



Perris Ridge Commerce Center II

Final Environmental Impact Report

Prepared for the:
City of Perris
Development Services Department
Planning Division
135 North "D" Street
Perris, CA 92570

Prepared by:

appliedplanning
inc

June 2009

FINAL ENVIRONMENTAL IMPACT REPORT

for the

Perris Ridge Commerce Center II Project

State Clearinghouse Number:
2007071134

Prepared for the

City of Perris
Development Services Department
Planning Division
135 North "D" Street
Perris, CA 92570

Prepared by

Applied Planning, Inc.
5817 Pine Avenue, Suite A
Chino Hills, CA 91709

June 2009

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1.0 Introduction

1.0 INTRODUCTION

1.1 OVERVIEW

This document, combined with the Draft Environmental Impact Report (EIR), constitutes the Final EIR for the Perris Ridge Commerce Center II Project. The Draft EIR describes existing environmental conditions relevant to the proposal, evaluates the Project's potential environmental effects, and identifies mitigation measures to reduce or avoid the potentially significant impacts. The Draft EIR was circulated for public review and comment from March 12, 2009 through April 27, 2009. Please refer to Final EIR Section 2.0, "Summary," for a more detailed description of the EIR Project Concept addressed within the Draft EIR and this Final EIR.

1.2 CONTENT AND FORMAT

Subsequent to this introductory section, Section 2.0 of this document contains a summary of revisions to the Draft EIR. Responses to comments received on the Draft EIR are presented in Section 3.0. The Project Mitigation Monitoring Plan, which includes additional measures developed as a part of this Final EIR, is presented in Section 4.0.

1.3 DRAFT EIR COMMENTORS

The following agencies, organizations, and have provided comments on the Draft EIR, and/or expressed general environmental concerns regarding the project:

State Agencies

Governor's Office of Planning and Research, State Clearinghouse

California Department of Conservation

County and Regional Agencies

Metropolitan Water District of Southern California

Riverside County Fire Department

Riverside County Flood Control and Water Conservation District

Riverside County Transportation Commission

Southern California Association of Governments

South Coast Air Quality Management District

City and Local Organizations

City of Riverside

Soboba Band of Luiseño Indians

1.4 POINTS OF CONTACT

The Lead Agency for this Project is the City of Perris. Any questions about the preparation of this document, its assumptions, or its conclusions, should be referred to:

City of Perris
Development Services Department, Planning Division
135 North "D" Street
Perris, California 92570
Contact: Ms. Diane Sbardellati

Point of contact for the Project proponent is Mr. Dennis S. Rice, President, Ridge Property Trust, 201 Covina Avenue, Suite 8, Long Beach, California 90803.

1.5 PROJECT SUMMARY

The following information is summarized from the Project Description in the Draft EIR. For additional detail in regard to Project characteristics and Project-related improvements, along with analyses of the Project's potential environmental impacts, please refer to Draft EIR Sections 3.0 and 4.0, respectively.

1.5.1 Project Location

The Project site is situated within western Riverside County, within the northerly portion of the City of Perris. More specifically, the Project site is located at the northeast corner of Rider Street and Indian Avenue.

The Project site is bounded to the west by Indian Avenue, to the east by Perris Boulevard, to the north by Morgan Street, and to the south by Rider Street. The Ramona Expressway exists in an east-west alignment approximately one-half mile northerly of the Project site, and provides regional access to the site via its intersection with Interstate 215, less than one-quarter mile west of Indian Avenue. The site is essentially level, and is currently in use as a sod farm. Current and historic agricultural uses of the property have resulted in a heavily disturbed site, devoid of mature trees and native habitat, and exhibiting minimal natural vegetation. There are no notable or distinctive topographic site features, nor is the Project site considered to be otherwise visually unique or significant.

1.5.2 Project Overview

The subject of this EIR is the proposed development of the Perris Ridge Commerce Center II, which has been initiated by the Project proponent, Ridge Property Trust. Together with supporting improvements, the Project will provide for approximately two million square feet of new light industrial uses configured as two (2) buildings. One building would total approximately 780,000 square feet, and be located in the northerly portion of the Project site. The second building of approximately 1.2 million square feet is to be constructed in the southerly portion of the Project site.

1.5.3 Project Objectives

The primary objectives of the Project as identified by the Project applicant are as follows:

- Transition the existing site into a productive land use, consistent with the long-range vision for the property, as designated within the City's General Plan;
- Develop a Project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Perris and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Perris through increased tax generation and job creation.

1.5.4 Discretionary Actions

Discretionary actions, permits and related consultation(s) necessary to approve and implement the Project are identified below.

- Certification of the EIR;
- A Zone Change for the Project site (Case No. 07-0136), from "Light Agricultural/Interim Designation" to "Light Industrial";
- Cancellation of the site's Riverside County Land Conservation Contract through an Application for Agricultural Preserve Diminishment (Case No. 07-0083);
- Development Plan Review (Case No. 06-0417); and
- Lot Line Adjustment/Parcel Map Approval (Case No. to be determined upon submittal).

2.0 Summary of Text Revisions

2.0 SUMMARY OF TEXT REVISIONS

2.1 TEXT REVISIONS

Based on the comments received on the Draft EIR (which are provided in full in Section 3.0 of this Final EIR), this Section presents revisions to the text of the Draft EIR. Any additional text is identified by bold underlined text, any deletions are indicated by strikeout font. All text revisions affecting mitigation measures have been incorporated into the Mitigation Monitoring Table presented in Section 4.0 of this Final EIR. It may be noted that the conclusions of the Draft EIR are not affected by these text revisions.

2.1.1 Air Quality Text Revisions

Based on comments received from the South Coast Air Quality Management District (SCAQMD), Draft EIR mitigation measures 4.3.1, 4.3.4, and 4.3.5 have been revised as follows.

4.3.1 *To the extent practicable, the Project shall utilize alternative-fueled construction equipment.* ~~All diesel-powered construction equipment in excess of 50 horsepower shall be equipped with Tier II diesel particulate filter emission controls resulting in a minimum of 50 percent particulate matter control~~ *shall meet or exceed Tier III standards. Alternatively, all diesel-powered construction equipment shall be equipped with CARB-verified oxidation catalysts, diesel particulate filter emission controls, using equipment with the greatest control efficiency for the specific category of equipment. Further, the Project Proponent shall demonstrate that these verified/certified technologies are available to be used at the time of project construction. Street sweepers utilized as part of Project construction shall be certified as described in SCAQMD Rule 1186.1 (water sweepers using reclaimed water are recommended).* Correlating notations shall appear on the Project construction

plans and construction documents. A listing of available off-road diesel emission control equipment meeting this requirement is provided at the following SCAQMD website: http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/MM_offroad.html.

4.3.4 Prior to issuance of the first grading permit, the Project proponent shall prepare a traffic control plan for review and approval by the City. The traffic control plan shall identify safe detours around the Project construction site, and provide for all necessary temporary traffic controls (e.g, flag persons, lane cones). **Specifically, the traffic control plan shall, at a minimum, require the Project Proponent to:**

- **Configure construction parking to minimize traffic interference;**
- **Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow;**
- **Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;**
- **Schedule construction activities that affect traffic flow on the arterial system to off-peak hours;**
- **Re-route construction trucks away from congested streets or sensitive receptor areas; and**
- **Improve traffic flow by signal synchronization.**

The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart 1, Developing and Implementing Traffic Management Plans for Work Zones.

4.3.5 *The construction contractor shall utilize pre-coated, pre-colored and naturally colored building materials when feasible, to minimize the amount of VOC emissions from painting activities on-site. To the extent practicable, low coatings and solvents with a VOC content lower than required under Rule 1113 or no-VOC paints and architectural coatings shall be employed. A list of low/no-VOC paints, is provided at the following SCAQMD website: www.aqmd.gov/prdas/brochures/paintguide.html. All paints shall be applied using either high volume low pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the Project construction plans and construction documents.*

Additionally, as requested by the Southern California Association of Governments (SCAG), forecast information from the recently adopted 2008 Regional Transportation Plan (RTP) has been incorporated. The Draft EIR's discussion of consistency with the AQMP (page 4.3-60) has been revised as follows:

WRCOG employment projections for the City of Perris during the period from ~~2000 to 2010~~ to 2020 show an increase of ~~4,937~~ 2,270 jobs and an increase of ~~6,597~~ 5,055 jobs during the period from ~~2010 to 2020~~ to 2030.

2.1.2 Land Use Text Revisions

The discussion of Project consistency with SCAG's Growth Management Policies, found in Draft EIR Table 4.1-1 on page 4.1-28, has also been revised to reflect incorporation of the adopted 2008 RTP forecast information provided by SCAG. The following revisions have been made:

As indicated in the Regional Growth Forecast data provided by SCAG, the 2010 ratio of employment to population in the City of Perris (~~0.262~~ 0.323) is less than that of the WRCOG (~~0.335~~ 0.339) and the SCAG subregion (~~0.454~~ 0.43).

3.0 Comment Letters and Responses

3.0 COMMENTS AND RESPONSES

The following section presents written comments received during the Draft EIR public review period. Comment letters have been organized using the following categories: State agencies; regional and County agencies; and cities and local organizations.

Each letter has been assigned an identifying designation (generally an acronym or name abbreviation), and topical items within each letter have been numbered. The comment letters and corresponding responses are presented on the following pages. Table 3-1 lists all commentor letters received by the City in regard to the Draft EIR, and the designation assigned to each.

Table 3-1
Draft EIR Commentor Letters

Acronym	Agency
State Agencies	
SCH	Governor's Office of Planning and Research, State Clearinghouse
DOC	California Department of Conservation
Regional and County Agencies	
MWD	Metropolitan Water District of Southern California
RCFD	Riverside County Fire Department
RCFC	Riverside County Flood Control and Water Conservation District
RCTC	Riverside County Transportation Commission
SCAG	Southern California Association of Governments

Table 3-1 (cont'd)
Draft EIR Commentor Letters

Acronym	Agency
SCAQMD	South Coast Air Quality Management District

City and Local Organizations

CR	City of Riverside, Planning Division
SB	Soboba Band of Luiseño Indians



STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT

ARNOLD SCHWARZENEGGER
GOVERNOR

CYNTHIA BRYANT
DIRECTOR

April 29, 2009

RECEIVED
MAY 06 2009
BY: _____

Ms. Diane Sbardellati
City of Perris
135 North D Street
Perris, CA 92570

Subject: Perris Ridge Commerce Center II
SCH#: 2007071134

Dear Ms. Diane Sbardellati:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on April 27, 2009, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

SCH-1

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts
Director, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2007071134
Project Title Perris Ridge Commerce Center II
Lead Agency Perris, City of

Type EIR Draft EIR
Description The Project proposes the establishment of a new industrial warehouse use, incorporating approx. 2 million sq. ft. of building area in two structures. Site improvements, including roadway access, internal circulation, parking, landscaping, and supporting infrastructure will be implemented and/or reconfigured to accommodate the Project.

Lead Agency Contact

Name Ms. Diane Sbardellati
Agency City of Perris
Phone (951) 943-5003 **Fax**
email
Address 135 North D Street
City Perris **State** CA **Zip** 92570

Project Location

County Riverside
City Perris
Region
Lat / Long
Cross Streets Northeast corner of Rider Street and Indian Avenue
Parcel No. 303-080-005-7;303-090-002-5, 003-6, 004-7, 005-8, 006-9, 007-0, 008-1, 009-2, 010-2, 011-3,012-4
Township **Range** **Section** **Base**

Proximity to:

Highways
Airports March Air Reserve/Inland Port
Railways BNSF
Waterways Lake Perris
Schools 2 HS, 1 MS, 1 ES
Land Use Agricultural/ A-1 Light Agricultural- Interim Designation/ Light Industrial

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Drainage/Absorption; Noise; Other Issues; Recreation/Parks; Landuse; Traffic/Circulation; Water Quality; Water Supply

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 6; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 8; Regional Water Quality Control Board, Region 8; Department of Toxic Substances Control; Native American Heritage Commission

Date Received 03/12/2009 **Start of Review** 03/12/2009 **End of Review** 04/27/2009

STATE OF CALIFORNIA
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE (SCH)
SCH No. 2007071134

Response SCH-1

State Clearinghouse receipt of the Perris Ridge Commerce Center II Draft EIR is acknowledged, as is distribution of the Draft EIR to the listed State Agencies. The State-assigned Clearinghouse reference number (SCH No. 2007071134) and review period, March 12, 2009 through April 27, 2009 are also acknowledged.



DEPARTMENT OF CONSERVATION

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE conservation.ca.gov

April 23, 2009



VIA FACSIMILE (951) 943-3293

Diane Sbardellati
City of Perris
Development Services Department
Planning Division
135 North "D" Street
Perris, CA 92570

Dear Ms. Sbardellati:

Subject: Perris Ridge Commerce Center II Draft Environmental Impact Report
(Los Angeles County) - **SCH# 2007071184**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Draft Environmental Impact Report (DEIR) for the referenced project. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the project's impacts on agricultural land and resources.

DOC-1

Project Description

The purpose of the Perris Ridge Commerce Center II project is the construction of two buildings, both for light industrial use. The 96-acre project is located in the City of Perris at the northeast corner of Rider Street and Indian Avenue. The project area does not contain farmland designated as local, regional, or Statewide Importance. However, the project site does contain land under a Williamson Act contract. Therefore, the Division recommends that any subsequent California Environmental Quality Act (CEQA) document discuss the following item to provide a more comprehensive picture of potential impacts of the project on agricultural land and activities:

DOC-2

Williamson Act Lands

In any subsequent CEQA document, the Department recommends that the following information be provided and/or discussed:

Mr. Craig Murphy
 April 23, 2009
 Page 2 of 3

- A map detailing the location of agricultural preserves and contracted land within each preserve. The CEQA document should also tabulate the number of Williamson Act acres, according to land type (e.g., prime or non-prime agricultural land), which could be impacted directly or indirectly by the project.
- A discussion of Williamson Act contracts that may be terminated in order to implement the project. The CEQA document should discuss the probable impacts on nearby properties resulting from the termination of adjacent Williamson Act contracts. For example, a termination of a Williamson Act contract may have a growth-inducing impact. In other words, a termination may not only lift a barrier to development, but also result in higher property taxes, and thus, an incentive to shift to a more intensive land use, such as urban development.
- As a general rule, land can only be withdrawn from a Williamson Act contract through the nine-year non-renewal process. Immediate termination via cancellation is reserved for "extraordinary circumstances" (See Sierra Club v. City of Hayward (1981) 28 Cal.3d 840, 852-855). Under Government Code § 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. If a Williamson Act contract cancellation is being proposed as part of this project, the Department recommends that a discussion of the required findings should be included in the CEQA document. Finally, a notice of the hearing to approve the tentative contract cancellation and a copy of the landowner's petition must be mailed to the Director of the Department ten working days prior to the hearing. (The notice should be mailed to Bridgett Luther, Director, Department of Conservation, c/o Division of Land Resource Protection, 801 K Street MS 18-01, Sacramento, CA 95814-3528.)
- Under Government Code § 51243, if a city annexes land under a Williamson Act contract, the city must succeed to all rights, duties, and powers of the county under the contract. However, under Government Code § 51243.5, a city may exercise its option not to succeed to the contract if certain conditions are met. LAFCO must notify the Department within ten days of a city's proposal to annex land under a contract (Government Code § 56753.5). Additionally, LAFCO must not approve a change to a sphere of influence or annexation of contracted land to a city unless certain conditions are met (see Government Code §§ 51296.3, 56426, 56426.5, 56749 and 56856.5).
- If portions of the planning area are under Williamson Act contracts (and will continue to be under contract after project implementation), the CEQA document should discuss the proposed uses for those lands. Uses of contracted land must meet compatibility standards identified in Government Code §§ 51238 - 51238.3. Otherwise, contract termination (see paragraph above) must occur prior to the initiation of the land use.
- An agricultural preserve is a zone authorized by the Williamson Act and established by the local government to designate qualified land to be placed under the Williamson Act's ten-year contracts. Preserves are also intended to create a setting for contract-protected lands that is conducive to continuing

DOC-2
 cont'd

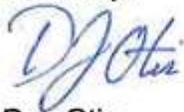
Mr. Craig Murphy
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Page 3 of 3

agricultural use. Under Government Code § 51230, "An agricultural preserve may contain land other than agricultural land, but the use of any land within the preserve and not under contract shall within two years of the effective date of any contract on land within the preserve be restricted by zoning, including appropriate minimum parcel sizes that are at a minimum consistent with this chapter, in such a way as not to be incompatible with the agricultural use of the land." Therefore, the CEQA document should also discuss any proposed general plan designation or zoning within agricultural preserves affected by the project.

DOC-2
cont'd

Thank you for giving us the opportunity to comment on this DEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Elliott Lum, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814; or, phone (916) 324-0869.

Sincerely,



Dan Otis
Williamson Act Program Manager

cc: State Clearinghouse

STATE OF CALIFORNIA
DEPARTMENT OF CONSERVATION (DOC)
DIVISION OF LAND RESOURCE PROTECTION

Letter dated April 23, 2009

Response DOC-1

The Department of Conservation's review of the Draft EIR and stated responsibilities are acknowledged. Responses to the Department's comments are provided below. Please note that the correct State-assigned Clearinghouse reference number is 2007071134.

Response DOC-2

The EIR Project Description as summarized by DOC is materially correct. As noted on page 4.1-17 of the Draft EIR, discussion in the City's General Plan Conservation Element (page 4) notes that "In the City of Perris there are a total of 712 acres currently under Williamson Act contract. The contracted land is under one ownership, and currently is used for sod farming. Conversion of these lands by 2010 from sod to non-residential and/or residential uses is likely." As noted in the Project Initial Study, Draft EIR Appendix A, such conversion has been anticipated by the City's General Plan documentation for approximately 15 years, dating back to 1992.

The Project site, as well as surrounding properties that have already been converted from agricultural to urban uses, represent a portion of the agricultural-to-industrial land use conversion anticipated by the City's General Plan. In this regard, continued use of the subject site for agricultural purposes represents an increasingly anomalous and incompatible land use among industrial/commercial development envisioned under the City's General Plan.

The commentor recommends that the Final EIR include a description of the Project setting in terms of its actual and potential agricultural productivity of the land. Additional information regarding other areas of specific interest to the Department are also listed. As

a general response to the listed informational requests, it is noted that the Draft EIR purposefully focuses on those environmental topics that the Lead Agency has determined to be potentially significant. In this regard, Public Resources Code § 21003.1 (e) states:

To provide more meaningful public disclosure, reduce the time and cost required to prepare an environmental impact report, and focus on potentially significant effects on the environment of a proposed project, lead agencies shall, in accordance with Section 21100, focus the discussion in the environmental impact report on those potential effects on the environment of a proposed project which the lead agency has determined are or may be significant. Lead agencies may limit discussion on other effects to a brief explanation as to why those effects are not potentially significant.

Consistent with the direction provided at Public Resources Code § 21003.1 (e), the Draft EIR focuses on potentially significant environmental impacts of the Project. In this regard, as determined by the Lead Agency early in the EIR process, potential impacts to agricultural resources were determined to be less-than-significant. Please refer to Draft EIR Appendix A, Initial Study, Item 9. "Agriculture Resources." As such, lengthy and detailed discussions regarding the Project's potential impacts to agricultural resources is not warranted, and would not be consistent with Public Resources Code § 21003.1.

As summarized above, and discussed further within Draft EIR Section 4.1, "Land Use and Planning," use of the subject site as a sod farm (or any other agricultural use) is not considered a viable continued use of the subject property given its General Plan Land Use designation, zoning designation, and its increasingly anomalous and incompatible location amid urbanizing land uses. Depiction and descriptions of agricultural land uses within the City are included within the City General Plan 2030 Conservation Element, available at the following website: <http://www.cityofperris.org/hot/gpupdates.asp>.



MWD
METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Executive Office

April 27, 2009

Via Electronic and Regular Mail

Ms. Diane Sbardellati
Planning Division, City of Perris
135 N. "D" Street
Perris, CA 92570-2200

Dear Ms. Sbardellati:

Notice of Availability for the Draft Environmental Impact Report for the Perris Ridge Commerce Center II

The Metropolitan Water District of Southern California (Metropolitan) received a copy of the Notice of Availability of a Draft Environmental Impact Report for the Perris Ridge Commerce Center II (Project). The City of Perris is acting as the Lead Agency under the California Environmental Quality Act (CEQA) for this Project. The Project proposes construction and operation of two buildings of approximately two million square feet total for light industrial uses. The two properties, together total approximately 96 acres in size, are located along Indian Avenue, within the County of Riverside. This letter contains Metropolitan's response as a potentially affected public agency.

Metropolitan has reviewed the project description of the proposed Project to determine the proximity of our facilities within the project area. We determined the proposed Project is adjacent to the Colorado River Aqueduct. The Colorado River Aqueduct is a 15-foot 4 1/2-inch cut and cover conduit that runs in an east-west direction through the Project. Metropolitan is concerned with potential impacts to this facility associated with future excavation, construction, installation of utilities, or any redevelopment that may result from the implementation of the proposed Project. Development associated with the proposed Project must not restrict any of Metropolitan's day-to-day operations and/or access to its facilities. Metropolitan must be allowed to maintain its rights-of-way and requires unobstructed access to our facilities and properties at all times in order to repair and maintain our system.

In order to avoid potential conflicts with Metropolitan's rights-of-way, we require that any design plans for any activity in the area of Metropolitan's pipelines or facilities be submitted for our review and written approval. Approval of the Project where it could impact Metropolitan's property should be contingent on Metropolitan's approval of design plans for the Project. Detailed prints of drawings of Metropolitan's pipelines and rights-of-way may be obtained by calling Metropolitan's Substructures Information Line at (213) 217-6564. To assist in preparing plans that are compatible with Metropolitan's facilities, easements, and properties, we have enclosed a copy of the "Guidelines for Developments in the Area of Facilities, Fee Properties,

MWD-1

MWD-2

Metropolitan Water District of Southern California, Page 2 of 2

Ms. Diane Sbardellati
Page 2
April 27, 2009

and/or Easements of The Metropolitan Water District of Southern California.” Please note that all submitted designs or plans must clearly identify Metropolitan’s facilities and rights-of-way.

MWD-2
cont'd

Metropolitan is concerned with changes in stormwater runoff due to the change in usage at the site. Based on the limited drainage information provided, it appears that the runoff from the Project is being directed away from Metropolitan’s right-of-way and the Colorado River Aqueduct. Metropolitan would like to emphasize that runoff from the Project should be directed away from Metropolitan’s facilities to protect the water quality and structural integrity of the pipeline. Any drainage on Metropolitan’s property will require our review and approval.

MWD-3

The Project intends to use recycled water for landscaping irrigation. Metropolitan would like to emphasize that no recycled water usage shall be applied on Metropolitan’s property, including overspray and runoff of recycled water onto our property. Information regarding the proposed application of any recycled water adjacent to Metropolitan’s property should be provided to Metropolitan for review to ensure the water quality protection of the Colorado River Aqueduct.

MWD-4

All references to a pedestrian/equestrian trail along Metropolitan’s property should be removed as this trail is not part of the proposed Project. Metropolitan would like to emphasize that this is a temporary agreement and is subject to many conditions and restrictions as well as approval by Metropolitan’s Board of Directors.

MWD-5

We appreciate the opportunity to provide input to your planning process and we look forward to receiving future environmental and related documentation on this Project. If we can be of further assistance, please contact Ms. Natalie Toevs at (213) 217-5508.

MWD-6

Very truly yours,



Delaine W. Shane
Manager, Environmental Planning Team

NCT/nct

METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA (MWD)

Letter dated April 27, 2009

Response MWD-1

The Metropolitan Water District's review of the Draft EIR, and its concerns in regard to Project development are acknowledged. The Draft EIR Project Description as summarized by MWD is materially correct. As a point of clarification, it is noted that Project facilities are not proposed to be constructed within MWD rights-of-way; the MWD easement area is clearly indicated as "not-a-part" on the Project site plan (Draft EIR Figure 3.5-1). However, Project-related roadway and infrastructure improvements planned for Indian Avenue and Perris Boulevard will likely be required on MWD property, over the existing aqueduct.

Response MWD-2

The City will ensure that MWD's written approval of design plans is obtained prior to the approval of any permits involving excavation or construction within MWD rights-of-way. The Project applicant will be responsible for coordinating review and obtaining written approval from MWD prior to the issuance of applicable permits by the City.

Response MWD-3

As indicated in Draft EIR Section 4.5, "Hydrology and Water Quality," onsite stormwater detention basins are planned to be located at the northeasterly and southeasterly corners of the Project site, as far as possible from the MWD right-of-way. Runoff will be directed from these detention areas directly into approved City storm drainage facilities. No drainage onto MWD property is proposed or anticipated as a result of Project implementation.

Response MWD-4

The commentor correctly notes that the the Project proposes the use recycled water for landscape irrigation. It may be noted that, as indicated in Draft EIR Figure 3.5-5,

“Landscape Plan Concept,” landscaping has been minimized adjacent to the MWD right-of-way. Additionally, subject to the City’s Municipal Code Section 19.70.020, water-conserving irrigation systems that minimize runoff and overspray will be designed and implemented to the satisfaction of the City. No application of recycled water onto MWD property is proposed as part of Project operations.

Response MWD-5

EIR references to the potential future development of a linear park/trail on MWD property are included from a land use compatibility standpoint in the Land Use Section of the Draft EIR. As noted on Draft EIR page 4.1-4, “The City’s Planning staff has indicated that the linear park trail should be considered as a separate project. Final plans for improvements, along with any required environmental analysis for implementation of the linear park trail project would be completed once an agreement for development of the trail has been reached with MWD.”

Response MWD-6

The commentor’s request for receipt of any subsequent environmental documents is noted. The MWD will continue to be included on the City’s distribution list for the Project.



**RIVERSIDE COUNTY
FIRE DEPARTMENT**
In cooperation with the
California Department of Forestry and Fire Protection

2300 Market Street, 1st FL Suite 150 • Riverside, California 92501 • (951) 955-4777 • Fax (909) 955-4886

John R. Hawkins
Fire Chief

Proudly serving the unincorporated areas of Riverside County and the Cities of:

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Board of Supervisors

- Bob Buster, District 1
- John Tavaglione, District 2
- Jeff Stone, District 3
- Roy Wilson, District 4
- Marion Ashley, District 5

April 29, 2009

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

Re: Perris Ridge Commerce Center II, Draft Environmental Impact Report

With respect to the referenced project (DEIR), the Riverside County Fire Department has the following comments:

The proposed project(s) will add to the cumulative adverse affect on the Fire Department's ability to maintain the current level of service. These impacts include fire and medical emergencies as well as public service calls, all due to the increased presence of population and structures.

Based on the adopted Riverside County Fire Protection Master Plan, one new fire station and/or appropriate fire company is recommended for every **2000** new dwelling units, or **3.5** million square feet of commercial/industrial occupancy. Up to **(1)** new fire station/company **MAY** be needed to meet anticipated service demands.

Mitigation measures, as defined by the City of Perris, should be considered in order to help reduce these impacts to a level below significance. Examples of mitigation measures might include:

- Developer participation in land acquisition and fire facility construction;
- Equipment upgrade and/or purchase; (*i.e. "Type 1" Fire Engine and a 100' Aerial Ladder Truck*).
- Participation in a fire mitigation fee program which would allow one-time capitol improvements such as land and equipment purchases, and construction development.
- Participation in the cost of adding additional personnel

RCFD-1

Costs necessary to maintain the increased level of service may be at least partially offset by taxes acquired by the new construction; however additional funding sources may have to be identified to cover any shortfalls.

RCFD-1
cont'd

The 3 nearest Fire stations that would respond to any incident are:

RCO Station 90, North Perris, 333 Placentia Ave. Perris, CA 92571

RCO Station #1, Perris, 210 West San Jacinto Ave, Perris, CA 92570

RCO Station #59, Mead Valley, 21510 Pinewood, Perris, CA 92570

All the above mentioned RCO Fire stations are staffed full-time, 24 hours/7 days a week, with a minimum 3 person crew operating "Type-1" structural fire fighting apparatus providing Paramedic service.

RCFD-2

The first unit should arrive within 2-3 minutes after dispatch, the second within 5-6 minutes and the third between 7-8 minutes. These times are approximate.

Current minimum staffing levels of 3 persons per responding unit presently meet **existing** demands. As with any additional construction within a response area, a "**cumulative**" increase in requests for service will add to the Fire Department's ability to provide adequate service. The proposed project densities of approximately 2,005,118 square feet will have a significant impact to the fire department's level of service.

Fire flow requirements within commercial projects are based on **square footage and type of construction** of the structures. The minimum fire flow for **any** commercial structure is **1500** gallons per minute, at a residual operating pressure of 20-psi, and can rise to **8000** gallons per minute, (per Table A-III of the California Fire Code).

RCFD-3

Any water system shall be designed in accordance with the appropriate section of Riverside County Ordinance 460 and/or 787.3, subject to the review and approval by the Riverside County Fire Department.

The California Fire Code outlines fire protection standards for the safety, health, and welfare of the public. These standards will be enforced by the Fire Chief.

If you have additional questions feel free to contact me.

Sincerely,

Jason Neuman

Jason Neuman, Captain

Strategic Planning Division

Riverside County Fire Department

(951) 940-6349

RIVERSIDE COUNTY FIRE DEPARTMENT (RCFD)

Letter Dated April 29, 2009

Response RCFD-1

The City acknowledges the commentor's concern in regard to the Project's potential adverse effects on the Fire Department's current level of service. The Project Initial Study addressed the Project's potential to result in impacts in regard to fire protection. The CEQA threshold for significance in terms of public services is defined as whether the Project would result in "substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services." The Initial Study found that the anticipated service needs of the Project would not meet this threshold. The Project's potential to impact public services was thus determined to be less-than-significant.

Additionally, development and impact mitigation fees assessed against the Project will aid in funding overall maintenance and enhancement of fire protection services within the City. The Lead Agency, in coordination with RCFD, will determine the most effective use of these funds towards the improvement of facilities and equipment, and hiring of personnel commensurate with Project-related demands. With payment of required fees, potential impacts relative to the provision of fire protection services are considered less-than-significant.

Response RCFD-2

The commentor's identification of the three (3) closest Fire Stations, staffing requirements and service response times is acknowledged. In regard to the commentor's concern about the cumulative increase in demands for fire protection services, the Initial Study found that the anticipated service needs of the Project would not result in significant impacts nor have any adverse effects on the current level of service. Any potential increased demands on fire

protection services are funded and supported by development impact fees and property tax revenues through the general funds of the City of Perris and County of Riverside. Please refer to Response RCFD-1 for a more detailed discussion.

Response RCFD-3

As stated in the Draft EIR, the Project will be designed, constructed, and operated consistent with established regulations and procedures, (e.g., design and construction pursuant to the Uniform Building Code and Uniform Fire Code), which act to preclude or minimize potential exposure to hazards and hazardous conditions. Further, Riverside County Fire Department personnel will participate in the review and approval of the Project, and their requirements relative to emergency access and fire protection will be included in the final Project design. With the incorporation of Fire Department requirements, potential impacts relative to the provision of fire protection services are considered less-than-significant.

Riverside County Flood Control and Water Conservation District, Page 1 of 2

WARREN D. WILLIAMS
General Manager-Chief Engineer



1995 MARKET STREET
RIVERSIDE, CA 92501
951.955.1200
FAX 951.788.9965
www.rcflood.org

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

April 23, 2009



Ms. Diane Sbardellati
City of Perris
Development Services Department, Planning Division
135 North "D" Street
Perris, CA 92570

Dear Ms. Sbardellati:

Re: Draft Environmental Impact Report for
the Perris Ridge Commerce Center II

This letter is written in response to the Draft Environmental Impact Report (DEIR) for the Perris Ridge Commerce Center II. The proposed project will provide for approximately two million square feet of new light industrial uses configured as two buildings. The project site is bounded to the west by Indian Avenue, to the east by Perris Boulevard, to the north by Morgan Street and to the south by Rider Street, in the city of Perris, Riverside County.

RCFC-1

The Riverside County Flood Control and Water Conservation District (District) has the following comments/concerns that should be addressed in the DEIR:

1. The DEIR indicates that all necessary storm water management system elements and system modifications, to include design and construction of new storm water retention/detention and conveyance systems, connections and improvements to existing systems will be realized to the satisfaction of the District. Please be advised that the District does not normally plan check or recommend conditions for land use cases within incorporated cities. The District will only assume an advisory role and comment on items of specific interest to the District, including Master Drainage Plan facilities or other regional flood control and drainage facilities which could be considered a logical component or extension of a master plan system, upon written request from the cities. Please revise the DEIR accordingly.
2. Page 3-15 of the DEIR states, "The Project will implement a City-approved Storm Water Pollution Prevention Program (SWPPP), and will comply with requirements of the City's National Pollutant Discharge Elimination System (NPDES) Permit and other water quality requirements or storm water management programs specified by the Regional Water Quality Control Board (RWQCB)." The DEIR further indicates that implementation and monitoring of an approved Storm Water Pollution Prevention Plan/Water Quality Management Plan will be realized to the satisfaction of the District and that the selected BMPs will be approved by the District. It should be noted that the City, not the District, is responsible for approving, implementing and monitoring the Storm Water Pollution Prevention Plan/ Water Quality Management Plan. Please revise the DEIR accordingly.

RCFC-2

RCFC-3

Riverside County Flood Control and Water Conservation District, Page 2 of 2

Ms. Diane Sbardellati
Re: Draft Environmental Impact Report for
the Perris Ridge Commerce Center II

-2-

April 23, 2009

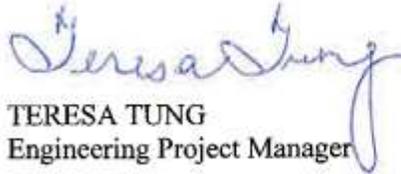
- 3. Page 4.5-7 of the DEIR indicates that the District is responsible for maintaining long-term BMPs within District facilities. It appears that the storm drain system associated with the proposed project will not involve an existing or future District maintained facility. Therefore, all references to the District maintaining long-term BMPs should be removed from the DEIR.

RCFC-4

Thank you for the opportunity to comment on the DEIR. Please forward any subsequent environmental documents regarding the project to my attention at this office. Any further questions concerning this letter may be referred to Jason Swenson at 951.955.8082 or me at 951.955.1233.

RCFC-5

Very truly yours,



TERESA TUNG
Engineering Project Manager

c: TLMA
Attn: Kathleen Browne

JDS:mcv
P8\124847

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT (RCFC)

Letter Dated April 23, 2009

Response RCFC-1

The commentor's description of the Project is substantively correct. No further response is required.

Response RCFC-2

It is acknowledged that the District does not normally plan check or recommend conditions for land use cases within incorporated cities; however, the proposed Project requires the installation of offsite master plan facilities and a modified master plan facility which will be submitted for review and approval by the District and the City of Perris.

Response RCFC-3

The Draft EIR language reflects the City's desire and intent to work cooperatively with the District, ensuring the Project's consistency with the Master Plan of Drainage and other storm water management facilities of interest to the District. The City appreciates the District's willingness to serve in this advisory capacity.

Response RCFC-4

As a point of clarification, the reference in the Draft EIR to long-term BMPs being maintained by the District refers only to District-owned facilities. The Project Engineer notes that the District will maintain the storm drain system proposed in Rider Street, Perris Boulevard, and Indian Avenue if the facility exceeds 36 inches in diameter; as well as any BMPs installed on District-owned facilities. It is acknowledged that the property owner will be responsible for ensuring long-term maintenance and management of Project drainage facilities.

Response RCFC-5

The District's request for receipt of any subsequent environmental documents is noted. The District will continue to be included on the City's distribution list for the Project.

Riverside County Transportation Commission, Page 1 of 2



4080 Lemon Street, 3rd Floor • Riverside, CA
 Mailing Address: P. O. Box 12008 • Riverside, CA 92502-2208
 (951) 787-7141 • Fax (951) 787-7920 • www.rctc.org

April 24, 2009

Ms. Diane Sbardellati
 City of Perris
 135 North "D" Street
 Perris, California 92570



Re: Perris Ridge Commerce Center II Draft EIR - SCH No. 2007071134

Dear Ms. Sbardellati,

Thank you for providing the Riverside County Transportation Commission (RCTC) with the opportunity to review and comment on the Perris Ridge Commerce Center II Draft Environmental Impact Report (EIR). We have identified several issues regarding the proposed project and accompanying environmental analysis relative to the proposed Mid County Parkway (MCP) project. Our review is pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq. and California Code of Regulations, Title 14, Section 15000 et seq. [State CEQA Guidelines]). RCTC wishes to work cooperatively with the City of Perris (City) to ensure that these concerns are addressed, and submits this comment letter with that goal in mind.

RCTC provided comments to the City on the Notice of Preparation (NOP) issued for the proposed project on August 15, 2007. In our letter, we noted that the proposed Ridge project is bisected by the proposed MCP Rider Street alignment which applies to Alternatives 5, 7, and Alternative 9 Rider Street Design Variation (DV). RCTC requested at that time close communication and coordination with the City to address the potential conflicts between the two projects.

On September 12, 2007, RCTC Commissioners approved identification of Alternative 9 with the Temescal Wash DV as the Locally Preferred Alternative in the MCP Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS). While the MCP Locally Preferred Alternative would not impact the proposed Perris Ridge Commerce Center II project, the effects of other MCP Build Alternatives (Alternatives 5, 7, and 9 with the Rider Street DV) have not been considered in the Perris Ridge Commerce Center II Draft EIR. CEQA requires that a reasonable analysis of the significant cumulative impacts of a proposed project be prepared (Public Resources code Section 21083(b); State CEQA Guidelines Section 15064(h)). While the Perris Ridge Commerce Center II Draft EIR includes a "list" approach to the cumulative projects analysis, the proposed MCP project is not identified as a cumulative project. The MCP project should be identified and discussed in the discussion of cumulative impacts that considers "past,

RCTC-1

Perris Ridge Commerce Center II Draft EIR - SCH No. 2007071134
Page -2-

recent, and probable future projects producing related or cumulative impacts, including, if necessary those projects outside the control of the agency..." (CEQA Guidelines Section 15130 (b) (1)(A)). The Perris Ridge Commerce Center II Draft EIR should consider the cumulative impacts associated with all MCP Build Alternatives, as disclosed in the MCP Draft EIR/EIS issued in October 2008.

The CEQA Guidelines [(Section 15130(b)(5)] also state that "a reasonable analysis of the cumulative impacts of the relevant project" be included, and that the EIR "shall examine reasonable, feasible options for mitigating or avoiding the project contribution to any significant cumulative effects." Inasmuch as the cumulative analysis in the Draft EIR excludes the MCP project as a reasonably foreseeable project, an adequate analysis of potential significant cumulative effects has not been provided and the opportunity to identify mitigation or alternatives that would avoid or reduce significant impacts has not been explored. RCTC urges the City to diligently consider and include an analysis of cumulative environmental effects that incorporates the MCP.

RCTC-1
cont'd

Lastly, while the proposed Perris Ridge Commerce Center II project would not be directly impacted by the proposed MCP Locally Preferred Alternative along Placentia Avenue in the City of Perris, other proposed alternatives (Alternatives 5, 7, and 9 Rider Street DV), if selected, would bisect the project site and directly impact Building No.1 of the proposed Perris Ridge Commerce Center II project site. Relevant information, including the Draft EIR/EIS for the MCP project, is available online at www.midcountyparkway.org.

Thank you for this opportunity to comment on the proposed Perris Ridge Commerce Center II Draft EIR. RCTC staff would be pleased to meet with City and applicant representatives to further review our comments and concerns.

RCTC-2

Sincerely,



Cathy Bechtel
Project Development Director
Riverside County Transportation Commission

Cc: G. Quintero, M. Massman, and S. Keel (Bechtel)

RIVERSIDE COUNTY TRANSPORTATION COMMISSION (RCTC)

Letter Dated April 24, 2009

Response RCTC-1

The commentor's review of the Draft EIR, and its concerns in regard to Project development are acknowledged. The commentor's concerns regarding the Project and its relation to the proposed Mid County Parkway (MCP) project are acknowledged and further discussed below.

The discussions in this response are divided into two parts. The first part describes potential cumulative impacts associated with the proposed Project, the MCP Locally Preferred Alternative 9, and MCP Build Alternatives 4 and 6. These alternatives would not directly impact the proposed Project site. The second part describes the potential cumulative impacts associated with the proposed Project MCP Build Alternatives 5, 7, and 9 with the Rider Street Design Variation (DV). The proposed alignments for these alternatives bisect the southern parcel of the Project site.

It should also be noted that the Draft EIR/EIS for the MCP project includes the proposed Project (the southern parcel) in its evaluation of cumulative impacts. This is shown in Figure 3.25.1, Sheet 3 of 4 on page 3.25-17 of the MCP Draft EIR/EIS. As such, the discussions in this response incorporate information from the MCP Draft EIR/EIS.

Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6

The alignment for Locally Preferred Alternative 9 is proposed to be located south of the Project site along Placentia Avenue. The alignment within the City of Perris for MCP Build Alternatives 4 and 6 is proposed to be located north of the Project site and largely north of Ramona Expressway. As such, these three alternatives do not physically impact the Project site.

- **Cumulative Impacts Related to Land Use and Planning**

The MCP Draft EIR/EIS states (on page 3.25-4) that it is anticipated that future developments will be implemented in a manner that is consistent with adopted land use and resource plans, and that the local agency general plans will be amended to reflect the approved MCP route alignment and facility type. The proposed Project is consistent with the existing land use designations of the City of Perris General Plan Land Use Map. In addition, the Draft EIR for the Perris Ridge Commerce Center II Project concludes (on page 5-5) that the Project's potential contribution to cumulative land use impacts is not considerable, and the cumulative effects of the Project are determined to be less than significant. This conclusion would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Traffic, Circulation, and Parking**

The Draft EIR for the Perris Ridge Commerce Center II Project concludes (on page 5-6) that traffic generated by the Project, in combination with traffic resulting from area-wide development and related projects will result in potential deficiencies at certain Study Area intersections. The cumulative impacts would be mitigated through fee payments as required pursuant to the Western Riverside County TUMF Program and the City of Perris Development Impact Fees. The collected fees will be allocated for the construction of area-wide roadway and signalization improvements.

The discussion of cumulative traffic and transportation impacts on page 3.25-5 of the MCP Draft EIR/EIS states that the MCP project would not result in any adverse effects to traffic circulation in the MCP study area, except for short-term effects during construction. The proposed Perris Ridge Commerce Center II Project would be constructed before the MCP project; therefore, there would be no cumulative traffic impacts associated with construction activities at the same time for these two projects. As to operational activities, the MCP Draft EIR/EIS states that the MCP project would have a beneficial effect by improving regional and local mobility. Based on this information, no unavoidably significant cumulative impacts to traffic, circulation, and parking are anticipated in Perris as a result of the proposed Project along with other developments and the MCP project.

- **Cumulative Impacts Related to Air Quality**

Air Quality impacts associated with cumulative development are evaluated on a project-specific basis using the thresholds of significance recommended by the SCAQMD. Since the proposed Project would generate daily construction-related and operational emissions that exceed applicable thresholds of significance. As such, emissions generated by the Project are determined in the Draft EIR for the Perris Ridge Commerce Center II Project to be individually significant and cumulatively considerable. In addition, the Draft EIR concludes that Project greenhouse gas emissions are also considered to be cumulatively considerable. These conclusions would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Noise**

Construction activities at the proposed Project site would affect a few existing sensitive receptor locations in the immediate vicinity. These impacts would be less than significant with mitigation. Construction activities associated with the MCP project would occur after the Perris Ridge Commerce Center II Project, would be much more intensive, and would, affect different sensitive receptors. As such, cumulative construction-related noise impacts would not occur at the same receptor locations with these two projects.

The Draft EIR for the Perris Ridge Commerce Center II Project identifies (on pages 5-8 and 5-9) future roadway noise levels in the vicinity of the Project site associated with future development. The impact of the increased noise levels is not considered to be significant. The MCP project would not increase roadway volumes on these same roadways and the conclusion of the Draft EIR would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Hydrology and Water Quality**

Both the Draft EIR for the Perris Ridge Commerce Center II Project (page 5-10) and the MCP Draft EIR/EIS (page 3.25-5) conclude that the water quality impacts of the two projects would not be significant and that they would not cause significant cumulative impacts. As such, the conclusions of the Draft EIR would not change with the addition of

Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Water Supply**

The Eastern Municipal Water District (EMWD) has determined that adequate water supplies are available to serve the proposed Project in the near and long term along with current and future uses within the EMWD's service boundary. The conclusions of the Draft EIR would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Aesthetics**

The Draft EIR for the Perris Ridge Commerce Center II Project states (page 5-12) that the Project in combination with other vicinity development will cumulatively result in a substantial change in the visual character of the area. Such change is anticipated under the City of Perris General Plan and will be realized consistent with City requirements as articulated within the Municipal Code and/or as may be required of specific development proposals. As such, this change is not considered to be aesthetically adverse. The MCP Draft EIR/EIS also acknowledges that cumulative aesthetic impacts would occur with the MCP Build Alternatives. Specific mitigation measures are identified in Section 3.7 of the MCP Draft EIR/EIS to address the project-specific impacts of the MCP Build Alternatives. Therefore, the conclusions of the Draft EIR would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

- **Cumulative Impacts Related to Cultural Resources**

Impacts to cultural resources are generally specific to an individual project site. Although the proposed Project would not impact any known cultural resources, mitigation measures are identified in the Draft EIR to ensure that any resources that may be discovered during Project construction activities are not significantly impacted. As such, the Draft EIR concludes that the Project's potential contribution to cumulative impacts to cultural resources is not considerable and the cumulative impacts of the Project are less than significant. The MCP Draft EIR/EIS also acknowledges the potential for the MCP Build

Alternatives to affect cultural resources. This is similar to any other new development project in the City of Perris and the conclusions of the Draft EIR would not change with the addition of Locally Preferred Alternative 9 and MCP Build Alternatives 4 and 6 to the list of related projects.

MCP Build Alternatives 5, 7, and 9 Rider Street DV

The alignment within the City of Perris for MCP Build Alternatives 5, 7, and 9 Rider Street DV is proposed to bisect the southern parcel of the Project site. As such, these three alternatives would directly and physically impact the Project site. Since the Project applicant is currently seeking approval of the proposed Project and the RCTC is still evaluating which MCP alternative to approve, it is assumed that the proposed Project would be constructed and operational prior to construction of the approved MCP alignment. This is consistent with the MCP Draft EIR/EIS, which identifies the Project as a cumulative project. The MCP Draft EIR/EIS acknowledges (on pages 3.25-28 and 3.25-29 that the MCP Build Alternatives would result in the acquisition of nonresidential, residential, and municipal properties. RCTC would be required to acquire the southern parcel of the Project site under any of these three build alternatives. Building No. 1 and any infrastructure on the southern parcel would have to be demolished.

- **Cumulative Impacts Related to Land Use and Planning**

Although the proposed Project is consistent with the existing land use designations of the City of Perris General Plan Land Use Map, development of these three build alternatives would eliminate the southern Parcel of the Project site from general land use operation and the City of Perris would need to amend the General Plan to change the land use designation of this portion of the site and other nearby properties to Parks/Recreation/Open Space (OS), which includes major transportation corridors. This is a political rather than environmental condition and the conclusions of the Draft EIR would not necessarily change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects.

- **Cumulative Impacts Related to Traffic, Circulation, and Parking**

The proposed Perris Ridge Commerce Center II Project would be constructed before the MCP project; therefore, there would be no cumulative traffic impacts associated with construction activities at the same time for these two projects.

As stated previously, traffic generated by the Project, in combination with traffic resulting from area-wide development and related projects will result in potential deficiencies at certain Study Area intersections, but the cumulative impacts would be mitigated through fee payments as required pursuant to adopted fees. Development of MCP Build Alternatives 5, 7, and 9 Rider Street DV would reduce the amount of traffic generated by land uses in the vicinity by eliminating Building No. 1, which is the larger of the two Project buildings, and other buildings in the Project vicinity. Therefore, no unavoidably significant cumulative impacts to traffic, circulation, and parking are anticipated in Perris as a result of the proposed Project along with other developments and the MCP project.

- **Cumulative Impacts Related to Air Quality**

As stated previously, Air Quality impacts associated with cumulative development are evaluated on a project-specific basis using the thresholds of significance recommended by the SCAQMD. The emissions generated by the Project are determined in the Draft EIR to be individually significant and cumulatively considerable and Project greenhouse gas emissions are also considered to be cumulatively considerable. These conclusions would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects. The operational emissions generated at the Project site would, however, be reduced when Building No. 1 is demolished and replaced by the new MCP segment.

- **Cumulative Impacts Related to Noise**

Construction activities at the proposed Project site would affect a few existing sensitive receptor locations in the immediate vicinity. These impacts would be less than significant with mitigation. Construction activities associated with the MCP project would occur after

the Perris Ridge Commerce Center II Project. As such, cumulative construction-related noise impacts would not occur at the same time with these two projects.

As stated previously, the cumulative roadway noise impacts are not considered to be significant in the Draft EIR for the Perris Ridge Commerce Center II Project and this conclusion would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects. However, future noise levels in the immediate vicinity of the Project site would be greater once the new MCP segment is constructed and large volumes of traffic are traveling through this area.

- **Cumulative Impacts Related to Hydrology and Water Quality**

Both the Draft EIR for the Perris Ridge Commerce Center II Project (page 5-10) and the MCP Draft EIR/EIS (page 3.25-5) conclude that the water quality impacts of the two projects would not be significant and that they would not cause significant cumulative impacts. As such, the conclusions of the Draft EIR would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects.

- **Cumulative Impacts Related to Water Supply**

The EMWD has determined that adequate water supplies are available to serve the proposed Project in the near and long term along with current and future uses within the EMWD's service boundary. The conclusions of the Draft EIR would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects.

- **Cumulative Impacts Related to Aesthetics**

The Project in combination with other vicinity development will cumulatively result in a substantial change in the visual character of the area, but this change is anticipated under the City of Perris General Plan and will be realized consistent with City requirements as articulated within the Municipal Code and/or as may be required of specific development proposals. As such, this change is not considered to be aesthetically adverse. The conclusions of the Draft EIR would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects.

- **Cumulative Impacts Related to Cultural Resources**

Development of either the proposed Project or MCP Build Alternatives 5, 7, and 9 Rider Street DV at the Project site would not impact any known cultural resources. Implementation of mitigation measures identified in the Draft EIR for the Perris Ridge Commerce Center II Project and the MCP Draft EIR/EIS would ensure that any resources that may be discovered during construction activities are not significantly impacted. This is similar to any other new development project in the City of Perris and the conclusions of the Draft EIR would not change with the addition of MCP Build Alternatives 5, 7, and 9 Rider Street DV to the list of related projects.

Response RCTC-2

The City appreciates the commentor's willingness to participate in further discussion of Project-related comments and concerns. However, the City is unwilling to place this Project, which is consistent with the current land use designations for the Project site, on indefinite hold while RCTC evaluates the various alternatives for the MCP project. The Project applicant understands the site is under consideration for an MCP project segment, but also understands that he would be adequately compensated should RCTC need to acquire the project site in the event that RCTC moves forward with MCP Build Alternative 5, 7, or 9 Rider Street DV.

Southern California Association of Governments, Page 1 of 6

**Main Office**

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April 27, 2009

Ms. Diane Sbardellati
Planning Division
City of Perris
135 N. "D" Street
Perris, CA 92570-2200
dsbardellati@cityofperris.org

RE: SCAG Comments on the Draft Environmental Impact Report for Perris Ridge Commerce Center II [SCAG No. I20090024]

Dear Mr. Sbardellati,

Thank you for submitting the **Draft Environmental Impact Report for Perris Ridge Commerce Center II [SCAG No. I20090024]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Regional Transportation Improvement Program (RTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act (CEQA) Guidelines, Sections 15125 and/or 15206. The proposed project, located on 96 acres, would have approximately 2,000,000 square feet of light industrial uses in two buildings.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision (CGV) that may be applicable to your project. The RTP and CGV can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please provide a copy of the Final Environmental Impact Report (FEIR) for our review. If you have any questions regarding the attached comments, please contact Bernard Lee at (213) 236-1800. Thank you.

Sincerely,


Jacob Lieb, Manager
Assessment, Housing & EIR

SCAG-1

DOCS# 151215

The Regional Council is comprised of 83 elected officials representing 189 cities, six counties, five County Transportation Commissions, Imperial Valley Association of Governments and a Tribal Government representative within Southern California.

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April 27, 2009
Ms. Sbardellati

SCAG No. I20090024

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) FOR
PERRIS RIDGE COMMERCE CENTER II - SCAG NO. I20090024**

PROJECT LOCATION

The project is located in the northern portion of the City of Perris, northeast of the intersection of Rider Street and Indian Avenue. The project site is comprised of two separate parcels, located north and south of land owned by the Metropolitan Water District (MWD). The northern portion of the site is bounded by Morgan Street to the north, the MWD parcel to the south, Indian Avenue to the west, and Barrett Avenue to the east. The southern portion of the site is bounded by the MWD parcel to the north, Indian Avenue to the west, Rider Street to the south, and Perris Boulevard to the east.

PROJECT DESCRIPTION

The project, located on 96 acres, will consist of two buildings with light industrial uses totaling approximately 2,000,000 square feet. The southern building (Building 1) will have 1,224,933 square feet and includes 40,000 square feet of office space. It will have an east-west alignment with a total of 241 loading doors along its north and south elevations. Vehicular access to this building would be provided by two driveways on Indian Street, one driveway on Rider Street, and two driveways on Perris Boulevard. The northern building (Building 2) will have 780,185 square feet and includes 30,000 square feet of office space. It will have a north-south alignment with a total of 110 loading doors along its east and west elevations. Vehicular access to this building would be provided by two driveways on Morgan Street and three driveways on Indian Street. The project would provide 1,285 parking spaces.

The project site is currently a sod farm, producing sod for commercial landscaping applications, and has been in agricultural use for at least the past 20 years. Adjacent land uses are generally industrial in nature, with manufacturing uses south of the project site and warehousing/distribution west and north of the project site. National RV and sod farms are located east of the project site. In addition, there is one sod farm located west of the project site.

The following summarizes discretionary actions and permits being sought by the project:

- Certification of the EIR
- A Zone Change for the project site from Light Agricultural/Interim Designation to Light Industrial
- Cancellation of the Riverside County Land Conservation Contract through an application for Agricultural Preserve Diminishment
- Development Plan Review
- Lot Line Adjustment/Parcel Map Approval
- Permitting by/through the Regional Water Quality Control Board
- Permitting by/through the South Coast Air Quality Management District
- Various other permits to allow implementation of the project facilities

CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN

Regional Growth Forecasts

The DEIR should reflect the most current SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and nearby cities are as follows:

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SCAG-3

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Adopted SCAG Regionwide Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	19,418,344	20,465,830	21,468,948	22,395,121	23,255,377	24,057,286
Households	6,086,986	6,474,074	6,840,328	7,156,645	7,449,484	7,710,722
Employment	8,349,453	8,811,406	9,183,029	9,546,773	9,913,376	10,287,125

Adopted WRCOG Subregion Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	1,735,426	1,918,962	2,096,544	2,262,992	2,414,256	2,550,867
Households	546,047	609,219	671,933	727,622	780,743	828,547
Employment	588,523	691,260	797,626	901,163	1,005,923	1,098,233

Adopted City of Perris Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	55,799	64,221	71,468	78,671	84,881	90,951
Households	14,481	16,789	18,357	20,188	21,988	23,825
Employment	18,045	19,300	20,315	22,690	25,370	27,671

Adopted City of Moreno Valley Forecasts¹

	<u>2010</u>	<u>2015</u>	<u>2020</u>	<u>2025</u>	<u>2030</u>	<u>2035</u>
Population	189,700	206,657	220,390	234,410	246,804	258,350
Households	50,432	55,407	60,025	64,699	69,353	72,977
Employment	39,225	49,414	61,974	71,359	80,667	91,642

1. The 2008 RTP growth forecast at the regional, subregional, and city levels was adopted by the Regional Council in May 2008.

SCAG Staff Comments:

The Draft EIR utilizes the 2004 Regional Transportation Plan growth forecast. The 2008 Regional Transportation Plan growth forecast (adopted May 2008) for the City of Perris projects an increase of 5,616 jobs between 2003 and 2010 and 2,270 jobs between 2010 and 2020. The Final EIR should incorporate the final growth forecasts from the 2008 Regional Transportation Plan.

The 2008 Regional Transportation Plan (RTP) also has goals and policies that are pertinent to this proposed project. This RTP links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations. The RTP continues to support all applicable federal and state laws in implementing the proposed project. Among the relevant goals and policies of the RTP are the following:

Regional Transportation Plan Goals:

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*

SCAG-3
cont'd

SCAG-4

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- RTP G6 *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7 *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

SCAG Staff Comments:

SCAG staff feels that the proposed project partially meets consistency with RTP goals G1 and G6, but cannot determine consistency with RTP G4 and G5. RTP goals G2, G3, and G7 are not applicable to this project.

The proposed project partially meets consistency with goal RTP G1. Mobility pertains to the speed at which one may travel and the delay, or difference between the actual travel time and travel time that would be experienced if a person traveled at the legal speed limit. Accessibility measures how well the transportation system provides people access to opportunities, such as jobs, education, shopping, recreation, and medical care. Table 4.2-5 (Comparison of Existing and Future Traffic Conditions) suggests that with improvements funded by the project, all intersections will offer a LOS no lower than D, which meets the City of Perris's requirements. Intersections operating at LOS D would still create travel time delay and some impairment to mobility. Regarding accessibility, the proposed project is located near I-215, which connects Perris with larger residential communities such as Moreno Valley and Riverside. In addition, per section 4.2.2.4 (Public Transportation Services), located on page 4.2-11, public transit service is available along Perris Boulevard.

SCAG staff cannot determine consistency with goal RTP G4. Productivity is a system efficiency measure that reflects the degree to which the transportation system performs during peak demand conditions. Table 4.2-5 (Comparison of Existing and Future Traffic Conditions) suggests that several intersections will perform at LOS D, which would result in "Long Traffic Delays" as described in Table 4.2-1 (Level of Service Criteria for Signalized Intersections).

SCAG staff cannot determine consistency with goal RTP G5. Table 4.3-10 (Regional Unmitigated Operational Emissions Summary) illustrates that mobile emissions are a large source of overall emissions and the project would exceed SCAQMD regional emissions thresholds for VOC, NOx, CO and PM₁₀. Even after mitigation measures are applied, the project's operational emissions are still expected to be significant. On page 4.3-37, it states "the Project's operational VOC, NOx, CO and PM₁₀ emissions are therefore determined to be significant, long-term air quality impacts that would violate an air quality standard (SCAQMD VOC, NOx, CO and PM₁₀ regional operational emissions threshold exceedances)."

The proposed project partially meets consistency with goal RTP G6. The project is located approximately two miles from the I-215 Ramona Expressway exit. In addition, the project would be served by public transit along Perris Boulevard and per page 4.3-35, "the Project applicant shall consult with the Riverside Transit Agency (RTA) regarding the provision of a bus stop at the Project site." However, the project is not located near passenger/commuter rail (page 4.2-11). Also, there is no mention of whether the project would offer any connections to freight rail lines.

SCAG-4
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GROWTH VISIONING

The fundamental goal of the **Compass Growth Visioning** effort is to make the SCAG region a better place to live, work and play for all residents regardless of race, ethnicity or income class. Thus, decisions regarding growth, transportation, land use, and economic development should be made to promote and sustain for future generations the region's mobility, livability and prosperity. The following "Regional Growth Principles" are proposed to provide a framework for local and regional decision making that improves the quality of life for all SCAG residents. Each principle is followed by a specific set of strategies

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intended to achieve this goal.

Principle 1: Improve mobility for all residents.

- GV P1.1 *Encourage transportation investments and land use decisions that are mutually supportive.*
- GV P1.2 *Locate new housing near existing jobs and new jobs near existing housing.*
- GV P1.3 *Encourage transit-oriented development.*
- GV P1.4 *Promote a variety of travel choices*

SCAG Staff Comments:

The proposed project meets consistency with GV P1.4 and partially meets consistency with GV P1.1 and P1.2. GV P1.3 is not applicable since the project is not a transit-oriented development.

The project offers close proximity and access to I-215, which is useful for transporting goods to/from the site by trailer truck. However, the project site does not appear to utilize existing freight rail lines. Based on the 2008 RTP growth forecast, in 2010, Perris would have a reasonable jobs/housing ratio of 1.25. However, nearby Moreno Valley would have an imbalance, with a jobs/housing ratio of only 0.78. Therefore, the proposed project would help the local area achieve a stronger jobs/housing balance. Alternate modes such as public transit, walking, and biking are mentioned within the DEIR, although their impact on reducing auto trips is not quantified.

Principle 2: Foster livability in all communities.

- GV P2.1 *Promote infill development and redevelopment to revitalize existing communities.*
- GV P2.2 *Promote developments, which provide a mix of uses.*
- GV P2.3 *Promote "people scaled," walkable communities.*
- GV P2.4 *Support the preservation of stable, single-family neighborhoods.*

SCAG Staff Comments:

Principle 2 is not applicable to the proposed project. The project is not in an urban location, so would not be considered infill development. In addition, the project would only consist of light industrial uses, and therefore GV P2.2, P2.3, and P2.4 are not applicable.

Principle 3: Enable prosperity for all people.

- GV P3.1 *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*
- GV P3.2 *Support educational opportunities that promote balanced growth.*
- GV P3.3 *Ensure environmental justice regardless of race, ethnicity or income class.*
- GV P3.4 *Support local and state fiscal policies that encourage balanced growth*
- GV P3.5 *Encourage civic engagement.*

SCAG Staff Comments:

Principle 3 is not applicable to the proposed project or cannot be determined. GV P3.1, P3.2, P3.4 and P3.5 are not applicable. Based on content in the DEIR, SCAG staff cannot determine consistency with GV P3.3.

Principle 4: Promote sustainability for future generations.

- GV P4.1 *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2 *Focus development in urban centers and existing cities.*

SCAG-5
cont'd

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- GV P4.3 *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4 *Utilize "green" development techniques*

SCAG Staff Comments:

SCAG staff cannot determine consistency with GV P4.1, as the property is currently a sod farm. The project is partially consistent with GV P4.2, since it is located in an incorporated city, although not one which would be considered an urban center. The project is also partially consistent with GV P4.3, as it would meet or exceed all State Title 24 standards (page 5-40). SCAG staff cannot determine consistency with GV P4.4.

SCAG-6
cont'd

CONCLUSION

On the whole, the proposed project partially meets consistency with applicable SCAG Regional Transportation Plan Goals and Growth Visioning Principles. The Final EIR should incorporate the 2008 Regional Transportation Plan growth forecast (adopted May 2008). In addition, it should provide an update regarding the provision of a Riverside Transit Agency bus stop at the project site, discuss whether freight rail is an option and if not to explicitly state so, and discuss quantifying the number of auto trips that may be reduced due to incorporation of alternate travel modes.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. Refer to the SCAG List of Mitigation Measures for additional guidance, which may be found here:
http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf

When a project is of statewide, regional, or areawide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21018.7, and CEQA Guidelines Section 15097 (g).

SCAG-7

SOUTHERN CALIFORNIA
ASSOCIATION OF GOVERNMENTS (SCAG)

Letter Dated April 27, 2009

Response SCAG-1

The City acknowledges SCAG's finding that the Perris Ridge Commerce Center II is considered regionally significant, and provides the following responses to the Agency's correspondence. These responses address the manner in which the Perris Ridge Commerce Center II Project is consistent with applicable core policies, or supportive of applicable ancillary policies from SCAG's Regional Transportation Plan (RTP), and Compass Growth Vision (CGV). A discussion of the Project's consistency with applicable City of Perris General Plan goals, objectives and supporting policies is included within Section 4.1 of the Draft EIR. Based on the following discussions, the Project is considered to be substantially consistent with applicable regional plans/policies provided by SCAG, and with relevant City General Plan Land Use Element Goals, Objectives and Policies.

The commentor's request for receipt of the Final EIR is noted. The District will continue to be included on the City's distribution list for the Project.

Response SCAG-2

The commentor's summary of the Project description from the Draft EIR is accurate.

Response SCAG-3

As suggested, the adopted 2008 Regional Transportation Plan (RTP) forecast information provided by SCAG has been incorporated into the following Draft EIR discussions.

In the discussion of Project consistency with SCAG's Growth Management Policies found in Draft EIR Table 4.1-1 on page 4.1-28, the following corrections have been made as indicated by bold italicized text:

As indicated in the Regional Growth Forecast data provided by SCAG, the 2010 ratio of employment to population in the City of Perris (**0.323**) is less than that of the WRCOG (**0.339**) and the SCAG subregion (**0.43**).

In the discussion of consistency with the AQMP (Draft EIR page 4.3-60), the following corrections have been made as indicated by bold italicized text:

WRCOG employment projections for the City of Perris during the period from **2010 to 2020** show an increase of **2,270** jobs and an increase of **5,055** jobs during the period from **2020 to 2030**.

The findings of the Draft EIR remain unchanged.

Response SCAG-4

This comment focuses on the Project's consistency with RTP goals G4 and G5. The commentor notes that Goal G4, "*[m]aximize the productivity of our transportation system,*" refers to transportation system performance during peak demand condition. As such, the commentor is correct in noting that several intersections in the City of Perris are expected to operate at LOS "D" during peak hours in the future. LOS D is the level of service designated by the City as the threshold for acceptable traffic performance during peak hour periods. Although "long traffic delays" may indeed occur, the City has chosen to accept this less-than-optimal performance as part of its transition from a semi-rural community to a developing employment center. As shown in Draft EIR Tables 4.2-5 and 4.2-6, these intersections are projected to operate at LOS F without the improvements planned by the City and reflected in Draft EIR Table 4.2-8. Mitigation measures have been included in the Draft EIR to ensure that the Project will fund or construct the necessary roadway improvements to comply with existing City standards for performance. By improving the intersection operations to LOS D, the City is improving and maximizing its local transportation system. By contributing fair-share funds to these improvements, the Project is considered consistent with Goal G4.

In regard to Goal G5, “[p]rotect the environment, improve air quality and promote energy efficiency,” the commentor correctly notes that the Project would exceed the SCAQMD’s regional operational emissions thresholds for VOC, NO_x, CO and PM₁₀. This is identified in the Draft EIR as a significant, long-term air quality impact, and this occurs due to the size of the Project and the number of vehicles that would travel to and from the site. In order to approve the Project, the City Council will be required to adopt a statement of overriding considerations which, as described in the *CEQA Guidelines*, “requires the decision-making agency to “balance (as applicable) the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project.” It may be noted that Project mitigation measures 4.3-1 through 4.3-23 will ensure that Project emissions are reduced to the extent feasible. Measure 4.3-20 specifically addresses energy efficiency. The Project is considered consistent with RTP Goal G5.

Response SCAG-5

The City concurs with the findings of SCAG staff in regard to the referenced Compass Growth Visioning goals.

Response SCAG-6

This comment focuses on the Project’s consistency with Compass Growth Visioning goals GV P4.1 and GV P4.4. Goal GV P4.1, “[p]reserve rural, agricultural, recreational and environmentally sensitive areas” is not considered applicable to the Project since, as discussed in Draft EIR Section 4.1, “Land Use,” the Project site has been designated in the City’s General Plan for transition from agricultural uses for more than fifteen years.

The Project is consistent with Goal GV P4.4, “[u]tilize ‘green’ development techniques.” Mitigation Measure 4.3-20 requires the Project to comply with construction and design techniques from the latest available version of the Leadership in Energy and Environmental Design (LEED) for New Construction program.

Response SCAG-7

As shown in the above Response SCAG-3, the adopted 2008 Regional Transportation Plan (RTP) growth forecast information provided by SCAG has been incorporated into the Final EIR as suggested by the commentor.

RTA Bus Lines 19 and 41 currently have a stop in proximity to the site at Webster Street and Indian Avenue so an additional bus stop is not recommended, as suggested by the commentor. Freight Rail is not an option since there are currently no rail lines adjacent to the Project site. The number of auto trips that would be reduced by alternative travel modes cannot be specifically detailed, but bus transit is the only realistic alternative travel mode that would provide a trip reduction for this site and there are currently two RTA bus lines on Perris Boulevard, which is adjacent to the east side of the site. Bicycle and walking are possible alternative travel modes, but would make up a very low number of trips due to the land use and roadway system in the area.



**South Coast
Air Quality Management District**

21865 Copley Drive, Diamond Bar, CA 91765-4182
(909) 396-2000 • www.aqmd.gov

E-MAILED: May 0, 2009

May 01, 2009

Ms. Diane Sbardellati, Associate Planner
City of Perris
Planning Division
135 N "D" Street
Perris, CA 92570-2200

**Review of the Draft Environmental Impact Report (Draft EIR) for
Ridge Commerce Center II**

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the lead agency and should be incorporated into either a Revised Draft or Final Environmental Impact Report (Final EIR) as appropriate.

The SCAQMD staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Dan Garcia, Air Quality Specialist CEQA Section, at (909) 396-3304, if you have any questions regarding the enclosed comments.



AQMD-1

Sincerely,

Steve Smith

Steve Smith, Ph.D.
Program Supervisor – CEQA Section
Planning, Rule Development & Area Sources

Attachment

SN:DG

RVC090312-03
Control Number

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May 01, 2009

Air Quality Mitigation Measures:**Construction**

1. The lead agency provided the projected regional construction air quality impact results for the proposed project on page 4.3-30 and 4.3-32 of the Draft EIR. The results demonstrate that the project would generate VOC and NO_x emissions that exceed the SCAQMD's recommended regional construction emissions significance thresholds. The lead agency proposes a list of measures to mitigate some of these emissions; however, to further reduce the project's regional air quality impacts SCAQMD staff recommends that the lead agency consider adding the following mitigation measures, if feasible:

NO_x**Recommended Additions:**

- Alternative fueled off-road equipment; and
- Use \Rule 1186.1 certified street sweepers when sweeping roadways adjacent to the proposed project (recommend water sweepers with reclaimed water).

In addition to the above NO_x measures, SCAQMD staff recommends modifying the following existing mitigation measure as follows.

- 4.3.1 All diesel-powered construction equipment ~~in excess of 50 horsepower shall be equipped with~~ meet or exceed Tier III standards. Alternatively, all construction equipment shall be equipped with CARB- verified oxidation catalysts, diesel particulate filter emission controls, using equipment with the greatest control efficiency for the specific category of equipment, resulting in a minimum of 50 percent particulate matter control Further, the project proponent shall demonstrate that these verified/certified technologies are available to be used at the time of project construction. Correlating notations shall appear on the project construction plans and construction documents. A listing of available off-road diesel emission control equipment meeting this requirement is provided at the following AQMD website:
http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/MM_offroad.html.
- 4.3.4 Prior to issuance of the first grading permit, the project proponent shall prepare a traffic control plan for review and approval by the City. The traffic control plan shall identify safe detours around the project construction site, and provide for all necessary temporary traffic controls (e.g., flag persons, and lane cones). Specifically, the traffic control plan shall, at a minimum, require the project proponent to:
 - Configure construction parking to minimize traffic interference.

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- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site.
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours.
- Reroute construction trucks away from congested streets or sensitive receptor areas, and
- Improve traffic flow by signal synchronization.

The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart 1, Developing and Implementing Traffic Management Plans for Work Zones.

For additional measures to reduce off-road construction equipment, refer to the mitigation measure tables located at the following website:
www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html.

VOC

Recommended Additions:

- Construct/build with materials that do not require painting; and
- Use pre-painted construction materials.

In addition to the above VOC measures, SCAQMD staff recommends modifying the following existing mitigation measure as follows.

- 4.3.5 To the extent practicable use required coatings and solvents with a VOC content lower than required under Rule 1113 or no-VOC paints and architectural coatings shall be employed. A list of low/no-VOC paints is provided at the following AQMD website:
www.aqmd.gov/prdas/brochures/paintguide.html. All paints shall be applied using either high volume low-pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the project construction plans and construction documents.

Operation

2. According to Figure 4.1-2 of the Draft EIR light industrial, commercial neighborhood and business park land uses surround the proposed project and residential land uses are in close proximity to the project site. Since the proposed project will attract a high volume of heavy-duty diesel trucks, SCAQMD staff requests that the lead agency include a mitigation measure that would specify the conditions for approval of the Change of Zone, Tentative Parcel Map and Plot Plan to preclude the

AQMD-2
cont'd

AQMD-3

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establishment of new residential and sensitive receptors of at least 1,000 feet from the project boundaries.

Also, it is recommended that the lead agency consider the following mitigation measures to further reduce localized, regional, and cumulative operational air quality impacts from the proposed project:

- Design the warehouse/distribution center such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors,
- Design the warehouse/distribution center to ensure that truck traffic within the facility is located away from the property line(s) closest to its residential or sensitive receptor neighbors,
- Restrict overnight parking in residential areas,
- Establish overnight parking within the warehouse/distribution center where trucks can rest overnight,
- Establish area(s) within the facility for repair needs,
- Develop, adopt and enforce truck routes both in and out of city, and in and out of facilities,
- Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas,
- Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride,
- Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods,
- Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes,
- Improve traffic flow by signal synchronization,
- Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1, and
- Conduct air quality monitoring at sensitive receptors.

AQMD-3
cont'd

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT (AQMD)

Letter Dated May 1, 2009

Response SCAQMD-1

The SCAQMD's review of the Draft EIR is acknowledged. Responses to the SCAQMD's comments are provided below. It is noted that the City of Perris has accommodated the receipt of SCAQMD's comments beyond the State Clearinghouse-assigned date of April 27, 2009 for close of comments on the Draft EIR.

Response SCAQMD-2

In regard to construction-related air quality impacts, the City has considered the additional mitigation measures and revisions suggested by the SCAQMD, and has incorporated the applicable revisions into the existing Mitigation Measures 4.3.1, 4.3.4, and 4.3.5 as presented below. The revisions to these Mitigation Measures are also reflected in the Project Mitigation Monitoring Plan, presented in Final EIR Section 4.0.

4.3.1 *To the extent practicable, the Project shall utilize alternative-fueled construction equipment. All diesel-powered construction equipment shall meet or exceed Tier III standards. Alternatively, all diesel-powered construction equipment shall be equipped with CARB-verified oxidation catalysts, diesel particulate filter emission controls, using equipment with the greatest control efficiency for the specific category of equipment. Further, the Project Proponent shall demonstrate that these verified/certified technologies are available to be used at the time of project construction. Street sweepers utilized as part of Project construction shall be certified as described in SCAQMD Rule 1186.1 (water sweepers using reclaimed water are recommended). Correlating notations shall appear on the Project construction plans and construction documents. A listing of available off-road diesel emission control equipment meeting this requirement is provided at the following SCAQMD website: http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/MM_offroad.html.*

4.3.4 *Prior to issuance of the first grading permit, the Project proponent shall prepare a traffic control plan for review and approval by the City. The traffic control plan shall identify safe detours around the Project construction site, and provide for all necessary temporary traffic controls (e.g, flag persons, lane cones). Specifically, the traffic control plan shall, at a minimum, require the Project Proponent to:*

- *Configure construction parking to minimize traffic interference;*
- *Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow;*
- *Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;*
- *Schedule construction activities that affect traffic flow on the arterial system to off-peak hours;*
- *Re-route construction trucks away from congested streets or sensitive receptor areas; and*
- *Improve traffic flow by signal synchronization.*

The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart 1, Developing and Implementing Traffic Management Plans for Work Zones.

4.3.5 *The construction contractor shall utilize pre-coated, pre-colored and naturally colored building materials when feasible, to minimize the amount of VOC emissions from painting activities on-site. To the extent practicable, coatings and solvents with a VOC content lower than required under Rule 1113 or no-VOC paints and architectural coatings shall be employed. A list of low/no-VOC paints is provided at the following SCAQMD website: www.aqmd.gov/prdas/brochures/paintguide.html. All paints shall be applied using either*

high volume low-pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the Project construction plans and construction documents.

Response SCAQMD-3

Mitigation measures included in the Draft EIR have been specifically designed to avoid or eliminate Project-related operational impacts. As such, conditioning the Project to implement land use restrictions for the development of adjacent properties would be inappropriate and unenforceable. As illustrated in Draft EIR Figures 4.1-2 and 4.1-3, the City's existing General Plan Land Use and Zoning designations reflect commercial or light industrial land uses for all undeveloped parcels in the immediate Project vicinity. The City plans to enforce existing land use policies and zoning restrictions to ensure that sensitive receptors are not introduced into incompatible areas.

The City has considered each of the suggested mitigation measures, and provides the following explanations as to why these are not considered appropriate for inclusion in the Project EIR. The suggested measures are restated in *italic* text for ease of reference.

- *Design the warehouse/distribution center such that entrances and exits are such that trucks are not traversing past neighbors or other sensitive receptors.*

This measure has already been incorporated into the design of the Ridge II Project. The Project's warehouse facilities have been designed to direct truck traffic away from sensitive residential uses located southeasterly of the intersection of Perris Boulevard and Rider Street. To this end, entrances on Indian Avenue, adjacent to similar light industrial uses, will serve as the Project's primary driveways for trucks. Additional truck access is provided on Rider Street; however, the driveway nearest residential areas is located approximately 1,500 feet west of the intersection of Rider and Perris Boulevard. On Perris Boulevard, the nearest driveway accommodating trucks is approximately 1,200 feet north of this intersection. The driveway nearest sensitive residential uses, on Perris Boulevard approximately 500 feet north of the

Perris Boulevard/Rider Street intersection, is designed for use by passenger cars (employees and visitors), rather than trucks.

- *Design the warehouse/distribution center to ensure that truck traffic within the facility is located away from the property line(s) closest to its residential or sensitive receptor neighbors.*

The nearest loading door or truck parking area within the Project site, measured from existing residential uses to the southeast, is more than 1,000 feet distant. The Project has employed landscape setbacks and employee parking on the corner of the site nearest sensitive uses, which serve as a buffer for onsite truck operations. It is further noted that the Health Risk Assessment conducted as part of the Project's Air Quality Analysis found that the Project's potential to expose sensitive receptors to substantial pollutant concentrations is less-than-significant.

- *Restrict overnight parking in residential areas.*

The parking of truck tractors and trailers in residential areas is prohibited by City's Municipal Code Section 10.42.010(e). Further, no offsite parking is proposed as part of the Project. As discussed in Draft EIR Section 4.2, "Traffic, Circulation and Parking," adequate parking has been provided within the Project site for both trucks and warehouse facility employees.

- *Establish overnight parking within the warehouse/distribution center where trucks can rest overnight.*

An Industrial Support Area (ISA) is available in close proximity to the Project site, which provides truck stops for overnight parking with fuel and food sales, shower facilities and air conditioning hookups to the cabs and/or electrical outlets so that trucks do not need to idle or have auxiliary power units for cab comforts. In

addition, adequate parking has been provided within the Project site for both trucks and warehouse facility employees.

- *Establish area(s) within the facility for repair needs.*

As noted above, the ISA, located on Ramona Expressway near the I-215 interchange, provides for truck maintenance and repair in addition to fuel and food sales and overnight parking for trucks.

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

The City's Municipal Code Section 10.40.020 identifies established truck routes in the Project area, including Perris Boulevard and the Ramona Expressway.

- *Have truck routes clearly marked with trailblazer signs, so trucks will not enter residential areas.*

Project signage will reflect the location of truck routes, to the satisfaction of the City.

- *Identify or develop secure locations outside of residential neighborhoods where truckers that live in the community can park their truck, such as a Park & Ride.*

The Project cannot be expected to accommodate trucks that are not directly providing delivery of goods or services to Project occupants. This measure could be implemented on a community-wide basis, but is not the responsibility of this individual development project.

- *Provide food options, fueling, truck repair and or convenience store on-site to minimize the need for trucks to traverse through residential neighborhoods.*

As noted above, the ISA on Ramona Expressway provides for truck maintenance and repair in addition to fuel and food sales and overnight parking for trucks.

Travel through residential areas is not required to reach the ISA from the Project site.

- *Re-route truck traffic by adding direct off-ramps for the truck or by restricting truck traffic on certain sensitive routes.*

Truck traffic between the Project site and the nearest regional roadway, I-215, does not require access to “sensitive” routes. Construction of a direct off-ramp from this freeway to the Project site is, however, considered infeasible.

- *Improve traffic flow by signal synchronization.*

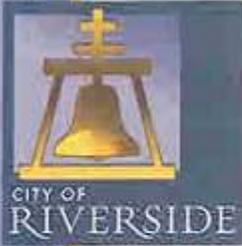
Traffic signal modifications have been included in Project mitigation measures where they were determined necessary as part of the Project Traffic Impact Analysis (TIA).

- *Use street sweepers that comply with SCAQMD Rules 1186 and 1186.1.*

The use of approved street sweeping equipment during Project construction is required by Mitigation Measure 4.3.1, as discussed in the preceding response to Comment SCAQMD-2. Following construction, the sweeping of public streets will be the responsibility of the City, and outside the scope of the Project.

- *Conduct air quality monitoring at sensitive receptors.*

As discussed in Draft EIR Section 4.3, “Air Quality,” a Health Risk Assessment (HRA) was conducted as part of the Project’s Air Quality Analysis. The HRA determined that the Project’s potential to expose sensitive receptors to substantial pollutant concentrations is less-than-significant. No Project-specific air quality monitoring is necessary.



Community Development
Department
Planning Division



April 27, 2009

Diane Sbardellati
City of Perris
Development Services Department
135 North "D" Street
Perris, CA 92570-2200

SUBJECT: Notice of Availability, Perris Ridge Commerce Center II Draft Environmental Impact Report (SCH No. 2007071134)

Dear Ms. Sbardellati:

Thank you for the opportunity to review and comment on the Draft Environmental Impact Report (DEIR) for the Perris Ridge Commerce Center, consisting of 1.9 million square feet of light industrial proposed on 96.25 acres located at the northeast corner of Rider Street and Indian Avenue. The City of Riverside staff has reviewed the proposal and offers the following comments:

The DEIR is inadequate because traffic impacts to the City of Riverside have not been fully analyzed and mitigated. The proposed industrial warehouse distribution facility with almost 2 million square feet of floor area has the potential to impact streets within the City of Riverside. However, the Traffic Impact Analysis (TIA) (Appendix B) fails to analyze the distribution of heavy truck traffic and vehicle traffic on the I-215 freeway northerly of Oleander Avenue toward the City of Riverside. As such, the study of the traffic impacts needs to be extended further north to include analysis of Van Buren and Alessandro Boulevards at the I-215 Freeway and any distribution of traffic onto the subject two arterials for the following reasons:

- The proposed project's traffic analysis distributes 75 percent of the project's truck traffic and 30 percent of the employee traffic on the I-215 Freeway north of Harley Knox Boulevard toward the City of Riverside but fails to analyze the impacts of this traffic distribution on the City of Riverside. The traffic analysis also shows project distribution of traffic to the future Mid-County Parkway, a roadway which will not be constructed until several years following the anticipated 2011 year completion date for the proposed project. Since the Mid-County Parkway is an east/west connection between the I-15/91 Freeways and the I-215 Freeway, it is expected that until Mid-County Parkway is

CR-1

constructed, substantial traffic will use Van Buren and Alessandro Boulevards to connect with these freeways.

- Based on research, analysis, observation and studies, traffic congestion at the I-215 Freeway/SR-60 interchange already causes traffic to divert onto Van Buren and Alessandro Boulevards and will continue to do so after the construction of the Mid-County Parkway. Both of these arterials which run through the City of Riverside adjacent to residential neighborhoods are direct east/west connections between I-215 and SR-91. When truck traffic diverts onto these streets this can result in traffic and air quality impacts to Riverside which need to be analyzed and mitigated.
- In addition, added truck traffic on these Arterials (especially overweight/overloaded trucks) can cause substantial damage to pavement, increase in pavement maintenance and accelerated street rehabilitation. The City of Riverside is exploring methods such as weigh-in-motion stations at Van Buren and Alessandro Boulevards as a way to alleviate impacts of overweight trucks travelling on City streets.

To re-iterate, the DEIR is inadequate because the traffic impact analysis did not address any distribution of traffic or impacts to Van Buren and Alessandro Boulevards or any other arterials north Harley Knox Boulevard. The analysis needs to analyze the distribution of traffic, trucks in particular, and identify mitigation measures to ensure a less than significant impact to the City of Riverside.

Once again, we thank you for allowing us this opportunity to comment, and look forward to a continued dialog regarding this project. Please contact Barbara Bouska, Associate Planner, at (951) 826-5507, or bbouska@riversideca.gov should you have any questions regarding this letter.

Sincerely,

Ken Gutierrez, AICP
Planning Director

c: Ronald Loveridge, Mayor
Riverside City Council Members
Brad Hudson, City Manager
Belinda J. Graham, Assistant City Manager
Scott Barber, Community Development Director
Siobhan Foster, Public Works Director
Tom Boyd, Deputy Public Works Director/City Engineer
Steve Libring, Traffic Engineer
Ridge Property Trust, 201 Covina Avenue, Suite 8, Long Beach, CA 90803

CR-1
cont'd

CITY OF RIVERSIDE
COMMUNITY DEVELOPMENT DEPARTMENT (CR)

Letter Dated April 27, 2009

Response CR-1

The City respectfully disagrees with the commentor's assertion that the Project's Draft EIR is inadequate based on its traffic analysis. The Study area for the proposed Project was determined based on discussions with the City of Perris Traffic Engineer. The typical study area limit imposed on traffic studies with a peak hour traffic generation forecast less than 500 trips (the Project is expected to generate 340 p.m. peak hour trips) is a five mile radius. Van Buren and Alessandro Boulevards are both located more than five miles from the Project site. It may be noted that pursuant to the City of Perris' traffic study guidelines, key study area intersections are selected for evaluation based on whether or not the project will generate 50 or more peak hour trips at a selected intersection. Neither the intersection of Van Buren or Alessandro Boulevards at the I-215 were determined to meet this criteria.

With the recent completion of the SR-91/SR-60/I-215 Interchange Project, which added a substantial amount of freeway capacity, it is very unlikely that greater than 25 percent of Project's northbound traffic would utilize Van Buren or Alessandro Boulevards to access to the SR-91 or I-15. The majority of the heavy truck traffic heading north from the Project site on the I-215 freeway will exit the I-215 at the SR-60 or I-10, or will continue north on I-215. It may also be noted that a portion of Project traffic headed to Orange County will utilize Cajalco Road, which is planned to be improved with a second lane between I-15 and I-215 Freeways.

Contrary to the commentor's assertion, the Project TIA does not assume traffic distribution to the future Mid County Parkway. The Mid County Parkway is acknowledged as a future, regional transportation improvement that will relieve traffic congestion on Ramona Expressway; however, the TIA's Project traffic distribution is limited to the existing roadway network.

As a result, the TIA for the proposed Perris Ridge Commerce Center II Project adequately addresses potential traffic impacts and therefore, no further traffic analyses involving City of Riverside intersections are necessary.

Soboba Band of Luiseno Indians, Page 1 of 3

Soboba Cultural Resource Department
 P.O. Box 487 San Jacinto, Ca 92581
 Phone: 951.663.5279 ext. 4137



February 24, 2009

Attn: Diane Sbardellati
 Associate Planner
 City of Perris
 135 North "D" Street
 Perris, Ca 92570



Re: PERRIS RIDGE COMMERCE CENTER II EXECUTIVE SUMMARY

The Soboba Band of Luiseno Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. This project location is in close proximity to other known sites and is a shared use area that was used in ongoing trade between the Luiseno and Cahuilla tribes. Therefore it is regarded as highly sensitive to the people of Soboba.

Soboba Band of Luiseno Indians is requesting the following:

1. **Government to government** consultation. Meaning the transfer of information to the Soboba Band of Luiseno Indians regarding the progress of this project should be done as soon as new developments occur.
2. The Soboba Band of Luiseno Indians be regarded as MLD and the lead consulting tribal entity for this project.
3. Working in and around traditional use areas intensifies the possibility of encountering cultural resources during the construction/excavation phase. For this reason the Soboba Band of Luiseno Indians requests that Native American Monitor(s) from the Soboba Band of Luiseno Indians Cultural Resource Department to be present during any ground disturbing proceedings. Including surveys and archaeological testing.
4. At this time the Soboba Band does see a direct need for a Native American **Monitor** due to the high cultural significance of the area and is asking that the monitor be compensated for his/her time.
5. Request that proper procedures be taken and requests of the Tribe be honored (Please see the attachment)

SB-1

Sincerely,

Joseph Ortizveros
 Director
 Soboba Cultural Resource Department
 Cell Phone: 951.663.5279

Soboba Band of Luiseno Indians, Page 2 of 3

Soboba Cultural Resource Department

P.O. Box 487 San Jacinto, Ca 92581

Phone: 951.654.5544 ext. 4137



Cultural Items (Artifacts). Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer should agree to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

The Developer should waive any and all claims to ownership of Native American ceremonial and cultural artifacts that may be found on the Project site. Upon completion of authorized and mandatory archeological analysis, the Developer should return said artifacts to the Soboba Band within a reasonable time period agreed to by the Parties and not to exceed (30) days from the initial recovery of the items.

Treatment and Disposition of Remains. Given that Native American human remains have been found during development of the Project and the Soboba Band has been designated the MLD, the following provisions shall apply to the Parties:

- A. The Soboba Band shall be allowed, under California Public Resources Code § 5097.98 (a), to (1) inspect the site of the discovery and (2) make determinations as to how the human remains and grave goods shall be treated and disposed of with appropriate dignity.
- B. The Soboba Band, as MLD, shall complete its inspection within twenty-four (24) hours of receiving notification from either the Developer or the NAHC, as required by California Public Resources Code § 5097.98 (a). The Parties agree to discuss in good faith what constitutes "appropriate dignity" as that term is used in the applicable statutes.
- C. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code § 5097.98 (a) and (b). The Soboba Band, as the MLD in consultation with the Developer, shall make the final discretionary determination regarding the appropriate disposition and treatment of human remains.
- D. All parties are aware that the Soboba Band may wish to rebury the human remains and associated ceremonial and cultural items (artifacts) on or near, the site of their discovery, in an area that shall not be subject to future subsurface

Soboba Band of Luiseno Indians, Page 3 of 3

Soboba Cultural Resource Department
 P.O. Box 487 San Jacinto, Ca 92581
 Phone: 951.654.5544 ext. 4137



disturbances. The Developer should accommodate on-site reburial in a location mutually agreed upon by the Parties.

E. The term "human remains" encompasses more than human bones because the Soboba Band's traditions periodically necessitated the ceremonial burning of human remains. Grave goods are those artifacts associated with any human remains. These items, and other funerary remnants and their ashes are to be treated in the same manner as human bone fragments or bones that remain intact

Coordination with County Coroner's Office. The Lead Agencies and the Developer should immediately contact both the Coroner and the Soboba Band in the event that any human remains are discovered during implementation of the Project. If the Coroner recognizes the human remains to be those of a Native American, or has reason to believe that they are those of a Native American, the Coroner shall ensure that notification is provided to the NAHC within twenty-four (24) hours of the determination, as required by California Health and Safety Code § 7050.5 (c).

Non-Disclosure of Location Reburials. It is understood by all parties that unless otherwise required by law, the site of any reburial of Native American human remains or cultural artifacts shall not be disclosed and shall not be governed by public disclosure requirements of the California Public Records Act. The Coroner, parties, and Lead Agencies, will be asked to withhold public disclosure information related to such reburial, pursuant to the specific exemption set forth in California Government Code § 6254 (r).

Ceremonial items and items of cultural patrimony reflect traditional religious beliefs and practices of the Soboba Band. The Developer agrees to return all Native American ceremonial items and items of cultural patrimony that may be found on the project site to the Soboba Band for appropriate treatment. In addition, the Soboba Band requests the return of all other cultural items (artifacts) that are recovered during the course of archaeological investigations. Where appropriate and agreed upon in advance, Developer's archeologist may conduct analyses of certain artifact classes if required by CEQA, Section 106 of NHPA, the mitigation measures or conditions of approval for the Project. This may include but is not limited or restricted to include shell, bone, ceramic, stone or other artifacts.

SOBOBA BAND OF LUISEÑO INDIANS
CULTURAL RESOURCE DEPARTMENT (SB)

Letter Dated February 24, 2009

Response SB-1

The City acknowledges the concerns of the Soboba Band in regard to the location of the Project site within the bounds of Tribal Traditional Use Areas. Project mitigation measures CR-1 and CR-2 require the Project developer to provide cultural resource monitoring during site excavation and grading activities that exceed the depth of the younger Quaternary Alluvium deposits present within the Project site (generally eight feet below natural grade). These measures also provide that, if the professional monitor identifies resources of a prehistoric or Native American origin within the Project area, an archaeological monitor is required to be added to the monitoring program.

In addition to mitigation measures CR-1 and CR-2, mitigation measure CR-3 also ensures that the concerns of the Soboba Band, as reflected in the preceding comment letter and attachments, are addressed in regard to the identification and potential recovery of cultural resources within the Project site. No additional analysis is required.

4.0 Mitigation Monitoring Plan

4.0 MITIGATION MONITORING PLAN

4.1 INTRODUCTION

To ensure that the mitigation measures contained in this EIR are properly implemented, a monitoring program has been developed pursuant to State law. This Mitigation Monitoring Plan (MMP) identifies measures incorporated in the project which reduce its potential environmental effects; the entities responsible for implementation and monitoring of mitigation measures; and the appropriate timing for implementation of mitigation measures. As described in *CEQA* § 15097, this MMP employs both reporting on, and monitoring of, project mitigation measures.

The objectives of the MMP are to:

- Assign responsibility for, and ensure proper implementation of mitigation measures;
- Assign responsibility for, and provide for monitoring and reporting of compliance with mitigation measures;
- Provide the mechanism to identify areas of noncompliance and need for enforcement action before irreversible environmental damage occurs.

Mitigation monitoring and reporting procedures incorporated in the project are presented in the following Section 4.2. Specific mitigation measures incorporated in the project, mitigation timing, and implementation and reporting/monitoring responsibilities are presented within this section in Table 4.2-1.

4.2 MITIGATION MONITORING AND REPORTING

Mitigation Monitoring and Responsibilities

As the Lead Agency, the City of Perris is responsible for ensuring full compliance with the mitigation measures adopted for the proposed Project. The City will monitor and report on all mitigation activities.

If during the course of project implementation, any of the mitigation measures identified herein cannot be successfully implemented, the City shall immediately inform any affected responsible agencies. The City in conjunction with any affected responsible agencies will then determine if modification to the project is required and/or whether alternative mitigation is appropriate.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>TRAFFIC AND CIRCULATION</u>				
4.2.1 Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center II Project, the Project proponent shall pay the Western Riverside TUMF of \$2.09 per square foot as required per Riverside County Ordinance No. 824. Such payment constitutes the Project's "fair share" fee contribution to the City's programmed improvements to the local and regional roadway network.	Prior to issuance of first building permit.	Project Proponent	City of Perris Public Works/Engineering Administration Division	At issuance of first building permit.
4.2.2 Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center II Project, the Project proponent shall pay the City of Perris Development Impact Fee of \$1.95 per square foot, or as required pursuant to the Development Impact Fee Schedule in effect at the time of application. Such payment constitutes the Project's "fair share" fee contribution to the City's programmed improvements to the local roadway network.	Prior to issuance of first building permit.	Project Proponent	City of Perris Public Works/Engineering Administration Division	At issuance of first building permit.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u>				
4.3.1 To the extent practicable, the Project shall utilize alternative-fueled construction equipment. All diesel-powered construction equipment shall meet or exceed Tier III standards. Alternatively, all diesel-powered construction equipment shall be equipped with CARB-verified oxidation catalysts, diesel particulate filter emission controls, using equipment with the greatest control efficiency for the specific category of equipment. Further, the Project Proponent shall demonstrate that these verified/certified technologies are available to be used at the time of project construction. Street sweepers utilized as part of Project construction shall be certified as described in SCAQMD Rule 1186.1 (water sweepers using reclaimed water are recommended). Correlating notations shall appear on the Project construction plans and construction documents. A listing of available off-road diesel emission control equipment meeting this requirement is provided at the following SCAQMD website: http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/MM_offroad.html .	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.2 Project construction equipment shall be properly maintained at an offsite location in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. Correlating notations shall appear on the Project construction plans and construction documents. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to inspection by SCAQMD.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
4.3.3 Construction contractors shall be instructed not to idle construction equipment and delivery vehicles on-site for more than five minutes. Correlating notations shall appear on the Project construction plans and construction documents.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<p>4.3.4 Prior to issuance of the first grading permit, the Project proponent shall prepare a traffic control plan for review and approval by the City. The traffic control plan shall identify safe detours around the Project construction site, and provide for all necessary temporary traffic controls (e.g., flag persons, lane cones). Specifically, the traffic control plan shall, at a minimum, require the Project Proponent to:</p> <ul style="list-style-type: none"> • Configure construction parking to minimize traffic interference; • Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow; • Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site; • Schedule construction activities that affect traffic flow on the arterial system to off-peak hours; • Re-route construction trucks away from congested streets or sensitive receptor areas; and • Improve traffic flow by signal synchronization. <p>The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CRF 630 Subpart 1, Developing and Implementing Traffic Management Plans for Work Zones.</p>	<p>Prior to issuance of first grading permit.</p>	<p>Project Proponent</p>	<p>City of Perris Planning Division</p>	<p>At issuance of first grading permit.</p>

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.5 The construction contractor shall utilize pre-coated, pre-colored and naturally colored building materials when feasible, to minimize the amount of VOC emissions from painting activities on-site. To the extent practicable, coatings and solvents with a VOC content lower than required under Rule 1113 or no-VOC paints and architectural coatings shall be employed. A list of low/no-VOC paints, is provided at the following SCAQMD website: www.aqmd.gov/prdas/brochures/paintguide.html . All paints shall be applied using either high volume low-pressure (HVLP) spray equipment or by hand application. Correlating notations shall appear on the Project construction plans and construction documents.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
4.3.6 Prior to the issuance of the first grading permit, the developer shall provide documentation to the City of Perris indicating that workers shall carpool to the greatest extent practical. Workers shall be informed in writing and a letter placed on file at the City of Perris documenting the extent of carpooling anticipated.	Prior to issuance of first grading permit.	Project Proponent	City of Perris Planning Division	At issuance of first grading permit.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.7 On-site electrical hook ups or gasoline-powered equipment shall be provided for electric construction tools including saws, drills and compressors, to eliminate the need for diesel powered electric generators. Correlating notations shall appear on the Project construction plans and construction documents.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
4.3.8 Bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads. Correlating notations shall appear on the Project construction plans and construction documents.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
4.3.9 To encourage alternate forms of transportation, which reduces vehicle trips, the Project applicant shall consult with the Riverside Transit Agency (RTA) regarding the provision of a bus stop at the Project site.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	At issuance of first building permit.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.10 All dock and delivery areas shall be posted with signs informing truck drivers of the California Air Resources Board (ARB) regulations including the following: a) Truck drivers shall turn off engines when not in use; b) All diesel delivery trucks servicing the Project shall not idle for more than 3 minutes per truck trip per day; and c) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
4.3.11 The Project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	At issuance of first building permit.
4.3.12 Electrical sources shall be provided for service equipment such as transportation refrigeration units if this equipment will be utilized by the Project.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	At issuance of first building permit.
4.3.13 The Project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.14 The Project applicant shall include in all new lease documents the require that warehouse managers and employees be trained in efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks within the facility.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
4.3.15 Prior to the issuance of occupancy permits, the developer shall provide documentation to the City of Perris indicating that tenant employees will be encouraged to carpool to the greatest extent practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Perris documenting the efforts to encourage carpooling.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.16 The Project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
4.3.17 Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
4.3.18 Any traffic lights installed as part of this project shall use Light Emitting Diodes.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
4.3.19 The Project owner and/or tenant shall maximize use of electrical equipment for landscape maintenance.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.20 As described in the Leadership in Energy and Environmental Design (LEED) for New Construction, Version 2.2 Rating System, the project shall comply with the following credits, or equivalent credits in an updated version.	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
a) Sustainable Sites (SS) Credit 4.2 - Provide secure bicycle racks and/or storage (within 200 yards of a building entrance) for 5 percent or more of all building users (measured at peak periods), and, provide shower and changing facilities in the building, or within 200 yards of a building entrance, for 0.5 percent of full-time occupants.				
b) SS Credit 7.1 - Select one of the following options. <ul style="list-style-type: none"> • Option 1: Provide any combination of the following strategies for 50 percent of the site hardscape (including roads, sidewalks, courtyards and parking lots): shade (within 5 years of occupancy); paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; or 				

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
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AIR QUALITY (cont'd)

4.3.20 (cont'd)

- Option 2: Place a minimum of 50 percent of parking spaces under cover (defined as under ground, under deck, under roof, or under a building). Any roof used to shade or cover parking must have an SRI of at least 29.
- c) SSCredit 7.2 - Select one of the following three options.
- Option 1: Use roofing materials having a SRI equal to or greater than 78 for a minimum of 75 percent of the roof surface;
 - Option 2: Install a vegetated roof for at least 50 percent of the roof area; or
 - Option 3: Install high albedo and vegetated roof surfaces that, in combination, meet the following criteria: $(\text{Area of SRI Roof} / 0.75) + (\text{Area of vegetated roof} / 0.5) \geq \text{Total Roof Area}$.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
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AIR QUALITY (cont'd)

4.3.20 (cont'd)

- d) Water Efficiency, Credit 3.1 - Employ strategies that in aggregate use 20 percent less water than the water use baseline calculated for the building (not including irrigation) after meeting the Energy Policy Act of 1992 fixture performance requirements. Calculations are based on estimated occupant usage and shall include only the following fixtures (as applicable to the building): water closets, urinals, lavatory faucets, showers and kitchen sinks.
- e) Energy & Atmosphere (EA) Credit 1 - Optimize energy performance by at least 28 percent.
- f) EA Credit 2 - Use onsite renewable energy systems to cover a minimum of 12.5 percent of the project's electricity needs.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.20 (cont'd)				
g) Materials & Resources Prerequisite 2 - Storage and collection of recyclables. Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics and metals.				
h) Materials & Resources Credit 2.1 - Recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. Develop and implement a construction waste management plan that, at a minimum, identifies the materials be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculations can be done by weight or volume, but must be consistent throughout.				
i) Water Efficiency Credit 1.1 - Water Efficient Landscaping: Reduce by 50 percent. Reduce potable water consumption for irrigation by 50 percent from a calculated mid-summer baseline case.				

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.21 To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the City Planning Manager:	Prior to issuance of first Certificate of Occupancy.	Project Proponent	City of Perris Planning Division	At issuance of first Certificate of Occupancy.
a) The applicant shall pay its fair share to work with the City to coordinate controlled surrounding intersections so that traffic passes more efficiently through congested areas. If signals are installed as part of the project, the applicant shall install the use of Light Emitting Diode traffic lights.				
b) The project applicant shall ensure that the nearby bus route information is available at the bus stops as well as inside the buildings (i.e., kiosk or similar). This information shall be updated twice per year.				
c) To be consistent with an AB 32 early reduction measure, SmartWay Truck Efficiency, the project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.				

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>AIR QUALITY</u> (cont'd)				
4.3.21 (cont'd)				
d) According to the City of Perris General Plan, Circulation Element, an urban bicycle trail appears to run through the middle of the proposed project (perhaps in the "not a part" area). The project applicant shall ensure that the bicycle trail is not impeded by construction of the proposed project. The project applicant shall also make plans to provide easy access from the bicycle trail to the proposed project in the event employees wish to bicycle to and from work.				
e) Each building shall contain a bulletin board to facilitate employee carpooling.				
4.3.22 During operation, the project shall utilize onsite equipment fueled by electricity, natural gas, hydrogen fuel, and/or one hundred percent biodiesel (B100). Evidence of this measure shall be provided to the City of Perris upon request.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	Ongoing, upon request by the City.
4.3.23 The project shall be designed with load bearing capacity for the roof top installation of photovoltaic arrays in the effect of at least 1.5 megawatts. This measure shall be verified by the City of Perris.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division; City of Perris Building Division	At issuance of first building permit.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>NOISE</u>				
4.4.1 The final grading and construction plans will include conditions requiring all construction equipment to be properly maintained with operating mufflers and air intake silencers, and prioritize the location of equipment staging and storage away from residential uses when practical. This measure shall be implemented to the satisfaction of the City Planning Manager.	Throughout construction activities.	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
<u>AESTHETICS</u>				
4.7.1 When lights are necessary for safety and security in the construction area, construction contractors will be required to use non-glare, directional lighting. Lighting and light fixtures shall be oriented and directed so to minimize potential light overspill on to adjacent roadways and properties.	Throughout construction activities	Project Proponent	City of Perris Planning Division	Ongoing throughout Project construction.
4.7.2 Prior to the issuance of building permits, the Project proponent shall ensure, to the satisfaction of the City of Perris, that construction plans specify that any potentially reflective materials utilized as part of Project construction (e.g., exterior ductwork, windows and roofing materials) be painted or covered with a non-reflective material.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	At issuance of first building permit.

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>CULTURAL RESOURCES</u>				
<p>CR-1: A professional archaeological monitor shall be on-site during grading. The monitor shall be equipped to salvage and record the location of fossil resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. Any discovered or recovered resources shall be evaluated in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.</p>	<p>Ongoing throughout Project-related earth-moving activities.</p>	<p>Project Proponent</p>	<p>City of Perris Planning Division</p>	<p>Ongoing throughout Project construction activities.</p>

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>CULTURAL RESOURCES</u> (cont'd)				
<p>CR-2: A professional paleontological monitor shall be on-site during site excavation and grading activities that exceed the depth of the younger Quaternary Alluvium deposits present within the Project site (generally eight feet below natural grade). The monitor shall be equipped to salvage and record the location of fossil resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. Any discovered or recovered resources shall be evaluated in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.</p>	<p>Ongoing throughout Project-related earth-moving activities.</p>	<p>Project Proponent</p>	<p>City of Perris Planning Division</p>	<p>Ongoing throughout Project construction activities.</p>

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>CULTURAL RESOURCES</u> (cont'd)				
<p>CR-3: If the professional monitor(s) identifies resources of a prehistoric or Native American origin within the Project area, a Native American observer shall be added to the monitoring program and accompany the archaeological/paleontological monitors for the duration of the program. If prehistoric/Native American resources are uncovered or otherwise identified, they must be recovered, analyzed in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.</p>	<p>Ongoing throughout Project-related earth-moving activities.</p>	<p>Project Proponent</p>	<p>City of Perris Planning Division</p>	<p>Ongoing throughout project construction activities.</p>

**Table 4.2-1
Perris Ridge Commerce Center II
Mitigation Monitoring Plan**

Mitigation Measures	Mitigation Timing	Implementation Entity	Monitoring/ Reporting Entity	Monitoring/ Reporting Frequency
<u>HAZARDOUS MATERIALS</u>				
HM-1: Consistent with established local, State and Federal protocols and performance standards, any potentially hazardous conditions affecting the Project site shall be identified through a comprehensive Phase II Environmental Site Assessment Report, which shall be conducted and reviewed by the Riverside County Department of Environmental Health, Hazardous Materials Management Division and/or the California Department of Toxic Substances Control prior to the issuance of grading permits. Further, the remediation and/or removal and disposal of any potentially hazardous materials will be carried out consistent with applicable local, State, and Federal regulations.	Prior to issuance of first building permit.	Project Proponent	City of Perris Planning Division	At issuance of first building permit.

**STATEMENT OF FACTS IN SUPPORT OF FINDINGS REGARDING
THE SIGNIFICANT ENVIRONMENTAL EFFECTS RESULTING FROM
THE PERRIS RIDGE COMMERCE CENTER II PROJECT
(ENVIRONMENTAL IMPACT REPORT SCH NO. 2007071134)**

I. INTRODUCTION

The City of Perris (the “City”), as the lead agency, has prepared the Final Environmental Impact Report (“Final EIR”) for the Perris Ridge Commerce Center II Project (“the proposed project”). The Final EIR has State Clearinghouse No. 2007071134.

The March 2009 Draft Environmental Impact Report (“Draft EIR”) assesses the potential environmental effects of the proposed project, identifies means to eliminate or reduce potential significant adverse impacts, and evaluates a reasonable range of Alternatives to the proposed project. The Final EIR consists of the Draft EIR, comments received regarding the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, Responses to Comments, and the Mitigation Monitoring Program.

Pursuant to California Code of Regulations, Title 14, Section 15090, the City Council certifies that the Final EIR, Responses to Comments, and the Mitigation Monitoring Program has been completed in compliance with the California Environmental Quality Act, Public Resources Code Section 21000, et seq. (“CEQA”) and the State CEQA Guidelines, Title 14, California Code of Regulations, Section 15000, et seq. (“CEQA Guidelines”). The City Council further certifies that it has been presented with the Final EIR and that it has reviewed and considered the information contained in the Final EIR prior to making the approvals set forth below in Section III. The City Council further certifies that the Final EIR reflects its independent judgment and analysis.

II. FINDINGS

The City Council is certifying the Final EIR, and approving and adopting the Findings, Statement of Overriding Considerations, and Mitigation Monitoring-Program (collectively, “the Findings”) for the entirety of the actions described in these Findings and in the Final EIR. There may be actions undertaken by other state and local agencies (referred to as “responsible agencies” under CEQA). Because the City is the lead agency for the proposed project, the Final EIR is intended to be the basis for compliance with CEQA for each of the possible discretionary actions by other state and local agencies to carry out the proposed project. In this action, the City Council is approving the proposed project, including the site plans and designs of the warehouse facility.

Having received, reviewed and considered the Final EIR and other information in the administrative record, the City Council hereby adopts the following Findings, Statement of Overriding Considerations, and Mitigation Monitoring Program in compliance with CEQA and the CEQA Guidelines. The City Council certifies that its Findings are based on an assessment of all viewpoints, including all Comments received up to the date of adoption of these Findings,

concerning the environmental impacts identified and analyzed in the Final EIR. The City Council adopts these Findings, Mitigation Monitoring Program, and Statement of Overriding Considerations in conjunction with its approval as set forth in Section III, below.

A. Environmental Review Process

1. *Preparation of the EIR*

On July 24, 2007, the City issued a Notice of Preparation (“NOP”) announcing the proposed preparation of the Draft EIR and describing its proposed scope, as well as announcing the release of the Initial Study (“IS”). The NOP and IS were circulated to responsible agencies and interested groups and individuals for a 30-day review period ending August 23, 2007. In addition, in order to solicit further Comments on the scope and content of the environmental analysis to be included in the Draft EIR, a public scoping meeting was held on August 1, 2007, as part of a regularly scheduled Planning Commission meeting located at the Perris City Hall, which was attended by approximately fifteen members of the public.

The City issued the Draft EIR on March 12, 2009 and circulated it for public review and comment for a 45-day period that ended on April 27, 2009. The City circulated the Draft EIR by: (1) submitting copies of the Draft EIR to the State Office of Planning and Research (State Clearinghouse); (2) making a copy available at the Cesar Chavez Public Library in the City of Perris; (3) making copies available for review and copying at the City of Perris Department of Planning and Community Development; (4) publishing a Notice of Completion of the Draft EIR in the *Sentinel Weekly News*; and (5) mailing the Notice of Completion to all persons required to receive notice within a 300-foot radius of the project site and to interested parties, as well as to relevant state agencies.

A total of ten letters were received from state and local agencies during the public comment period. The Final EIR contains all of the Comments received during the public comment period, together with written responses to those comments that were prepared in accordance with CEQA and the CEQA Guidelines. The City Council certifies that it has reviewed the Comments received and Responses thereto and finds that the Final EIR provides adequate, good-faith, and reasoned Responses to the Comments.

2. *Absence of Significant New Information*

CEQA Guidelines Section 15088.5 requires a lead agency to recirculate an EIR for further review and comment when significant new information is added to the EIR after public notice is given of the availability of the draft EIR but before certification. New information includes: (i) changes to the proposed project; (ii) changes in the environmental setting; or (iii) additional data or other information. Section 15088.5 further provides that “[n]ew information added to an EIR is not ‘significant’ unless the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such an effect (including a feasible project alternative) that the project’s proponents have declined to implement.” In addition, all feasible Mitigation Measures

are included in the Mitigation Monitoring Program. Therefore, having reviewed the information contained in the Draft and Final EIR and in the administrative record as well as the requirements under CEQA Guidelines §15088.5 and interpretive judicial authority regarding recirculation of draft EIRs, the City Council hereby finds that no new significant information was added to the EIR following public review and thus, recirculation of the EIR is not required by CEQA.

B. Impacts and Mitigation Measures of the Project

The following section summarizes the environmental impacts of the project identified in the Final EIR, and provides Findings as to those impacts, as required by CEQA and the CEQA Guidelines. The Findings set forth below are made and adopted by the City Council as its findings under CEQA. The Findings provide the written analysis and conclusions of the City Council regarding the proposed project's environmental impacts, Mitigation Measures, Alternatives, and Statement of Overriding Considerations that, in the City Council's view, justify approval of the proposed project despite its unavoidable significant environmental impacts.

These Findings summarize the environmental findings in the Final EIR concerning project impacts before and after mitigation and do not repeat the full discussions of environmental impacts contained in the Environmental Impact Report. Instead, they provide a brief description of the impacts, describe the applicable Mitigation Measures that are adopted by the City Council, and state the recommended findings on the significance of each impact after imposition of the adopted Mitigation Measures. A full explanation of these environmental findings and conclusions is set forth in the Draft EIR. These Findings hereby incorporate by reference the analysis in the Initial Study, Draft EIR, and Final EIR supporting the Final EIR's findings and conclusions, and in making these Findings, the City Council ratifies, adopts and incorporates the evidence, analysis, explanation, findings, Responses to Comments and conclusions of the Final EIR except where they are specifically modified by these Findings.

In adopting these Findings, the City Council intends to adopt each of the Mitigation Measures recommended in the Final EIR and listed in the Mitigation Monitoring Program. In the Comments on the Draft EIR, a number of measures were suggested by various commentors as proposed additional Mitigation Measures. With respect to the measures that were proposed in the Comments, and not adopted by the Final EIR, the Responses to Comments in the Final EIR explain why the proposed Mitigation Measures are not recommended by the Final EIR for adoption. The City Council hereby adopts and incorporates by reference the reasons stated in the Responses to Comments contained in the Final EIR as its grounds for rejecting adoption of these proposed Mitigation Measures.

1. ***Land Use and Planning***

a. *Potential Impact: Conflict with General Plan Land Use designation or zoning, or with other applicable environmental plans or policies adopted by agencies with jurisdiction over the project; incompatibility with existing or proposed vicinity land uses; adversely affect agricultural resources or operations; or physically divide or disrupt an established community. . This is a less-than-significant impact.*

FINDING: The City Council finds that implementation of the proposed project will have a less-than-significant impact with regard to conflicting with the City's General Plan land use designation and zoning, or with the applicable environmental plans or policies of other agencies with jurisdiction over the proposed project. Further, the City Council finds that the project will have a less-than-significant impact in regard to incompatibility with existing vicinity land uses, agricultural resources or operations, and the physical division or disruption of an established community.

2. ***Transportation and Traffic***

a. *Potential Impact: Cause an increase in traffic that exceeds existing Level of Service threshold "E" at key study area intersections. This is a potentially significant impact.*

Mitigation Measure 4.2-1. Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center II Project, the Project proponent shall pay the Western Riverside TUMF of \$2.09 per square foot as required per Riverside County Ordinance No. 824. Such payment constitutes the Project's "fair share" fee contribution to the City's programmed improvements to the local and regional roadway network.

Mitigation Measure 4.2-2. Prior to issuance of the first building permit for the proposed Perris Ridge Commerce Center II Project, the Project proponent shall pay the City of Perris Development Impact Fee of \$1.95 per square foot, or as required pursuant to the Development Impact Fee Schedule in effect at the time of application. Such payment constitutes the Project's "fair share" fee contribution to the City's programmed improvements to the local roadway network.

FINDING: The City Council finds that implementation of Mitigation Measures 4.2-1 and 4.2.2 would ensure that the proposed project contributes funding for needed roadway improvements on a fair-share basis, and would reduce this impact to a level that is less-than-significant.

b. *Potential Impact: Results in improper or inadequate site circulation/access that conflicts or is inconsistent with City engineering standards or design criteria; insufficient parking capacity on- or off-site; the creation of hazards or barriers for pedestrians or bicyclists; or conflicts with adopted policies regarding alternative transportation. This is a less-than-significant impact.*

FINDING: The City Council finds that planning and engineering review of the project's final site plan will ensure that potential impacts in regard to site circulation or access, parking capacity, and alternative modes of transportation are avoided. Therefore, this impact is less-than-significant and no mitigation is required.

3. *Air Quality*

a. *Potential Impact: Exceedance of South Coast Air Quality Management District (SCAQMD) regional emissions thresholds. This is a significant and unavoidable impact.*

Mitigation Measure 4.3.1. To the extent practicable, the Project shall utilize alternative-fueled construction equipment. All diesel-powered construction equipment shall meet or exceed Tier III standards. Alternatively, all diesel-powered construction equipment shall be equipped with CARB-verified oxidation catalysts, diesel particulate filter emission controls, using equipment with the greatest control efficiency for the specific category of equipment. Further, the Project Proponent shall demonstrate that these verified/certified technologies are available to be used at the time of project construction. Street sweepers utilized as part of Project construction shall be certified as described in SCAQMD Rule 1186.1 (water sweepers using reclaimed water are recommended). Correlating notations shall appear on the Project construction plans and construction documents. A listing of available off-road diesel emission control equipment meeting this requirement is provided at the following SCAQMD website: http://www.aqmd.gov/ceqa/handbook/mitigation/offroad/MM_offroad.html.

Mitigation Measure 4.3.2. Project construction equipment shall be properly maintained at an offsite location in accordance with manufacturer's specifications; maintenance shall include proper tuning and timing of engines. Correlating notations shall appear on the Project construction plans and construction documents. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction and subject to inspection by SCAQMD.

Mitigation Measure 4.3.3. Construction contractors shall be instructed not to idle construction equipment and delivery vehicles on-site for more than

five minutes. Correlating notations shall appear on the Project construction plans and construction documents.

Mitigation Measure 4.3.4. Prior to issuance of the first grading permit, the Project proponent shall prepare a traffic control plan for review and approval by the City. The traffic control plan shall identify safe detours around the Project construction site, and provide for all necessary temporary traffic controls (e.g., flag persons, lane cones). Specifically, the traffic control plan shall, at a minimum, require the Project Proponent to:

- Configure construction parking to minimize traffic interference;
- Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow;
- Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site;
- Schedule construction activities that affect traffic flow on the arterial system to off-peak hours;
- Re-route construction trucks away from congested streets or sensitive receptor areas; and
- Improve traffic flow by signal synchronization.

The traffic control plan shall be prepared in accordance with U.S. Department of Transportation Federal Highways Administration Rule on Work Zone Safety 23 CFR 630 Subpart 1, Developing and Implementing Traffic Management Plans for Work Zones.

Mitigation Measure 4.3.5. The construction contractor shall utilize pre-coated, pre-colored and naturally colored building materials when feasible, to minimize the amount of VOC emissions from painting activities on-site. To the extent practicable, coatings and solvents with a VOC content lower than required under Rule 1113 or no-VOC paints and architectural coatings shall be employed. A list of low/no-VOC paints, is provided at the following SCAQMD website: www.aqmd.gov/prdas/brochures/paint_guide.html. All paints shall be applied using either high volume low-pressure (HVLV) spray equipment or by hand application. Correlating notations shall appear on the Project construction plans and construction documents.

Mitigation Measure 4.3.6. Prior to the issuance of the first grading permit, the developer shall provide documentation to the City of Perris indicating that workers shall carpool to the greatest extent practical. Workers shall be informed in writing and a letter placed on file at the City of Perris documenting the extent of carpooling anticipated.

Mitigation Measure 4.3.7. On-site electrical hook ups or gasoline-powered equipment shall be provided for electric construction tools including saws, drills and compressors, to eliminate the need for diesel

powered electric generators. Correlating notations shall appear on the Project construction plans and construction documents.

Mitigation Measure 4.3.8. Bumper strips or similar best management practices shall be provided where vehicles enter and exit the construction site onto paved roads. Correlating notations shall appear on the Project construction plans and construction documents.

Mitigation Measure 4.3.9. To encourage alternate forms of transportation, which reduces vehicle trips, the Project applicant shall consult with the Riverside Transit Agency (RTA) regarding the provision of a bus stop at the Project site.

Mitigation Measure 4.3.10. All dock and delivery areas shall be posted with signs informing truck drivers of the California Air Resources Board (ARB) regulations including the following:

- a) Truck drivers shall turn off engines when not in use;
- b) All diesel delivery trucks servicing the Project shall not idle for more than 3 minutes per truck trip per day; and
- c) Telephone numbers of the building facilities manager and the California Air Resources Board to report violations.

Mitigation Measure 4.3.11. The Project shall be designed such that the check-in point for trucks is inside the facility property to ensure that there are no trucks queuing outside the facility.

Mitigation Measure 4.3.12. Electrical sources shall be provided for service equipment such as transportation refrigeration units if this equipment will be utilized by the Project.

Mitigation Measure 4.3.13. The Project applicant shall include in all new lease documents the requirement that the tenants shall utilize only trucks using refrigeration units capable of utilizing electrical hook-ups for deliveries to the tenant.

Mitigation Measure 4.3.14. The Project applicant shall include in all new lease documents the require that warehouse managers and employees be trained in efficient scheduling and load management to eliminate unnecessary queuing and idling of trucks within the facility.

Mitigation Measure 4.3.15. Prior to the issuance of occupancy permits, the developer shall provide documentation to the City of Perris indicating that tenant employees will be encouraged to carpool to the greatest extent

practical including providing information on park and ride programs available to employees. Employees shall be informed in writing and a letter placed on file at the City of Perris documenting the efforts to encourage carpooling.

Mitigation Measure 4.3.16. The Project applicant shall encourage its tenants to do the following: have a compressed workweek schedule for its employees; include electric powered and/or compressed natural gas fueled trucks and/or vehicles in fleets; require or provide incentives to use California Air Resources Board certified particulate filters that meet level III requirements; use "clean" trucks, such as 2007 or newer model year or 2010 compliant; use electric yard trucks; use trucks with a SmartWay 1.25 rating; and electrify auxiliary power units. The applicant shall provide documentation of its efforts to the satisfaction of the City.

Mitigation Measure 4.3.17. Onsite secure, weather-protected bicycle storage parking shall be provided. Onsite showers (one for males and one for females) and lockers for employees shall be provided in each building.

Mitigation Measure 4.3.18. Any traffic lights installed as part of this project shall use Light Emitting Diodes.

Mitigation Measure 4.3.19. The Project owner and/or tenant shall maximize use of electrical equipment for landscape maintenance.

FINDING: The City Council finds that construction activities associated with the project would exceed applicable SCAQMD thresholds for VOC and NO_x, and that project operational emissions would exceed applicable SCAQMD thresholds for VOC, NO_x, CO, and PM₁₀. This impact is significant. The City Council finds that implementation of project Mitigation Measures 4.3.1 through 4.3.19 will reduce the degree of significance of this impact, but that the impact shall nevertheless remain significant and unavoidable. No additional feasible mitigation is available. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.

b. *Potential Impact: Expose sensitive receptors to substantial localized pollutant concentrations. This is a less-than-significant impact.*

FINDING: The City Council finds that the proposed project would generate increased local traffic volumes, but would not expose sensitive receptors to substantial localized pollutant concentrations, including project-generated diesel particulate matter; therefore, this impact is less-than-significant and no mitigation is required.

c. *Potential Impact: Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. This is a significant and unavoidable impact.*

FINDING: The City Council finds that the proposed project is located in a designated non-attainment area for PM₁₀, PM_{2.5}, and ozone. Project exceedance of PM₁₀, VOC, and NO_x regional emissions thresholds, in combination with emissions generated by other sources affecting the non-attainment areas, will result in a cumulatively considerable net increase in PM₁₀, VOC, and NO_x emissions within the non-attainment area. This impact is significant. The City Council finds that implementation of project Mitigation Measures 4.3.1 through 4.3.19 will reduce the degree of significance of this impact, but that the impact shall nevertheless remain significant and unavoidable. No additional feasible mitigation is available. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.

d. *Potential Impact: Contribute considerably to climate change through Greenhouse Gas (GHG) emissions. This is a significant and unavoidable cumulative impact.*

Mitigation Measure 4.3.20. As described in the Leadership in Energy and Environmental Design (LEED) for New Construction, Version 2.2 Rating System, the project shall comply with the following credits, or equivalent credits in an updated version.

a) Sustainable Sites (SS) Credit 4.2 - Provide secure bicycle racks and/or storage (within 200 yards of a building entrance) for 5 percent or more of all building users (measured at peak periods), and, provide shower and changing facilities in the building, or within 200 yards of a building entrance, for 0.5 percent of full-time occupants.

b) SS Credit 7.1 - Select one of the following options.

- Option 1: Provide any combination of the following strategies for 50 percent of the site hardscape (including roads, sidewalks, courtyards and parking lots): shade (within 5 years of occupancy); paving materials with a Solar Reflectance Index (SRI) of at least 29; open grid pavement system; or
- Option 2: Place a minimum of 50 percent of parking spaces under cover (defined as under ground, under deck, under roof, or under a building). Any roof used to shade or cover parking must have an SRI of at least 29.

c) SSCredit 7.2 - Select one of the following three options.

- Option 1: Use roofing materials having a SRI equal to or greater than 78 for a minimum of 75 percent of the roof surface;
- Option 2: Install a vegetated roof for at least 50 percent of the roof area; or
- Option 3: Install high albedo and vegetated roof surfaces that, in combination, meet the following criteria: $(\text{Area of SRI Roof} / 0.75) + (\text{Area of vegetated roof} / 0.5) \geq \text{Total Roof Area}$.

d) Water Efficiency, Credit 3.1 - Employ strategies that in aggregate use 20 percent less water than the water use baseline calculated for the building (not including irrigation) after meeting the Energy Policy Act of 1992 fixture performance requirements. Calculations are based on estimated occupant usage and shall include only the following fixtures (as applicable to the building): water closets, urinals, lavatory faucets, showers and kitchen sinks.

e) Energy & Atmosphere (EA) Credit 1 - Optimize energy performance by at least 28 percent.

f) EA Credit 2 - Use onsite renewable energy systems to cover a minimum of 12.5 percent of the project's electricity needs.

g) Materials & Resources Prerequisite 2 - Storage and collection of recyclables. Provide an easily accessible area that serves the entire building and is dedicated to the collection and storage of non-hazardous materials for recycling, including (at a minimum) paper, corrugated cardboard, glass, plastics and metals.

h) Materials & Resources Credit 2.1 - Recycle and/or salvage at least 50 percent of non-hazardous construction and demolition debris. Develop and implement a construction waste management plan that, at a minimum, identifies the materials be diverted from disposal and whether the materials will be sorted on-site or co-mingled. Excavated soil and land-clearing debris do not contribute to this credit. Calculations can be done by weight or volume, but must be consistent throughout.

i) Water Efficiency Credit 1.1 - Water Efficient Landscaping: Reduce by 50 percent. Reduce potable water consumption for irrigation by 50 percent from a calculated mid-summer baseline case.

Mitigation Measure 4.3.21. To reduce vehicle miles traveled and emissions associated with trucks and vehicles, the following measures shall be implemented to the satisfaction of the City Planning Manager:

a) The applicant shall pay its fair share to work with the City to coordinate controlled surrounding intersections so that traffic passes more efficiently through congested areas. If signals are installed as part of the project, the applicant shall install the use of Light Emitting Diode traffic lights.

b) The project applicant shall ensure that the nearby bus route information is available at the bus stops as well as inside the buildings (i.e., kiosk or similar). This information shall be updated twice per year.

c) To be consistent with an AB 32 early reduction measure, SmartWay Truck Efficiency, the project shall be designed to accommodate trucks utilizing "SmartWay Truck Efficiency" emission reduction features. Trailer tails (extenders) are incompatible with loading docks and are exempt from this measure.

d) According to the City of Perris General Plan, Circulation Element, an urban bicycle trail appears to run through the middle of the proposed project (perhaps in the "not a part" area). The project applicant shall ensure that the bicycle trail is not impeded by construction of the proposed project. The project applicant shall also make plans to provide easy access from the bicycle trail to the proposed project in the event employees wish to bicycle to and from work.

e) Each building shall contain a bulletin board to facilitate employee carpooling.

Mitigation Measure 4.3.22. During operation, the project shall utilize onsite equipment fueled by electricity, natural gas, hydrogen fuel, and/or one hundred percent biodiesel (B100). Evidence of this measure shall be provided to the City of Perris upon request.

Mitigation Measure 4.3.23. The project shall be designed with load bearing capacity for the roof top installation of photovoltaic arrays in the effect of at least 1.5 megawatts. This measure shall be verified by the City of Perris.

FINDING: The City Council finds that with the implementation of all Project design features and mitigation measures, the Project is consistent with state strategies to reduce greenhouse gases. However, in the absence of any formal criteria for determining the level of significance of a project's cumulative contribution to climate change impacts at this time, and because the Project's daily operational regional emissions of VOC, NOx and CO exceed the regional

thresholds of significance recommended by the SCAQMD, the City concludes that Project greenhouse gas emissions will be cumulatively considerable. This impact is significant. The City Council finds that implementation of project Mitigation Measures 4.3.20 through 4.3.23 will reduce the degree of significance of this impact, but that the impact shall nevertheless remain significant and unavoidable. No additional feasible mitigation is available. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.

e. *Potential Impact: Inconsistency with applicable Air Quality Management Plan. This is a less-than-significant impact.*

FINDING: The City Council finds that the proposed project would provide new sources of regional air emissions but will not impair implementation of the Air Quality Management Plan; therefore, this impact is less-than-significant and no mitigation is required.

4. *Noise*

a. *Potential Impact: Result in a short-term construction-related increase in noise or groundborne vibration. This is a potentially-significant impact.*

Mitigation Measure 4.4.1.The final grading and construction plans will include conditions requiring all construction equipment to be properly maintained with operating mufflers and air intake silencers, and prioritize the location of equipment staging and storage away from residential uses when practical. This measure shall be implemented to the satisfaction of the City Planning Manager.

FINDING: The City Council finds that, with the implementation of Mitigation Measure 4.4.1, construction of the Project will not generate noise levels that exceed the standards established by the City of Perris. The potential impacts are thus reduced to a level that is considered less-than-significant.

b. *Potential Impact: Result in the exposure of persons to noise levels in excess of standards established in the local general plan or noise ordinance as a result of vehicular movements generated by the project. This is a significant impact.*

FINDING: The City Council finds that the project would result in a 10 dBA CNEL noise increase at one area roadway segment (Morgan

Street between Indian Avenue and Perris Boulevard). However, no sensitive receptors are located within the vicinity, and the resultant noise levels are still within the range of “normally acceptable” limits based on the City’s General Plan standards. On this basis, no specific mitigation measures are proposed. The impact remains significant and unavoidable. The City Council finds this significant impact to be acceptable for the reasons set forth in Section II.H of these Findings.

c. *For a project located within an airport land use plan or within two miles of a public or public use airport, exposure of people residing or working in the project area to excessive noise levels. This is a less-than-significant impact.*

FINDING: The City Council finds that although the proposed project is located approximately one mile from the March Air Reserve Base/Inland Port Airport, existing airport noise contours are within the range of “normally acceptable” noise limits for industrial uses. As such, people working in the Project area would not be exposed to excessive noise levels. This impact is less-than-significant, and no mitigation is required.

5. *Hydrology and Water Quality*

a. *Potential Impact: Create or contribute runoff water which could exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. This is a less-than-significant impact.*

FINDING: The City Council finds that the creation of new on-site stormwater management facilities, including but not limited to on-site detention areas which contain storm flows with controlled release into adjacent storm drains, in conjunction with existing drainage system improvements, will be sufficient to ensure that potential impacts are less-than-significant. No mitigation is required.

6. *Water Supply*

a. *Potential Impact: Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level. This is a less-than-significant impact.*

FINDING: The City Council finds that the project will not have a discernible effect on groundwater resources, based on the provision of imported water through the Eastern Municipal Water District

(EMWD). Potential impacts are thus considered less-than-significant, and no mitigation is required.

b. *Potential Impact: Require new or expanded water supplies. This is a less-than-significant impact.*

FINDING: The City Council finds the water demands of the project are within those accounted for by EMWD's Urban Water Management Plan. Further, water demand will be minimized by using City-mandated water conservation techniques. The City Council finds that existing and planned future water supplies will be sufficient to ensure that potential impacts are less-than-significant. No mitigation is required.

7. *Aesthetics*

a. *Potential Impact: Substantial degradation of the existing visual character or quality of the site and its surroundings. This is a less-than-significant impact.*

FINDING: The City Council finds that implementation of the proposed project will not substantially degrade the visual character or quality of the project site and the immediately surrounding area; therefore, this impact is less-than-significant and no mitigation is required.

b. *Potential Impact: Aesthetic impacts of construction activities. This is a potentially significant impact.*

Mitigation Measure 4.7.1. When lights are necessary for safety and security in the construction area, construction contractors will be required to use non-glare, directional lighting. Lighting and light fixtures shall be oriented and directed so to minimize potential light overspill on to adjacent roadways and properties.

FINDING: The City Council finds that construction of the project has the potential to result in aesthetic impacts of a temporary nature. However, implementation of Mitigation Measure 4.7.1 would ensure that potential impacts are reduced to a level that is less-than-significant.

c. *Potential Impact: Create a new source of substantial light or glare on site and in the vicinity that would adversely affect day or nighttime views in the area. This is a potentially significant impact.*

Mitigation Measure 4.7.2. Prior to the issuance of building permits, the project proponent shall ensure, to the satisfaction of the City of Perris, that construction plans specify that any potentially reflective materials utilized as part of project construction (e.g., exterior ductwork, windows and roofing materials) be painted or covered with a non-reflective material.

FINDING: The City Council finds that implementation of the proposed project could create a new source of substantial glare on-site that could adversely affect aircraft on approach to the nearby March Air Reserve Base/Inland Port Airport. However, the City Council finds that implementation of project Mitigation Measures 4.7.2 will reduce this impact to a level that is less-than-significant.

8. *Cultural Resources*

a. *Potential Impact: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. This is a potentially significant impact.*

Mitigation Measure CR-1. A professional archaeological monitor shall be on-site during grading. The monitor shall be equipped to salvage and record the location of fossil resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. Any discovered or recovered resources shall be evaluated in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.

Mitigation Measure CR-2. A professional paleontological monitor shall be on-site during site excavation and grading activities that exceed the depth of the younger Quaternary Alluvium deposits present within the Project site (generally eight feet below natural grade). The monitor shall be equipped to salvage and record the location of fossil resources as they may be unearthed to avoid construction delays. The monitor shall be empowered to temporarily halt or divert equipment to allow removal of abundant or large specimens or finds and to allow the preparation of recovered resources to a point of identification. Any discovered or recovered resources shall be evaluated in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.

Mitigation Measure CR-3. If the professional monitor(s) identifies resources of a prehistoric or Native American origin within the Project area, a Native American observer shall be added to the monitoring program and accompany the archaeological/ paleontological monitors for the duration of the program. If prehistoric/Native American resources are uncovered or otherwise identified, they must be recovered, analyzed in accordance with CEQA guidelines, and curated with the facilities at either the University of California, Riverside, or the Western Center at the Diamond Valley Reservoir, Hemet.

FINDING: The City Council finds that implementation of the proposed project has the potential to effect as-yet-unknown cultural resources as defined in CEQA Guidelines Section 15064.5. However, the City Council finds that implementation of Mitigation Measures CR-1, CR-2 and CR-3 will mitigate this potentially significant impact to a level that is less-than-significant.

9. *Hazardous Materials*

a. *Potential Impact: Create a significant hazard to the public or the environment through the routine transportation, use, or disposal of hazardous materials. This is a potentially significant impact.*

Mitigation Measure HM-1. Consistent with established local, State and Federal protocols and performance standards, any potentially hazardous conditions affecting the Project site shall be identified through a comprehensive Phase II Environmental Site Assessment Report, which shall be conducted and reviewed by the Riverside County Department of Environmental Health, Hazardous Materials Management Division and/or the California Department of Toxic Substances Control prior to the issuance of grading permits. Further, the remediation and/or removal and disposal of any potentially hazardous materials will be carried out consistent with applicable local, State, and Federal regulations.

FINDING: The City Council finds that potentially hazardous chemicals that could be present on the site as a result of current and former agricultural uses. Implementation of Mitigation Measure HM-1 would ensure that potential impacts are reduced to a level that is less-than-significant prior to project development.

C. Effects Not Found to be Significant

Certain environmental impacts were determined to be “effects not found to be significant” in the Draft EIR based upon the analysis provided in the Initial Study for the proposed project.

Although not required by CEQA, these impacts were summarized in the Draft EIR, and the conclusions of the Initial Study that these impacts were less-than-significant were affirmed.

FINDING: The City Council finds that, based upon the substantial evidence contained in the Initial Study and Draft EIR, that those impacts determined to be “effects not found to be significant” are less-than-significant and no analysis in the EIR or mitigation was required.

D. Other CEQA Considerations

1. *Growth Inducing Impacts*

CEQA Guidelines §15126 requires consideration of the potential growth inducing impact of proposed projects, including the ways in which “the proposed project could foster economic and population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment ... and the characteristic of some projects which may encourage or facilitate other activities that could significantly affect the environment, either individually or cumulatively.” As indicated in the Final EIR, the project site has been designated for commercial and industrial uses under the City’s General Plan and Zoning Ordinance and thus does not constitute a precedent-setting action. The proposed project will not result in a substantial extension of infrastructure as area infrastructure exists and is expanding irrespective of the development of the project; and would not encourage population growth as it would provide employment opportunities for existing residents in the region. This is a *less-than-significant* impact.

FINDING: Implementation of the proposed project will not result in growth inducing impacts, as the proposed project will not result in the urbanization of land in a remote location (i.e., “leapfrog development”), will not result in the construction of additional housing, and will not induce substantial population growth in the region. Therefore, the City Council hereby finds that the proposed project will not result in growth inducing impacts.

2. *Significant Irreversible Environmental Effects*

CEQA Guidelines §15126.2(c) indicates that the “uses of nonrenewable resources during the initial and continued phases of a project may be irreversible since a large commitment of resources makes removal or non-use thereafter unlikely.” As indicated in the Final EIR, construction and operation of the proposed project would necessarily consume certain limited, slowly renewable and non-renewable natural and energy resources. The consumption of resources proposed does not involve the destruction or degradation of key resources such that there would be little possibility of restoring them. Additionally, the City’s Light Industrial General Plan designation for the majority of the site represents a long-term plan by the City of light industrial use for the project site. While the proposed project could be said to fulfill the commitment of the project site for industrial purposes for future generations, the proposed

project does not represent a change in commitment from existing planning and zoning for the site. This is a *less-than-significant* impact.

FINDING: Implementation of the proposed project will not result in significant irreversible environmental impacts, as the proposed project will not represent a significant change in the use of non-renewable resources and is consistent with the long-term planning of the City for this area. Therefore, the City Council hereby finds that the proposed project will not result in significant irreversible environmental changes.

E. Mandatory Findings of Significance

1. *Potential to Effect the Natural Environment, or Eliminate Examples of the Major Periods of California History or Prehistory.*

Appendix G to the CEQA Guidelines requires a mandatory finding of significance if the project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number of restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.

Biological Resources were assessed as part of the project Initial Study. This site is highly disturbed as a result of former agricultural production, and contains no natural habitat and has no significant biological resource value. Thus, the development of the project would not represent a degradation to the quality of the area environment. Additionally, impacts to cultural resources, including prehistoric, historic, and paleontological resources, were determined to be less-than-significant, as mitigation measures have been imposed requiring professional monitoring during project-related earth-moving operations.

FINDING: The City Council finds that the proposed project would not have significant impacts with regard to degrading the quality of the project site for biological resources. Further, the City Council finds that implementation of Mitigation Measures CR-1 through CR-3 will reduce the project's potential to impact cultural resources to a level that is less-than-significant.

2. *Cumulative Impacts.*

a. *Cumulative Impacts Found to be Less-than-Significant.*

The Draft EIR contains analyses of the cumulative impacts in which the proposed project could result. As per the analyses contained in the Draft EIR, which are incorporated into these Findings by this reference, the majority of these cumulative impacts were determined to be less-than-significant.

FINDING: The City Council finds that implementation of the proposed project would result in less-than-significant cumulative impacts with regard to land use and planning; traffic, circulation and parking; noise; hydrology and water quality; water supply; aesthetics; and cultural resources, after implementation of the applicable Mitigation Measures specified for each Impact in Section II.B. of these Findings. Consequently, no further mitigation is necessary.

b. Cumulative Impacts Found to be Significant and Unavoidable.

The Draft EIR contains analyses of the cumulative impacts in which the proposed project could result. As per the analyses contained in the Draft EIR, which are incorporated into these Findings by this reference, impacts relating to violating air quality and greenhouse gas emission standards are considered to be cumulatively significant and unavoidable.

FINDINGS: The City Council finds that implementation of the proposed project would result in significant and unavoidable cumulative air quality impacts with regard to emissions exceedances resulting from project construction and operation. Implementation of the applicable Mitigation Measures specified for each Impact in Section II.B of these Findings will reduce the degree of significance of these impacts, but they shall nevertheless remain cumulatively significant and unavoidable. The City Council finds these significant and unavoidable cumulative impacts to be acceptable for the reasons set forth in Section II.H of these Findings.

3. Substantial Adverse Effects on Human Beings.

The Draft EIR analyzed potential impacts on human beings due to implementation of the proposed project. Adverse effects on human beings due to localized concentrations of air pollutants (including toxic pollutants), traffic design hazards, and excessive noise were found to be less-than-significant.

FINDINGS: The City Council finds that implementation of the proposed project would have less-than-significant impacts with regard to causing substantial adverse effects on human beings.

F. Mitigation Monitoring Program

Public Resources Code §21081.6 and CEQA Guidelines §15091(d) require the lead agency approving a project to adopt a Mitigation Monitoring Program for the changes to the proposed project that it has adopted or made a condition of project approval in order to ensure compliance during project implementation. The Mitigation Monitoring Program adopted by the City Council requires the City to monitor Mitigation Measures imposed on the project by the Draft and Final EIRs. The Mitigation Monitoring Program includes all of the Mitigation Measures identified in the Final EIR and has been designed to ensure compliance during implementation of the project.

- (1) The City Council finds that the impacts of the proposed project have been mitigated to the extent feasible by the Mitigation Measures identified in the Final EIR and in the Mitigation Monitoring Program. The City Council adopts the Mitigation Monitoring Program for the proposed project that accompanies the Final EIR. The Mitigation Monitoring Program designates responsibility and anticipated timing for the implementation of mitigation within the jurisdiction of the City. Implementation of the Mitigation Measures specified in the Final EIR and the Mitigation Monitoring Program will be accomplished through administrative controls over project implementation, and monitoring and enforcement of these measures will be accomplished through verification by appropriate City personnel. The City reserves the right to allow the Planning Director to make administrative amendments and/or substitutions of Mitigation Measures if, in the exercise of discretion of the City Planning Director, it is determined that the amended or substituted Mitigation Measure will mitigate the identified potential environmental impact to at least the same degree as the original Mitigation Measure, or would attain an adopted performance standard for mitigation, and where the amendment or substitution would not result in a new significant impact on the environment which cannot be mitigated.

G. Alternatives

The Final EIR considered a reasonable range of potential Alternatives to the proposed project, both on-site and off-site. In compliance with CEQA and the CEQA Guidelines, the Alternatives analysis includes an analysis of a No Project Alternative and discusses the environmentally superior alternative. The analysis examined the feasibility of each Alternative, the environmental impacts of each Alternative, and the ability of each Alternative to meet the Project Objectives identified in Section 3.4 of the Draft EIR.

The City Council certifies that it has independently reviewed and considered the information on Alternatives provided in the Draft EIR and the administrative record, and finds that all the Alternatives are infeasible or undesirable in comparison to the proposed project for the reasons set forth below.

1. *Project Objectives*

The City Council finds that the Project Objectives for the proposed project are as described in Section 2.2.1 of the Final EIR. These specific Project Objectives are to:

- Transition the existing site into a productive land use, consistent with the long-range vision for the property, as designated within the City's General Plan;
- Develop a project that is sensitive to the surrounding land uses;
- Provide jobs-producing, light industrial uses to the City of Perris and local community;
- Capitalize on the site's regional freeway access; and
- Increase economic benefits to the City of Perris through increased tax generation and job creation.

2. *No Project Alternative*

In accordance with CEQA and the CEQA Guidelines, the Final EIR evaluates the “No Project Alternative,” which compares the impacts of approving the proposed project with the impacts of not approving it. Under the No Project Alternative, development that would occur on the project site in the foreseeable future would involve the development of light industrial uses.

Relationship to Project Objectives

The No Project Alternative would partially fulfill the Project Objectives. Under the Alternative, the site would be transitioned into one that includes the development of as-yet unidentified light industrial uses. These uses could be similar to the warehouse distribution uses assessed in the Final EIR. However, they could also be more intense, resulting in potential increases in traffic generation and associated air emissions and noise, which would have the potential to further impact surrounding sensitive land uses and area roadways.

FINDING: Pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3), the City Council finds that the No Project Alternative is rejected because it could result in increased impacts, and would not fully attain the Project Objectives, as indicated above.

3. *Reduced Intensity Alternative*

The Reduced Intensity Alternative assumes construction and operation on the project site of a single light industrial warehouse/distribution facility, rather than the two buildings planned under the proposed project. Development of the northerly building would be eliminated, resulting in an overall reduction in scale of approximately 39 percent, for a total of approximately 1.2 million square feet. The removal of the northerly building would also result in the removal of two driveways on Morgan Street, which would likely eliminate the Project’s significant noise impact. This Alternative assumes that the number of vehicle trips would be commensurately reduced, resulting in lower operational air emissions impacts, which could result in the project achieving the SCAQMD’s VOC emission threshold. Parking would be reduced to Code-required levels for the reduced development; however, all other infrastructure and perimeter landscaping improvements that would occur under the proposed project are assumed to occur under this Alternative. A reduction in permanent employment would also occur under this Alternative.

Relationship to Project Objectives

Development of the Reduced Intensity Alternative would partially meet Project Objectives but would reduce economic benefits to the City of Perris through a lessening of tax generation and job creation when compared to the project. This Alternative could also prove to be financially infeasible to develop.

FINDING: Pursuant to Public Resources Code §21081(a)(3) and CEQA Guidelines §15091(a)(3), the City Council finds that the Reduced Project Alternative is rejected because it cannot fully attain all Project Objectives, and could be financially infeasible.

4. *Environmentally Superior Alternative*

The *CEQA Guidelines* require that the environmentally superior alternative (other than the No Project Alternative) be identified among the project and other alternatives considered in an EIR. Of the Alternatives analyzed in the Draft EIR, the Reduced Intensity Alternative is the most successful at reducing the environmental impacts of the proposed project. However, the Alternatives Analysis notes that the reductions in environmental effects under the Reduced Intensity Alternative is of limited benefit when compared to full and efficient use of available industrial properties, additional distribution warehousing facilities, tax generation, and employment opportunities which would be realized under the Project. In this regard, the Project, more so than the Reduced Intensity Alternative, responds to, and supports the City's General Plan vision for development of the subject site.

FINDING: The City Council hereby finds that the Reduced Intensity Alternative is considered the environmentally superior alternative based on the analysis of the Draft EIR.

6. *Alternatives Considered But Not Evaluated in Detail*

During the scoping process for the Draft EIR, other Alternatives were also considered, but were found to be infeasible, as described in Section 5.2.2 of the Draft EIR. These Alternatives consisted of Alternative Sites, and SCAQMD Thresholds Alternatives, which included a Construction Emissions Threshold Alternative and an Operational Emissions Thresholds Alternative. These Alternatives were rejected for the reasons identified in the Draft EIR, Section 5.2.2. The City Council hereby adopts and incorporates by reference the reasons stated in the Draft EIR as its grounds for rejecting further analysis or adoption of these Alternatives.

FINDING: The City Council hereby finds that other Alternatives are infeasible and fail to meet Project Objectives for the reasons listed in Section 5.2.2 of the Draft EIR, and thus are rejected.

H. Statement of Overriding Considerations

1. *Impacts That Remain Significant*

As discussed above, the City Council has found that the following impacts of the proposed project remain significant, either in whole or in part, after adoption and implementation of all the Mitigation Measures provided in the Final EIR:

- a. *Exceedance of SCAQMD daily regional construction emissions thresholds for VOC and NO_x.*
- b. *Exceedance of SCAQMD regional operational emissions thresholds for VOC, NO_x, CO and PM₁₀.*

- c. *Cumulatively considerable net increase in PM₁₀, VOC and NOX emissions within a regional non-attainment area.*
- d. *Cumulatively considerable contribution to climate change through Greenhouse Gas (GHG) emissions.*
- e. *Substantial permanent increase in ambient noise levels in the Project vicinity above levels existing without the project.*

2. *Overriding Considerations*

In accordance with CEQA Guidelines Section 15093, the City Council has, in determining whether or not to approve the project, balanced the economic, social, technological and other benefits of the proposed project against its unavoidable environmental risks, and has found that benefits of the proposed project outweigh the significant adverse environmental effects that are not mitigated to *less-than-significant* levels, for the reasons set forth below. This Statement of Overriding Considerations is based on the City Council's review of the Final EIR and other information in the administrative record. The City Council hereby finds that each of the reasons stated below constitutes a separate and independent basis of justification for the Statement of Overriding Considerations, and each is able to independently support the Statement of Overriding Considerations and override the proposed project's significant and unavoidable environmental effects. In addition, each reason is independently supported by substantial evidence contained in the administrative record.

1. The proposed project will further the industrial development of the City by locating a light industrial, warehouse/distribution facility on a currently-underutilized parcel designated for such uses;
2. The proposed project will develop a warehouse distribution facility in proximity to other such uses, thereby minimizing land use impacts, and will take advantage of easy access to regional highways;
3. The proposed project will provide an expanded economic base for the City by generating substantial property tax revenue;
4. The proposed project will provide employment for construction workers, and will provide for up to 1,000 permanent positions required for project operation, contributing to the reduction of the housing-to-employment imbalance in the region;
5. The proposed project will contribute approximately \$8,100,676.72 in traffic impact mitigation fees to the City and County pursuant to the Western Riverside County Transportation Uniform Mitigation Fee and the City of Perris Development Impact Fees. These funds will pay for more than the proposed project's fair share of the traffic and circulation infrastructure in the Western Riverside County area (including the City of

Perris) that will be needed to accommodate demand from future growth, including that of the proposed project;

6. The proposed project will improve and construct road infrastructure surrounding the project site, including along Indian Avenue, Morgan Street, Rider Street, and Perris Boulevard;
7. The proposed project would provide attractive landscaping along the perimeter of the project site that would surround a new state-of-the-art warehouse distribution facility in a location that currently contains a turf farm;
8. The proposed project would provide a number of amenities and benefits to the public where none now exist, such as sidewalks, undergrounded utilities, and improved drainage facilities.

I. Administrative Record

Various documents and other materials constitute the record of proceedings upon which the City Council bases its Findings (including the Statement of Overriding Considerations and the Mitigation Monitoring Program) and decisions contained herein. Documents related to the Final EIR are located in the Department of Community Development, Planning Division, City of Perris, 135 North "D" Street, Perris, California, 92570. Some documents included in the record of proceedings may also be located at the offices of consultants retained by the City for this proposed project. The custodian for the record of the proceedings is the Director of Community Development for the City of Perris.

J. Summary

1. Based on the foregoing Findings and the information contained in the administrative record, the City Council has made one or more of the following Findings with respect to each of the significant environmental effects of the proposed project identified in the Final EIR:

a. Changes or alterations have been required in, or incorporated into, the proposed project which avoid or substantially lessen the significant environmental effects on the environment.

b. Those changes or alterations are wholly or partially within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other public agency.

c. Specific economic, social, technological, or other considerations make infeasible the Mitigation Measures or Alternatives identified in the Final EIR that would otherwise avoid or substantially lessen the identified significant environmental effects of the project.

2. Based on the foregoing Findings and information contained in the record, it is hereby determined that:

a. All significant effects on the environment due to approval of the proposed project have been eliminated or substantially lessened where feasible;

b. Any remaining significant effects on the environment found unavoidable are acceptable due to the factors described in the Statement of Overriding Considerations in Section F, above.

III. APPROVALS

The City Council hereby takes the following actions:

A. The City Council certifies the Final EIR for the proposed project.

B. The City Council hereby adopts the Mitigation Monitoring Program attached hereto and discussed in the Findings, Section II.D., above, and adopts and incorporates into the proposed project all Mitigation Measures within the responsibility and jurisdiction of the City.

C. The City Council hereby adopts these Findings in their entirety, including the Statement of Overriding Considerations.

D. Having independently reviewed and analyzed the Final EIR, certified the Final EIR, incorporated Mitigation Measures into the proposed project, and adopted the Findings (including the Statement of Overriding Considerations set forth therein and the Mitigation Monitoring Program attached thereto), the City Council hereby approves the Perris Ridge Commerce Center II Project.

STATE OF CALIFORNIA - THE RESOURCES AGENCY
DEPARTMENT OF FISH AND GAME
ENVIRONMENTAL FILING FEE CASH RECEIPT

Receipt #: 200900653

State Clearinghouse # (if applicable): _____

Lead Agency: CITY OF PERRIS *Date:* 08/31/2009

County Agency of Filing: Riverside *Document No:* 200900653

Project Title: RIDGE COMMERCE CENTER II; CZ 07-0136; AGRICULTURAL DIM 07-0087; DP 067

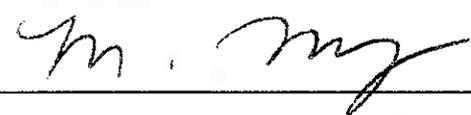
Project Applicant Name: RIDGE PROPERTY TRUST II, LLC *Phone Number:* 773-695-1250

Project Applicant Address: 8430 W. BRYN MAWR, SUITE 400 CHICAGO, IL 60631

Project Applicant: Private Entity

CHECK APPLICABLE FEES:

<input checked="" type="checkbox"/> Environmental Impact Report	2768.25
<input type="checkbox"/> Negative Declaration	_____
<input type="checkbox"/> Application Fee Water Diversion (State Water Resources Control Board Only)	_____
<input type="checkbox"/> Project Subject to Certified Regulatory Programs	_____
<input checked="" type="checkbox"/> County Administration Fee	\$64.00
<input type="checkbox"/> Project that is exempt from fees (DFG No Effect Determination (Form Attached))	
<input type="checkbox"/> Project that is exempt from fees (Notice of Exemption)	
Total Received	<u>2832.25</u>

Signature and title of person receiving payment: _____ 

Notes:

**DEVELOPMENT SERVICES
PLANNING DIVISION**

SEP 08 2009

PO 06-0417



CITY OF PERRIS
DEVELOPMENT SERVICES DEPARTMENT
PLANNING DIVISION

135 NORTH D STREET, PERRIS, CA 92570-1998
TEL: (951) 943-5003 FAX: (951) 943-8379

COUNTY CLERK
Installation/Ntc Determination
Filed per P.R.C. 21152
POSTED

AUG 31 2009

NOTICE OF DETERMINATION

TO: Office of Planning and Research
1400 10th Street, Room 121
Sacramento, CA 95814

FILED
RIVERSIDE COUNTY
AUG 31 2009

Removed:
DATE: August 26, 2009
By:
County of Riverside, State of California

 X Riverside County Clerk
2724 Gateway Drive
Riverside, CA 92507

LARRY W. WARD, CLERK
By M. Meys
Department of Conservation
Division of Land Resource Protection
801 K Street, MS 18-01
Sacramento, CA 95814

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code

Project Title: Ridge Commerce Center II - Zone Change 07-0136, Agricultural Diminishment 07-0087, Development Plan Review No. 06-0417

State Clearinghouse No.: SCH No. 2007071134

Contact Person: Diane Sbardellati, Associate Planner **Telephone No.:** (951) 943-5003

Project Location: Northeast corner of Rider Street and Indian Avenue, City of Perris, County of Riverside (APN's 303-080-005, 303-090-002 through 303-090-020)

Project Description: For construction of a 2 million square foot high cube distribution center project with two high cube warehouse buildings on a 96.25 acre site at the northeast corner of Rider Street and Indian Avenue (DPR 06-0417). Zone Change 07-0136 will convert the site from A-1/Interim Designation to Light Industrial (LI) in conformance with the General Plan. Agricultural Diminishment 07-0087 will cancel the current Land Conservation (Williamson Act) contract on the property.

This is to advise that the Perris City Council (Lead Agency) has approved the above-described project on **August 25, 2009** and has made the following determinations regarding the above-described project:

1. The project will have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures were made a condition of the approval of this project.
4. A Statement of Overriding Considerations was adopted for this project.

This is to certify that the final EIR with comments and responses and record of project approval is available to the general public at the Office of the City Clerk, 101 North "D" Street, Perris, California 92570.

Diane Sbardellati 8/26/09 Assoc. Planner
Signature (Public Agency) Date Title

Date Received for filing and posting at OPR: _____