

Appendix M
Responses to Comments

Final
Initial Study/Mitigated Negative Declaration No. 2386

FIRST INDUSTRIAL LOGISTICS
AT WILSON AVENUE PROJECT
DPR 22-00017

Lead Agency:

City of Perris
101 N. D Street
Perris, California 92570

July 2023

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SECTION 1.0 INTRODUCTION

Pursuant to the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines) § 15073, the Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed First Industrial Logistics at Wilson Avenue Project was circulated to the State Clearinghouse, Responsible Agencies, and interested parties for a 30-day period that commenced on March 31, 2023 and concluded on May 1, 2023 for public review and comment.

SECTION 2.0 COMMENT LETTERS AND RESPONSES TO COMMENTS

State CEQA Guidelines § 15074 requires the decision-making body to consider the proposed IS/MND together with any comments received during the public review process. There is no requirement for a formal response to each of the comments received (unlike the requirement for a Final Environmental Impact Report). However, in order to provide the City of Perris Planning Commission with additional information upon which to base their decision whether to approve or deny the proposed Project, the following Responses to Comments has been prepared. Each comment letter is labeled alphabetically with each individual comment identified by a number. The responses are provided following each letter. All written comments have been made a part of the public record.

LIST OF PERSONS, ORGANIZATIONS AND AGENCIES THAT COMMENTED ON THE INITIAL STUDY

Letter	Commenting Party	Date
A	Eastern Municipal Water District	April 11, 2023
B	Riverside County Flood Control and Water Conservation District	April 11, 2023

It should be noted that the City received a letter dated April 28, 2023 from Blum, Collins & Ho LLP on behalf of Golden State Environmental Justice Alliance (GSEJA) with comments on the proposed IS/MND. However, a subsequent letter was submitted by GSEJA on June 12, 2023 withdrawing its comment letter and opposition to the Project. The second letter states that the Project developer has addressed GSEJA's concerns about environmental mitigation. While these two letters are included in the administrative record for the Project, they are not included in this Responses to Comments document and the comments in the original letter are not responded to since the original letter has been withdrawn.

The comments necessitate minor changes to the text of the IS/MND. The comments did not necessitate any changes to the figures, analyses, or conclusions of the IS/MND.

Comment Letter A – Eastern Municipal Water District

Comment letter A commences on the next page.



April 11, 2023

Lupita Garcia, Associate Planner
City of Perris
Development Services Department
135 North "D" Street
Perris, CA 92570

Subject: EMWD Comments for the First Industrial Logistics at Wilson Avenue Project Notice of Intent to Adopt a Mitigated Negative Declaration

Location: West side of Wilson Avenue, approximately 800 feet south of Rider Street in the City of Perris, Riverside County, California.

Dear Ms. Lupita Garcia:

Eastern Municipal Water District (EMWD) thanks you for the opportunity to comment on the Notice of Intention to Adopt a Mitigated Negative Declaration for the First Industrial Logistics at Wilson Avenue Project (project). The project proposes the construction of a 192,623 square-foot industrial, non-refrigerated warehouse building consisting of 8,000 square feet of associated office space, 4,000 square feet of mezzanine space, and 180,623 square feet of warehouse area with 24 loading docks, and associated landscaping, parking, and right-of-way improvements, on 9.52 acres.

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

A-1

A-2

Board of Directors

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

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,

Al Javier Digitally signed by Al Javier
Date: 2023.04.11 15:18:44
-07'00'

Alfred Javier
Director of Environmental and Regulatory Compliance

ARJ: hs

Cont.
A-2



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2. Identify project scope and parameters.
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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: hs

Response to Comment Letter A – Eastern Municipal Water District

Response to Comment A-1:

The comment summarizes the proposed Project. The comment does not question the content or conclusions of the analysis in the IS/MND. Therefore, no further analysis is required or revisions to the IS/MND is required.

Response to Comment A-2:

The Project applicant consulted with the EMWDs Development Services Department to compare proposed and existing water demands and sewer flows. A Design Conditions (DC) report was prepared to detail all pertinent facilities necessary to serve the proposed Project. The DC was reviewed and then approved by Maroun El-Hage in October 2022. The Initial Study included a description and analysis of pertinent facilities, as applicable and determined that water quality and utilities impacts were less than significant (IS/MND, pp. 87-91, 122-126). The comment does not question the content or conclusions of the analysis in the IS/MND. Therefore, no further analysis or revisions to the IS/MND is required.

Comment Letter B – Riverside County Flood Control and Water Conservation District

Comment letter B commences on the next page.

JASON E. UHLEY
General Manager-Chief Engineer



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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

250522

April 11, 2023

City of Perris
Planning Department
135 North D Street
Perris, CA 92570

Attention: Ms. Lupita Garcia

Re: DPR 22-00017, APNs 300-210-014, 300-210-015, 300-210-023 and 300-210-024

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received March 30, 2023. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Perris Valley Master Drainage Plan Line A-C. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
- This project proposes channels, storm drains 36 inches or larger in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

B-1



- This project is located within the limits of the District's Perris Valley San Jacinto River Homeland/Romoland Line A Homeland/Romoland Line B Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
- An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Perris Valley Channel. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.
- The District's previous comments dated July 14, 2022 are still valid.

GENERAL INFORMATION

This project may require a National Pollutant Discharge Elimination System (NPDES) permit from the State Water Resources Control Board. Clearance for grading, recordation, or other final approval should not be given until the City has determined that the project has been granted a permit or is shown to be exempt.

If this project involves a Federal Emergency Management Agency (FEMA) mapped floodplain, then the City should require the applicant to provide all studies, calculations, plans, and other information required to meet FEMA requirements, and should further require the applicant obtain a Conditional Letter of Map Revision (CLOMR) prior to grading, recordation, or other final approval of the project and a Letter of Map Revision (LOMR) prior to occupancy.

The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



AMY MCNEILL
Engineering Project Manager

ec: Riverside County Planning Department
Attn: Timothy Wheeler

EM:mm

↑
Cont.
B -1

JASON E. UHLEY
General Manager-Chief Engineer



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RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

244822

July 21, 2022

City of Perris
Planning Department
135 North D Street
Perris, CA 92570

Attention: Lupita Garcia

Re: DPR 22-00017
APNs 300-210-014, 300-210-015,
300-210-023, 300-210-024

The Riverside County Flood Control and Water Conservation District (District) does not normally recommend conditions for land divisions or other land use cases in incorporated cities. The District also does not plan check City land use cases or provide State Division of Real Estate letters or other flood hazard reports for such cases. District comments/recommendations for such cases are normally limited to items of specific interest to the District including District Master Drainage Plan facilities, other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, and District Area Drainage Plan fees (development mitigation fees). In addition, information of a general nature is provided.

The District's review is based on the above-referenced project transmittal, received June 29, 2022. The District **has not** reviewed the proposed project in detail, and the following comments do not in any way constitute or imply District approval or endorsement of the proposed project with respect to flood hazard, public health and safety, or any other such issue:

- This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.
- This project involves District proposed Master Drainage Plan facilities, namely, Perris Valley MDP Line A-C. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.
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shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

- This project is located within the limits of the District's Perris Valley San Jacinto River Homeland/Romoland Line A Homeland/Romoland Line B Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) o the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.
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The project proponent shall bear the responsibility for complying with all applicable mitigation measures defined in the California Environmental Quality Act (CEQA) document (i.e., Negative Declaration, Mitigated Negative Declaration, Environmental Impact Report) and/or Mitigation Monitoring and Reporting Program, if a CEQA document was prepared for the project. The project proponent shall also bear the responsibility for complying with all other federal, state, and local environmental rules and regulations that may apply.

If a natural watercourse or mapped floodplain is impacted by this project, the City should require the applicant to obtain a Section 1602 Agreement from the California Department of Fish and Wildlife and a Clean Water Act Section 404 Permit from the U.S. Army Corps of Engineers, or written correspondence from these agencies indicating the project is exempt from these requirements. A Clean Water Act Section 401 Water Quality Certification may be required from the local California Regional Water Quality Control Board prior to issuance of the Corps 404 permit.

Very truly yours,



AMY MCNEILL

Engineering Project Manager

ec: Riverside County Planning Department
Attn: Phayvanh Nanthavongdouangsy

AMR:jss

Response to Comment Letter B – Riverside County Flood Control and Water Conservation District

Response to Comment B-1:

The comment letter provided by the Riverside County Flood Control and Water Conservation District (District) has been reviewed. The comment indicates that the Project involves Perris Valley Master Drainage Plan (MDP) Line A-C. This is incorrect. As stated on page 12 of the IS/MND, the Project does not include the construction of the MDP Line A-C because that line is under construction by a different approved project, DPR 19-00007. It is noted the District identifies that the Project is located within the limits of the Perris Valley Drainage Plan, and thus is subject to applicable fees. Section 2.3 Project Approvals, page 17 of the IS/MND, has been revised to clarify the need for an encroachment permit from the Riverside County Flood Control and Water Conservation District and it reads as follows:

- Encroachment permits from Riverside County Flood Control and Water Conservation District (RCFCWCD) to connect the proposed Line AC-3 to the Perris Valley Master Drainage Plan (MDP) Line A-C.

The comment letter refers the reader to previously District sent letter dated July 14, 2022, however the letter sent is dated July 21, 2022. This July 21, 2022, and Comment Letter B contain similar comments. Therefore, no additional responses to the July 21, 2022, letter are warranted. The general information contained in the comment letter regarding applicability for different permit types and CEQA responsibility is noted.

The District's letter does not question the content or conclusions of the IS/MND, and no new environmental issues are raised. Therefore, no additional modifications to the IS/MND are required.