONRY WALLS.
- ALL LIGHTING FIXTURES TO BE FULLY SHIELDED WITH CUT-OFF FIXTURES THAT EMITS GLARE ONTO ADJACENT PROPERTIES.
- PARKING AREA LIGHTING TO BE PROVIDED PURSUANT TO SECTION 19.02.110.0 OF PVCCSPP SPECIFIC PLAN.
- CHAIN-LINK FENCE IS NOT A PERMITTED FENCING MATERIAL PER THE PVCCSP.

PROJECT DATA

NOTE: OFFICE SQUARE FOOTAGE IS ONLY SPECULATIVE AT THIS MOMENT NOT TO EXCEED 20K SF. WHICH IS BELOW 10%.

| | |
|--|----------------|
| SITE AREA | 1,568,647 s.f. |
| In acres | 36.01 ac |
| BUILDING AREA | |
| Office - 1st floor | 10,000 s.f. |
| Office - 2nd floor | 10,000 s.f. |
| Warehouse | 754,419 s.f. |
| TOTAL | 774,419 s.f. |
| COVERAGE | 49.4% |
| AUTO PARKING REQUIRED | |
| High Cube: | n/a |
| Office: 1/300 s.f. (if exceeds 10% of GFA) | n/a |
| Whse: 1st 20K @ 1/1,000 s.f. | 20 stalls |
| 2nd 20K @ 1/2,000 s.f. | 10 stalls |
| above 40K @ 1/5,000 s.f. | 147 stalls |
| Total parking requires | 177 stalls |
| AUTO PARKING PROVIDED | |
| Standard (9' x 19') | 325 stalls |
| TRAILER PARKING PROVIDED | |
| Trailer (12' x 45') | 177 stalls |
| ZONING ORDINANCE FOR CITY | |
| Zoning Designation - Light Industrial (LI) | |
| MAXIMUM BUILDING HEIGHT ALLOWED | |
| Height - 50' | |
| MAXIMUM BUILDING COVERAGE | |
| Coverage - 50% | |
| LANDSCAPE REQUIREMENT | |
| Percentage - 12% | |
| LANDSCAPE PROVIDED | |
| Percentage | 13.7% |
| SETBACKS | |
| Perry street - 10' | |
| Ramona Expy - 20' | |
| Perris Blvd. - 25' | |
| Side/Rear - None | |



PROJECT DATA BLOCK

| PVCCSP Development Standards for LI | Required | Provided |
|--|---|---|
| Minimum Lot Size | 15,000 SF | 1,775,193 SF |
| Lot Coverage by Structure | 50% max | 49.9% |
| Floor Area Ratio (FAR) | 0.75 FAR | 0.50 FAR |
| Structure Height | 50' max | 50' |
| Front Setback (Local/Collector) - taken from Patterson | 25' | 140' |
| | (10'+5' per 10' of structure height over 20') | |
| Side Setback (non-residential) | None | N/A |
| Street Side Setback | 25' | 226'-4" (Perris Blvd) 140'-0" (Perry Street) |
| Rear Setback | 0' | N/A |
| Perimeter Landscaping (P.M.C. 19.02.130 and 19.44.060) | 5' | 10' & 3'-6" |
| Entries/parking/loading Enhanced Landscape Screening | Required | Provided screen wall |
| Site Landscape Coverage | 12% | 12.3% |

VICINITY MAP



CAUTION : IF THIS SHEET IS NOT A 30" X 42" IT IS A REDUCED PRINT



I:\PROJECTS\10\OptimusBuildingCorp_08054\00002_PerrisRamonaWarehouse\Map\IS\ISFigs.aprx Fig3 Aerial : 08054.2.1 : 7/1/2022 - SAB



Source: Aerial (County of Riverside, 2020)

NATIVE AMERICAN HERITAGE COMMISSION

April 20, 2023

Governor's Office of Planning & Research

Apr 21 2023

STATE CLEARINGHOUSE

Douglass Fenn
City of Perris
135 N D St.
Perris, CA 92570

Re: 2023040385, OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project, Riverside County

Dear Mr. Fenn:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.



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AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

- 1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a.** A brief description of the project.
 - b.** The lead agency contact information.
 - c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

- 2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subs. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1 (b)).
 - a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

- 3. Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a.** Alternatives to the project.
 - b.** Recommended mitigation measures.
 - c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

- 4. Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a.** Type of environmental review necessary.
 - b.** Significance of the tribal cultural resources.
 - c.** Significance of the project's impacts on tribal cultural resources.
 - d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

- 5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

- 6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

- 7. Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
- a.** The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b.** A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
- 8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
- 9. Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
- 10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
- a.** Avoidance and preservation of the resources in place, including, but not limited to:
 - i.** Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii.** Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b.** Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i.** Protecting the cultural character and integrity of the resource.
 - ii.** Protecting the traditional use of the resource.
 - iii.** Protecting the confidentiality of the resource.
 - c.** Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d.** Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e.** Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f.** Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
- 11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
- a.** The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b.** The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c.** The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. **Tribal Consultation**: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation**. There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality**: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation**: Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address:
Andrew.Green@nahc.ca.gov.

Sincerely,



Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse



State of California – Natural Resources Agency
 DEPARTMENT OF FISH AND WILDLIFE
 Inland Deserts Region
 3602 Inland Empire Boulevard, Suite C-220
 Ontario, CA 91764
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GAVIN NEWSOM, Governor
 CHARLTON H. BONHAM, Director



May 15th, 2023
 Sent via email

Governor’s Office of Planning & Research

May 15 2023

STATE CLEARINGHOUSE

Douglas Fenn, Project Planner
 City of Perris
 135 North “D” Street
 Perris, CA 92570

Subject: Notice of Preparation of a Draft Environmental Impact Report
 OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse
 Project
 State Clearinghouse No. 2023040385

Dear Mr. Fenn:

The California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR) from the City of Perris (City) for the OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project (Project) pursuant the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California’s Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The “CEQA Guidelines” are found in Title 14 of the California Code of Regulations, commencing with section 15000.

agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a Responsible Agency under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), the Project proponent may seek related take authorization as provided by the Fish and Game Code.

PROJECT LOCATION

The proposed Project is bounded by Ramona Expressway to the south, N. Perris Boulevard to the west, Perry Street to the north, and Redlands Avenue to the east. The proposed Project is located within Assessor's Parcel Number's 302-130-002, -008, -018, -021, -022, -023, -024, and -027. The site is located within the U.S. Geological Survey (USGS) 7.5- Perris quadrangle; Township 4 South, Range 3 West, Section 5 of the San Bernardino Base and Meridian (SBBM).

PROJECT DESCRIPTION SUMMARY

The Project would consist of a Specific Plan Amendment, Tentative Parcel Map (TPM 05048, and a Conditional Use Permit (CUP) to allow for future development of a 36.3-acre property. A 774,419 total square foot warehouse with 20,000 square feet of planned office area is proposed for development in the center of the property along with 298 automobile parking stalls, 144 truck docks, and 174 trailer parking stalls. The Project would also include the development of 4.6-acres in the southern portion of the Project site for approximately 45,000 square feet of retail and food uses and 212 automobile parking spaces and approximately 4.8-acres in the western portion of the Project site for future commercial development including 172 automobile parking spaces. The Project would also include automobile access driveways on Perris Boulevard, Perry Street, and Ramona Expressway. A 14-foot-high concrete screening wall is also proposed along Perry Street and to separate the proposed retail and warehouse uses of the Property. The Project would also include the extension of the planned Line E storm drain box culvert along the southern edge of the Project site.

COMMENTS AND RECOMMENDATIONS

CDFW offers the comments and recommendations below to assist the City of Perris in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources. The comments and recommendations are also offered to enable the CDFW to adequately

review and comment on the proposed Project with respect to the Project's consistency with the MSHCP.

CDFW recommends that the forthcoming DEIR address the following:

Assessment of Biological Resources

Section 15125(c) of the CEQA Guidelines states that knowledge of the regional setting of a project is critical to the assessment of environmental impacts and that special emphasis should be placed on environmental resources that are rare or unique to the region. To enable CDFW staff to adequately review and comment on the Project, the DEIR should include a complete assessment of the flora and fauna within and adjacent to the Project footprint, with particular emphasis on identifying rare, threatened, endangered, and other sensitive species and their associated habitats.

CDFW recommends that the DEIR specifically include:

1. An assessment of the various habitat types located within the Project footprint, and a map that identifies the location of each habitat type. CDFW recommends that floristic, alliance- and/or association-based mapping and assessment be completed following *The Manual of California Vegetation*, second edition (Sawyer et al. 2009²). Adjoining habitat areas should also be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
2. A general biological inventory of the fish, amphibian, reptile, bird, and mammal species that are present or have the potential to be present within each habitat type onsite and within adjacent areas that could be affected by the Project. CDFW's California Natural Diversity Database (CNDDDB) in Sacramento should be contacted at (916) 322-2493 or CNDDDB@wildlife.ca.gov or <https://wildlife.ca.gov/Data/CNDDDB/Maps-and-Data> to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code, in the vicinity of the proposed Project.

CDFW's CNDDDB is not exhaustive in terms of the data it houses, nor is it an absence database. CDFW recommends that it be used as a starting point in

² Sawyer, J. O., T. Keeler-Wolf, and J. M. Evens. 2009. A manual of California Vegetation, 2nd ed. California Native Plant Society Press, Sacramento, California. <http://vegetation.cnps.org/>

gathering information about the *potential presence* of species within the general area of the Project site.

3. A complete, *recent* inventory of rare, threatened, endangered, and other sensitive species located within the Project footprint and within offsite areas with the potential to be affected, including California Species of Special Concern (CSSC) and California Fully Protected Species (Fish & G. Code, § 3511). Species to be addressed should include all those which meet the CEQA definition (CEQA Guidelines § 15380). The inventory should address seasonal variations in use of the Project area and should not be limited to resident species. Focused species-specific/MSHCP surveys, completed by a qualified biologist and conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with CDFW and the U.S. Fish and Wildlife Service, where necessary. Note that CDFW generally considers biological field assessments for wildlife to be valid for a one-year period, and assessments for rare plants may be considered valid for a period of up to three years. Some aspects of the proposed Project may warrant periodic updated surveys for certain sensitive taxa, particularly if the Project is proposed to occur over a protracted time frame, or in phases, or if surveys are completed during periods of drought.
4. A thorough, recent, floristic-based assessment of special status plants and natural communities, following CDFW's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (CDFW 2018³).
5. Information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis on resources that are rare or unique to the region (CEQA Guidelines § 15125[c]).
6. A full accounting of all open space and mitigation/conservation lands within and adjacent to the Project.

Analysis of Direct, Indirect, and Cumulative Impacts to Biological Resources

The DEIR should provide a thorough discussion of the direct, indirect, and cumulative impacts expected to adversely affect biological resources as a result of the Project. To ensure that Project impacts to biological resources are fully analyzed, the following information should be included in the DEIR:

³ CDFW, 2018. Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities, State of California, California Natural Resources Agency, Department of Fish and Wildlife: March 20, 2018 (<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=18959&inline>)

1. A discussion of potential impacts from lighting, noise, human activity (e.g., recreation), defensible space, and wildlife-human interactions created by zoning of development projects or other Project activities adjacent to natural areas, exotic and/or invasive species, and drainage. The latter subject should address Project-related changes on drainage patterns and water quality within, upstream, and downstream of the Project site, including: volume, velocity, and frequency of existing and post-Project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-Project fate of runoff from the Project site.
2. A discussion of potential indirect Project impacts on biological resources, including resources in areas adjacent to the Project footprint, such as nearby public lands (e.g., National Forests, State Parks, etc.), open space, adjacent natural habitats, riparian ecosystems, wildlife corridors, and any designated and/or proposed reserve or mitigation lands (e.g., preserved lands associated with a Natural Community Conservation Plan, or other conserved lands).
3. An evaluation of impacts to on-site and adjacent open space lands from both the construction of the Project and any long-term operational and maintenance needs.
4. A cumulative effects analysis developed as described under CEQA Guidelines section 15130. The DEIR should analyze the cumulative effects of the plan's land use designations, policies, and programs on the environment. Please include all potential direct and indirect Project related impacts to riparian areas, wetlands, vernal pools, alluvial fan habitats, wildlife corridors or wildlife movement areas, aquatic habitats, sensitive species and other sensitive habitats, open lands, open space, and adjacent natural habitats in the cumulative effects analysis. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Alternatives Analysis

CDFW recommends the DEIR describe and analyze a range of reasonable alternatives to the Project that are potentially feasible, would “feasibly attain most of the basic objectives of the Project,” and would avoid or substantially lessen any of the Project’s significant effects (CEQA Guidelines § 15126.6[a]). The alternatives analysis should also evaluate a “no project” alternative (CEQA Guidelines § 15126.6[e]).

Objectives

Section 15124(b) of the CEQA Guidelines requires that the project description contain a clear statement of the project objectives. CDFW recommends that the DEIR should include an objective to demonstrate consistency with the MSHCP, including the biological issues and considerations for Subunit 1 (Mead Valley Area Plan; page 3-299 of the MSHCP).

Mitigation Measures for Project Impacts to Biological Resources

The DEIR should identify mitigation measures and alternatives that are appropriate and adequate to avoid or minimize potential impacts, to the extent feasible. The Lead Agency should assess all direct, indirect, and cumulative impacts that are expected to occur as a result of the implementation of the Project and its long-term operation and maintenance. When proposing measures to avoid, minimize, or mitigate impacts, CDFW recommends consideration of the following:

1. *Fully Protected Species*: Fully protected species may not be taken or possessed at any time. Project activities described in the DEIR should be designed to completely avoid any fully protected species that have the potential to be present within or adjacent to the Project area. CDFW also recommends that the DEIR fully analyze potential adverse impacts to fully protected species due to habitat modification, loss of foraging habitat, and/or interruption of migratory and breeding behaviors. CDFW recommends that the Lead Agency include in the analysis how appropriate avoidance, minimization, and mitigation measures will reduce indirect impacts to fully protected species.
2. *Sensitive Plant Communities*: CDFW considers sensitive plant communities to be imperiled habitats having both local and regional significance. Plant communities, alliances, and associations with a statewide ranking of S-1, S-2, S-3, and S-4 should be considered sensitive and declining at the local and regional level. These ranks can be obtained by querying the CNDDDB and are included in *The Manual of California Vegetation* (Sawyer et al. 2009). The DEIR should include measures to fully avoid and otherwise protect sensitive plant communities from Project-related direct and indirect impacts.
3. *California Species of Special Concern (CSSC)*: CSSC status applies to animals generally not listed under the federal Endangered Species Act or the CESA, but which nonetheless are declining at a rate that could result in listing, or historically occurred in low numbers and known threats to their persistence currently exist. CSSCs should be considered during the environmental review process. CSSC that have the potential or have been documented to occur within or adjacent to the Project area, including, but not limited to: burrowing owl (*Athene cunicularia*).
4. *Mitigation*: CDFW considers adverse Project-related impacts to sensitive species and habitats to be significant to both local and regional ecosystems, and the DEIR should include mitigation measures for adverse Project-related impacts to these resources. Mitigation measures should emphasize avoidance and reduction of Project impacts. For unavoidable impacts, onsite habitat restoration and/or enhancement, and preservation should be evaluated and discussed in detail. Where habitat preservation is not available onsite, offsite land acquisition, management, and preservation should be evaluated and discussed in detail.

The DEIR should include measures to perpetually protect the targeted habitat values within mitigation areas from direct and indirect adverse impacts in order to meet mitigation objectives to offset Project-induced qualitative and quantitative losses of biological values. Specific issues that should be addressed include restrictions on access, proposed land dedications, long-term monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

If sensitive species and/or their habitat may be impacted from the Project, CDFW recommends the inclusion of specific mitigation in the DEIR. CEQA Guidelines section 15126.4, subdivision (a)(1)(8) states that formulation of feasible mitigation measures should not be deferred until some future date. The Court of Appeal in *San Joaquin Raptor Rescue Center v. County of Merced* (2007) 149 Cal.App.4th 645 struck down mitigation measures which required formulating management plans developed in consultation with State and Federal wildlife agencies after Project approval. Courts have also repeatedly not supported conclusions that impacts are mitigable when essential studies, and therefore impact assessments, are incomplete (*Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d. 296; *Gentry v. County of Murrieta* (1995) 36 Cal. App. 4th 1359; *Endangered Habitat League, Inc. v. County of Orange* (2005) 131 Cal. App. 4th 777).

CDFW recommends that the DEIR specify mitigation that is roughly proportional to the level of impacts, in accordance with the provisions of CEQA (CEQA Guidelines, §§ 15126.4(a)(4)(B), 15064, 15065, and 16355). The mitigation should provide long-term conservation value for the suite of species and habitat being impacted by the Project. Furthermore, in order for mitigation measures to be effective, they need to be specific, enforceable, and feasible actions that will improve environmental conditions.

5. *Habitat Revegetation/Restoration Plans*: Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant restoration techniques. Plans should identify the assumptions used to develop the proposed restoration strategy. Each plan should include, at a minimum: (a) the location of restoration sites and assessment of appropriate reference sites; (b) the plant species to be used, sources of local propagules, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) a local seed and cuttings and planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity. Monitoring of restoration areas should extend across a sufficient time frame to ensure that the new habitat is established, self-sustaining, and capable of surviving drought.

CDFW recommends that local onsite propagules from the Project area and nearby vicinity be collected and used for restoration purposes. Onsite seed collection should

be initiated in advance of Project impacts in order to accumulate sufficient propagule material for subsequent use in future years. Onsite vegetation mapping at the alliance and/or association level should be used to develop appropriate restoration goals and local plant palettes. Reference areas should be identified to help guide restoration efforts. Specific restoration plans should be developed for various Project components as appropriate.

Restoration objectives should include protecting special habitat elements or re-creating them in areas affected by the Project; examples could include retention of woody material, logs, snags, rocks, and brush piles.

6. *Nesting Birds and Migratory Bird Treaty Act*: Please note that it is the Project proponent's responsibility to comply with all applicable laws related to nesting birds and birds of prey. Fish and Game Code sections 3503, 3503.5, and 3513 afford protective measures as follows: Fish and Game Code section 3503 makes it unlawful to take, possess, or needlessly destroy the nest or eggs of any bird, except as otherwise provided by Fish and Game Code or any regulation made pursuant thereto. Fish and Game Code section 3503.5 makes it unlawful to take, possess, or destroy any birds in the orders Falconiformes or Strigiformes (birds-of-prey) to take, possess, or destroy the nest or eggs of any such bird except as otherwise provided by Fish and Game Code or any regulation adopted pursuant thereto. Fish and Game Code section 3513 makes it unlawful to take or possess any migratory nongame bird as designated in the Migratory Bird Treaty Act or any part of such migratory nongame bird except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the Migratory Treaty Act.

CDFW recommends that the DEIR include the results of avian surveys, as well as specific avoidance and minimization measures to ensure that impacts to nesting birds do not occur. Project-specific avoidance and minimization measures may include, but not be limited to: Project phasing and timing, monitoring of Project-related noise (where applicable), sound walls, and buffers, where appropriate. The DEIR should also include specific avoidance and minimization measures that will be implemented should a nest be located within the Project site. If pre-construction surveys are proposed in the DEIR, the CDFW recommends that they be required no more than three (3) days prior to vegetation clearing or ground disturbance activities, as instances of nesting could be missed if surveys are conducted sooner.

7. *Moving out of Harm's Way*: To avoid direct mortality, CDFW recommends that the lead agency condition the DEIR to require that a CDFW-approved qualified biologist be retained to be onsite prior to and during all ground- and habitat-disturbing activities to move out of harm's way special status species or other wildlife of low or limited mobility that would otherwise be injured or killed from Project-related activities. Movement of wildlife out of harm's way should be limited to only those individuals that would otherwise be injured or killed, and individuals should be moved only as far as necessary to ensure their safety (i.e., CDFW does not recommend

relocation to other areas). Furthermore, it should be noted that the temporary relocation of onsite wildlife does not constitute effective mitigation for the purposes of offsetting Project impacts associated with habitat loss.

8. *Translocation of Species*: CDFW generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species as studies have shown that these efforts are experimental in nature and largely unsuccessful.

California Endangered Species Act

CDFW is responsible for ensuring appropriate conservation of fish and wildlife resources including threatened, endangered, and/or candidate plant and animal species, pursuant to CESA. CDFW recommends that a CESA Incidental Take Permit (ITP) be obtained if the Project has the potential to result in “take” (California Fish and Game Code Section 86 defines “take” as “hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill”) of State-listed CESA species, either through construction or over the life of the Project. It is the policy of CESA to conserve, protect, enhance, and restore State-listed CESA species and their habitats.

CDFW encourages early consultation, as significant modification to the proposed Project and avoidance, minimization, and mitigation measures may be necessary to obtain a CESA ITP. The California Fish and Game Code requires that CDFW comply with CEQA for issuance of a CESA ITP. CDFW therefore recommends that the DEIR addresses all Project impacts to listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of CESA.

Western Riverside County Multiple Species Habitat Conservation Plan

CDFW issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County MSHCP per Section 2800, *et seq.*, of the California Fish and Game Code on June 22, 2004. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and provides for the incidental take of covered species in association with activities covered under the permit.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Specifically, Section 15125(d) of the CEQA Guidelines requires that the CEQA document discuss any inconsistencies between a proposed Project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans. An assessment of the impacts to the MSHCP as a result of this Project is necessary to address CEQA requirements. To obtain additional information regarding the MSHCP please go to: <https://www.wrc-rca.org/>.

The proposed Project occurs within the MSHCP area and is subject to the provisions and policies of the MSHCP. To be considered a covered activity, Permittees need to demonstrate that proposed actions are consistent with the MSHCP, the Permits, and the Implementing Agreement. The City of Perris is the Lead Agency and is signatory to the Implementing Agreement of the MSHCP. To demonstrate consistency with the MSHCP, as part of the CEQA review, the City of Perris shall ensure the Project implements the following:

1. Pays Local Development Mitigation Fees and other relevant fees as set forth in Section 8.5 of the MSHCP.
2. Demonstrates compliance with the HANS process (MSHCP Section 6.1.1) or equivalent process to ensure application of the Criteria and thus, satisfaction of the local acquisition obligation.
3. Demonstrates compliance with the policies for 1) the policies for the Protection of Narrow Endemic Plant Species set forth in Section 6.1.3 of the MSHCP; 2) the policies set forth in Section 6.3.2 and associated vegetation survey requirements identified in Section 6.3.1; and 3) compliance with the Best Management Practices and the siting, construction, design, operation and
4. maintenance guidelines as set forth in Section 7.0 and Appendix C of the MSHCP.

Following this sequential identification of the relationship of the Project to the MSHCP the DEIR should then include an in-depth discussion of the Project in the context of these aforementioned elements, and as mentioned, examine how the Project might contribute to, or conflict with, the conservation criteria of the MSHCP.

Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools.

The procedures described in Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools section (MSHCP Section 6.1.2) are to ensure that the biological functions and values of these areas are maintained throughout the MSHCP area. Additionally, this process helps identify areas to consider for priority acquisition, as well as those functions that may affect downstream values related to Conservation of Covered Species within the MSHCP Conservation Area. The assessment of riparian/riverine and vernal pool resources may be completed as part of the CEQA review process as set forth in Article V of the State CEQA Guidelines. However, the MSHCP identifies that the U.S. Fish and Wildlife Service and CDFW shall be notified in advance of approval of public or private projects of draft determinations for the biologically equivalent or superior determination findings associated with the Protection of Wetland Habitats and Species policies presented in Section 6.1.2 of the MSHCP (MSHCP Section 6.11). As required by MSHCP, completion of the DBESP process prior to adoption of the environmental document ensures that the project is consistent with the MSHCP and provides public disclosure and transparency during the CEQA process by identifying the

project impacts and mitigation for wetland habitat, a requirement of CEQA Guidelines, §§ 15071, subds.(a)-(e).

The MSHCP identifies that assessment of these areas include identification and mapping of riparian/riverine areas and vernal pools. The assessment shall consider species composition, topography/ hydrology, and soil analysis, where appropriate. The documentation for the assessment shall include mapping and a description of the functions and values of the mapped areas with respect to the species identified in Section 6.1.2 of the MSHCP. Factors to be considered include hydrologic regime, flood storage and flood-flow modification, nutrient retention and transformation, sediment trapping and transport, toxicant trapping, public use, wildlife Habitat, and aquatic Habitat.

The MSHCP identifies that for mapped riparian/riverine and vernal pool resources that are not included in the MSHCP conservation area, applicable mitigation under CEQA, shall be imposed by the Permittee (in this case the Lead Agency). Further, the MSHCP identifies that to ensure the standards in Section 6.1.2 are met, the Permittee shall ensure that, through the CEQA process, project applicants develop project alternatives demonstrating efforts that first avoid, and then minimize direct and indirect effects to the wetlands mapped pursuant to Section 6.1.2. If an avoidance alternative is not feasible, a practicable alternative that minimizes direct and indirect effects to riparian/riverine areas and vernal pools and associated functions and values to the greatest extent possible shall be selected. Those impacts that are unavoidable shall be mitigated such that the lost functions and values as they relate to Covered Species are replaced as through the Determination of Biologically Equivalent or Superior Preservation (DBESP). The City of Perris is required to ensure the Applicant completes the DBESP process prior to completion of the DEIR to demonstrate implementation of MSHCP requirements in the CEQA documentation.

Within the Project site, the following MSHCP requirements apply for the Narrow Endemic Plant Species Survey Area (MSHCP Section 6.1.3) and Additional Survey Needs and Procedures (MSHCP Section 6.3.2):

Narrow Endemic Plant Species

Portions of the Project site fall within the MSHCP Section 6.1.3 survey area and have the potential to support the following Narrow Endemic Plant Species: San Diego ambrosia (*Ambrosia pumila*), spreading navarretia (*Navarretia fossalis*), California Orcutt grass (*Orcuttia californica*), and Wright's trichocoronis (*Trichocoronis wrightii* var. *wrightii*). Therefore, the DEIR should address any potential impacts to these species.

More specifically, the DEIR should include surveys for these species done within the appropriate time of years. Based on rainfall in a given year, surveys for San Diego ambrosia, California Orcutt grass, and spreading navarretia are typically done at

peak blooming which can be from April through the end of July. Surveys for Wright's trichocoronis should be completed between May to September. The survey results and discussion of the findings should be included in the DBESP, pursuant to MSHCP Section 6.1.3. Additionally, the DBESP should be submitted prior to completion/adoption of the DEIR. Site specific surveys for Narrow Endemic Plant Species are required for all public and private projects where appropriate habitat is present.

CDFW recommends that the City of Perris follow the recommendations and guidance provided through MSHCP Section 6.1.3 to ensure Narrow Endemic Plant Species requirements are fulfilled.

Criteria Area Species

Portions of the Project site fall within the MSHCP Section 6.3.2 for Criteria Area species survey area and have the potential to support the following plant species: thread-leaved brodiaea (*Brodiaea filifolia*), Davidson's saltscale (*Atriplex serenana*), Parish's brittlescale (*Atriplex parishii*), smooth tarplant (*Centromadia pungens*), round-leaved filaree (*California macrophylla*), Coulter's goldfields (*Lasthenia glabrata*), little mousetail (*Myosurus minimus*) and mud nama (*Nama stenocarpa*). Therefore, the DEIR should address any potential impacts to these species.

More specifically, the DEIR should include surveys for these species done within the appropriate time of years. Based on rainfall in a given year, surveys for thread-leaved brodiaea and little mousetail are typically done at peak blooming which can be from March through the end of June. Surveys for Davidson's saltscale and mud nama should be completed between March to October. Surveys for Coulter's goldfields should be completed between February to July. In addition, surveys for Parish's brittlescale should be completed between June to October while surveys for smooth tarplant should be completed between April to September. The survey results and discussion of the findings should be included in the DBESP, pursuant to MSHCP Section 6.1.3. Additionally, the DBESP should be submitted prior to completion/adoption of the DEIR. Site specific surveys for Narrow Endemic Plant Species are required for all public and private projects where appropriate habitat is present.

CDFW recommends that the City of Perris follow the recommendations and guidance provided through MSHCP Section 6.3.2 to ensure Criteria Area Species requirements are fulfilled.

Burrowing Owl (*Athene cunicularia*)

The Project site has the potential to provide suitable foraging and/or nesting habitat for burrowing owl. Take of individual burrowing owls and their nests is defined by Fish and Game Code section 86, and prohibited by sections 3503, 3503.5 and 3513.

Take is defined in Fish and Game Code section 86 as “hunt, pursue, catch, capture or kill, or attempt to hunt, pursue, catch, capture or kill.”

CDFW recommends that the Lead Agency follow the survey instructions in the “Burrowing Owl Survey Instructions for the Western Riverside Multiple Species Habitat Conservation Plan Area”⁴. The Survey Instructions specify that first a habitat assessment is conducted. If suitable habitat is not found on site, simply reporting the site is disturbed or under agricultural/dairy use is not acceptable. A written report must be provided detailing results of the habitat assessment with photographs and indicating whether or not the project site contains suitable burrowing owl habitat. If suitable habitat is found, then focused surveys at the appropriate time of year (March 1 to August 31), time of day, and weather conditions must be completed. Surveys will not be accepted if they are conducted during rain, high winds (> 20 mph), dense fog, or temperatures over 90 °F. The surveys must include focused burrow surveys and burrowing owl surveys. For the focused burrow surveys, the location of all suitable burrowing owl habitat, potential owl burrows, burrowing owl sign, and any owls observed should be recorded and mapped, including GPS coordinates in the report. The focused burrowing owl surveys include site visits on four separate days. CDFW recommends that the site visits are conducted at least a week apart to avoid missing owls that may be using the site. Finally, CDFW recommends the report also include an impact assessment evaluating the extent to which burrowing owls and their habitat may be impacted, directly or indirectly by Project activities. A final report discussing the survey methodology, transect width, duration, conditions, and results of the Survey shall be submitted to the RCA and the City of Perris.

Habitat assessments are conducted to evaluate the likelihood that a site supports burrowing owl. Burrowing owl surveys provide information needed to determine the potential effects of proposed projects and activities on burrowing owls, and to avoid take in accordance with Fish and Game Code sections 86, 3503, and 3503.5. Impact assessments evaluate the extent to which burrowing owls and their habitat may be impacted, directly or indirectly, on and within a reasonable distance of a proposed CEQA project activity or non-CEQA project.

Additionally, CDFW recommends that the City of Perris review and follow requirements for burrowing owl outlined in the MSHCP, specifically Section 6.3.2 (Additional Survey Needs and Procedures) and Appendix E (Summary of Species Survey Requirements). Appendix E of the MSHCP outlines survey requirements, actions to be taken if survey results are positive, and species-specific conservation objectives, among other relevant information.

4 https://www.wrc-rca.org/species/survey_protocols/burrowing_owl_survey_instructions.pdf

Stephens' Kangaroo Rat Habitat Conservation Plan

The Project occurs within the Stephens' kangaroo rat (*Dipodomys stephensi*) Habitat Conservation Plan (SKR HCP) fee area boundary, SKR HCP plan area map available here: <https://rchca.us/DocumentCenter/View/200/SKR-Plan-Area>. State and federal authorizations associated with the SKR HCP provide take authorization for Stephens' kangaroo rat within its boundaries, and the MSHCP provides Take Authorization for Stephens' kangaroo rat outside of the boundaries of the SKR HCP, but within the MSHCP area boundaries. The DEIR should identify if any portion of the Project will occur on SKR HCP lands, or on Stephens' kangaroo rat habitat lands outside of the SKR HCP, but within the MSHCP. Note that the SKR HCP allows for encroachment into the Stephens' kangaroo rat Core Reserve for public projects, however, there are no provisions for encroachment into the Core Reserve for privately owned projects. If impacts to Stephens' kangaroo rat habitat will occur from the proposed Project, the DEIR should specifically identify the total number of permanent impacts to Stephens' kangaroo rat core habitat and the appropriate mitigation to compensate for those impacts.

Lake and Streambed Alteration Program

Based on review of material submitted with the NOP, drainage features may traverse some of the parcels within the Project's scope. Depending on how the Project is designed and constructed, it is likely that the Project applicant will need to notify CDFW per Fish and Game Code section 1602. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may do one or more of the following: substantially divert or obstruct the natural flow of any river, stream, or lake; substantially change or use any material from the bed, channel or bank of any river, stream, or lake; or deposit debris, waste or other materials that could pass into any river, stream, or lake. Please note that "any river, stream or lake" includes those that are episodic (i.e., those that are dry for periods of time) as well as those that are perennial (i.e., those that flow year-round). This includes ephemeral streams, desert washes, and watercourses with a subsurface flow.

Upon receipt of a complete notification, CDFW determines if the proposed Project activities may substantially adversely affect existing fish and wildlife resources and whether a Lake and Streambed Alteration (LSA) Agreement is required. An LSA Agreement includes measures necessary to protect existing fish and wildlife resources. CDFW may suggest ways to modify your Project that would eliminate or reduce harmful impacts to fish and wildlife resources.

CDFW's issuance of an LSA Agreement is a "project" subject to CEQA (see Pub. Resources Code § 21065). To facilitate issuance of an LSA Agreement, if necessary, the DEIR should fully identify the potential impacts to the lake, stream, or riparian resources, and provide adequate avoidance, mitigation, and monitoring and reporting commitments. Early consultation with CDFW is recommended, since modification of the

proposed Project may be required to avoid or reduce impacts to fish and wildlife resources. To submit a Lake or Streambed Alteration notification, please go to <https://wildlife.ca.gov/Conservation/Environmental-Review/EPIMS>.

ADDITIONAL COMMENTS AND RECOMMENDATIONS

Native Landscaping

To ameliorate the water demands of this Project, CDFW recommends incorporation of water-wise concepts in Project landscape design plans. In particular, CDFW recommends xeriscaping with locally native California species, and installing water-efficient and targeted irrigation systems (such as drip irrigation). Native plants support butterflies, birds, reptiles, amphibians, small mammals, bees, and other pollinators that evolved with those plants, more information on native plants suitable for the Project location and nearby nurseries is available at CALSCAPE: <https://calscape.org/>. Local water agencies/districts and resource conservation districts in your area may be able to provide information on plant nurseries that carry locally native species, and some facilities display drought-tolerant locally native species demonstration gardens (for example the Riverside-Corona Resource Conservation District in Riverside). Information on drought-tolerant landscaping and water-efficient irrigation systems is available on California's Save our Water website: <https://saveourwater.com/>.

ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations. (Pub. Resources Code, § 21003, subd. (e).) Accordingly, please report any special status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). Information can be submitted online or via completion of the CNDDDB field survey form at the following link: <https://wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

ENVIRONMENTAL DOCUMENT FILING FEES

The Project, as proposed, would have an impact on fish and/or wildlife, and assessment of filing fees is necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying Project approval to be operative, vested, and final. (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089.).

Douglas Fenn, Project Planner
City of Perris
May 15th, 2023
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CONCLUSION

CDFW appreciates the opportunity to comment on the NOP of a DEIR, for the OLC3 Ramona Expressway and Perris Boulevard Commercial Warehouse Project (SCH No. 2023040385 and recommends that the City of Perris address the CDFW's comments and concerns in the forthcoming DEIR. Questions regarding this letter or further coordination should be directed to Katrina Rehrer, Environmental Scientist, at Katrina.rehrer@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Kim Freeburn
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