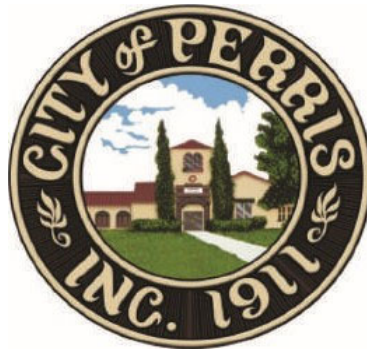


Final Environmental Impact Report

SCH No. 2024110841

Vallarta Market Place Commercial Shopping Center Project

(DPR 23-05264, and DPR 23-05264)



Lead Agency:

City of Perris

101 North D Street
Perris CA, 92570

June 2025

<u>Section</u>	<u>Page</u>
CONTENTS	
1.0 INTRODUCTION.....	1-1
2.0 RESPONSE TO COMMENTS	2-1
Auga Caliente Band of Cahuilla Indians (Comment Letter A)	2-2
Eastern Municipal Water District (Comment Letter B)	2-4
California Department of Transportation (Comment Letter C)	2-11
Advocates for the Environment (Comment Letter D).....	2-16
3.0 MITIGATION MONITORING AND REPORTING PROGRAM.....	3-1

1.0 INTRODUCTION

This Final Environmental Impact Report (EIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act (State CEQA Guidelines to evaluate the potential environmental effects that may result from construction and operation of the proposed Vallarta Market Place Commercial Shopping Center Project (DPR 23-05264 and CUP 23-05264) (proposed Project).

As stated in State CEQA Guidelines Section 15132, the Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft EIR;
- (b) Comments and recommendations received on the Draft EIR, either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the Draft EIR;
- (d) The responses of the lead agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the lead agency.

Section 2.0 of this document contains the City of Perris' responses to comments received on the Draft EIR during the public review period, which began April 11, 2025 and ended on May 26, 2025. This document has been prepared in accordance with CEQA and the State CEQA Guidelines, and represents the independent judgment of the lead agency for the proposed Project, the City of Perris. This document and the circulated Draft EIR comprise the Final EIR in accordance with State CEQA Guidelines, Section 15132.

BACKGROUND

In compliance with Section 15201 of the State CEQA Guidelines, the City of Perris has provided opportunities for public participation in the initial environmental review process for the proposed Project. A Notice of Preparation was distributed by the City on November 22, 2024, to the State Clearinghouse and Planning Unit of the Governor's Office of Land Use and Climate Innovation for transmittal to state agencies. The City also directly distributed the Notice of Preparation to federal, state, regional, and local government agencies and surrounding property owners within a 300-foot radius for a 30-day public review period to solicit comments and to inform agencies and the public of the Project. The Notice of Preparation was also posted at the Riverside County Clerk's office. The Notice of Preparation comment period ran from November 22, 2024, through December 23, 2024. The City received three written responses to the Notice of Preparation from the California Department of Fish and Wildlife, the Eastern Municipal Water District, and the Agua Caliente Band of Cahuilla Indians.

A Draft EIR public scoping meeting with the City of Perris Planning Commission was held at the Perris City Hall, City Council Chambers on December 4, 2024, at 6:00 PM. City staff described the Project to the Planning Commissioners and provided a conceptual site plan for the Project and architectural elevations. Following a brief explanation of the environmental review process by the EIR consultant,

comments from the commissioners and the public were solicited. No organizational representatives were in attendance and no members of the public provided comments on the proposed Project.

Between April 11, 2025, and May 26, 2025, the Draft EIR was circulated for the state-mandated 45-day public review period. The public review period was publicly noticed by a publication in a newspaper of general circulation, notice to owners within 300 feet of the Project site boundaries, related agencies and government agencies, and other interested parties. The Draft EIR and technical appendices were uploaded to the State Clearinghouse and the City of Perris website. The material was also made available at the City of Perris Development Services Department counter at City Hall and at the Cesar E. Chavez Library located at 163 E. San Jacinto Avenue in the City of Perris.

FORMAT OF THE FINAL EIR

The following sections are provided within this document:

1.0 Introduction. This section describes CEQA requirements and the content of the Final EIR.

2.0 Response to Comments. This section provides a list of the agencies and organizations who commented on the Draft EIR, as well as copies of their comment letters received during and following the public review period, and the City's individual responses to the comments.

3.0 Mitigation, Monitoring, and Reporting Program. This section includes the Mitigation Monitoring and Reporting Program for the proposed Project. CEQA requires lead agencies to "adopt a reporting and mitigation monitoring program for the changes to the project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment" (CEQA Section 21081.6 and State CEQA Guidelines Section 15097). The Mitigation Monitoring and Reporting Program was prepared based on the mitigation measures identified in the Draft EIR and has been included as section 3.0.

2.0 RESPONSE TO COMMENTS

The Draft EIR for the proposed Project was circulated for the state-mandated 45-day public review period between April 11, 2025, and May 26, 2025. By the end of the Draft EIR public review period, the City had received written comments from the following three public agencies and organizations:

Auga Caliente Band of Cahuilla Indians
Eastern Municipal Water District
California Department of Transportation

The following additional comment letter was received after the 45-day public review period:

Advocates for the Environment (June 2, 2025)

CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

State CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of Draft EIRs should be *“on the sufficiency of the document in identifying and analyzing the possible impacts on the environment and ways in which the significant effects of the project might be avoided or mitigated. Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of an EIR is determined in terms of what is reasonably feasible ... CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort at full disclosure is made in the EIR.”*

State CEQA Guidelines Section 15204(c) further advises, *“Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant in the absence of substantial evidence.”* Section 15204 (d) also states, *“Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.”* Section 15204 (e) states, *“This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”*

In accordance with CEQA Section 21092.5, copies of the written responses to public agencies will be forwarded to those agencies at least 10 days prior to certification of the Final EIR, with copies of this Final EIR, which conforms to the legal standards established for response to comments on the Draft EIR pursuant to CEQA.

Ryan Birdseye

From: Alfredo Garcia <algarcia@cityofperris.org>
Sent: Tuesday, May 13, 2025 10:43 AM
To: Ryan Birdseye
Cc: Wade Shuey
Subject: FW: Vallarta Marketplace DEIR

From: THPO Consulting <ACBCI-THPO@aguacaliente.net>
Sent: Tuesday, May 13, 2025 9:52 AM
To: Alfredo Garcia <algarcia@cityofperris.org>
Subject: Vallarta Marketplace DEIR

Hello Alfredo,

We have no comments for the DEIR since we are deferring this to Pechanga and Soboba. But I do want to address that Lacy Padilla is our current THPO Director so all correspondence can be addressed to her. Thank you! A1

Best Regards,



Luz Salazar
Cultural Resources Analyst
lsalazar@aguacaliente.net
C: (760) 423-3148 | D: (760) 883-1137
5401 Dinah Shore Drive, Palm Springs, CA 92264

Comment Letter A

Agua Caliente Band of Cahuilla Indians – (May 13, 2025)

Response to Comment Letter A

Comment A1. This comment letter states that the Agua Caliente Band has no comments on the Draft EIR and that they have deferred to the Pechanga and Soboba tribes. This comment does not question the content or conclusions of the Draft EIR. No further response is warranted.



May 7, 2025

Alfredo Garcia
City of Perris Planning Department
135 South D Street,
Perris, CA 92570

Subject: Vallarta Market Place Commercial Shopping Center – Notice of Availability of a Draft Environmental Impact Report SCH 2024110841

Dear Mr. Garcia:

EMWD appreciates the opportunity to provide comments on the Vallarta Market Place Commercial Shopping Center Draft Environmental Impact Report (EIR).

EMWD requests that the EIR identify and evaluate the Project's proposed water demands, wastewater generation/discharge, potential recycled water use, and determine if the remaining available capacity in the existing EMWD facilities can adequately serve this Project. EMWD requests the EIR identify and analyze facility improvements needed for this Project if existing EMWD facilities do not have adequate capacity to serve the project or cumulative development. To help in this effort, EMWD can assist the Lead Agency/project proponent to identify EMWD's Design Conditions (DC), formerly known as the Plan of Service (POS), to determine conditions and required facilities. The EIR should identify any needed District facilities as part of the Proposed Project, and evaluate impacts associated with construction/operation of these project features.

B1
B2
B3

The Draft EIR (DEIR) identifies existing water and sewer mains within North Perris Boulevard and Placentia Avenue and states that no new infrastructure would be needed for water supply. The construction of on-site sewer lines is identified in the DEIR as a necessity to connect to the existing 8-inch sewer mains located in the right-of-way.

B4

Board of Directors
Stephen J. Corona, *President* David J. Slawson, *Vice President* Jeff Armstrong Joe Grindstaff Philip E. Paule

EASTERN MUNICIPAL WATER DISTRICT

2270 Trumble Road • Perris, CA 92572-8300
T 951.928.3777 • F 951.928.6177 • www.emwd.org

Mr. Garcia
May 7, 2025
Page 2

EMWD requests the Lead Agency/project proponent consult with the District via a one-hour complementary Project Intake meeting. This meeting will inform the Lead Agency/project proponent as to whether facility/pipeline improvements are required to service the project. To set up this meeting the Lead Agency/project proponent should complete a Project Questionnaire (Project Intake Form NBD-058) and submit to EMWD. To download this form or for additional information, please visit our web page www.emwd.org, then select the "Development" link under the "Work With Us" tab, then select the "New Development Process" link. Contact the Development Services Coordination Team (DSCoordinationGroup@emwd.org) to set up the Project Intake meeting following form completion. This meeting will offer the following benefits:

B5

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

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


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

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

Sincerely,

**Anthony
Budicin**

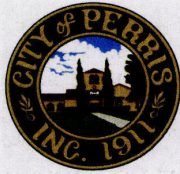
Anthony Budicin
Director of Environmental and Regulatory Compliance

 Digitally signed by Anthony
Budicin
Date: 2025.05.07 15:18:40
-07'00'

Mr. Garcia
May 7, 2025
Page 3

Cc: Maroun El-Hage, MPA, MS, PE, EMWD Principal Civil Engineer, Dev. Services Dept.
Jose Ruiz, EMWD Assistant Engineer, Dev. Services Dept.
Martha Vilchis, EMWD Water Resources Specialist Assistant, ERC Dept.

Attachment: Copy of Public Notice



CITY OF PERRIS

DEPARTMENT OF COMMUNITY DEVELOPMENT
PLANNING DIVISION

135 NORTH D STREET, PERRIS, CA 92570-2200
TEL.: (951) 943-5003 FAX: (951) 943-8379

NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT (DRAFT EIR) SCH 2024110841

To: State Clearinghouse, Property Owners, Responsible and Trustee Agencies/ Interested Organizations and Individuals.

From: City of Perris, Department of Development Services

Subject: Vallarta Market Place Commercial Shopping Center Project - Environmental Impact Report/SCH No. 2024110841, Development Plan Review (DPR) 23-05264, Conditional Use Permit (CUP) 23-05264.

Comment Period: April 11, 2025, and ends May 26, 2025.

Notice of Availability of a Draft Environmental Impact Report:

The City of Perris is the Lead Agency under the California Environmental Quality Act (CEQA) and has prepared the Draft Environmental Impact Report (EIR) for the Ellis Logistics Center Industrial Project (Herein after "proposed Project" or "Project") identified below. The Lead Agency has prepared this NOA, in Compliance with Title 14, Section 15087 of the California Code of Regulations, for the Draft EIR to provide the widest exposure and opportunity for input from public agencies, stakeholders, organizations, and individuals on the environmental analysis addressing the potential effects of the Proposed Project. The Draft EIR evaluates the potentially significant environmental impacts that may result from the Project.

Project Location:

The Project site (Assessor's Parcel Number APN 300-260-001-08) is comprised of approximately 10.55 acres located within the Central Core planning area (Planning Area 5) of the City of Perris at the southeastern corner of Placentia Avenue and North Perris Boulevard. It is located approximately 0.9 mile east of Interstate 215 (I-215), approximately 8.3 miles south of State Route (SR-) 60 and approximately 1.3 miles south of March Air Reserve Base/Inland Port Airport (ARB/IPA). Refer to **Figure 1, Aerial Map**.

Project Applicant: Justin Pratt, Vallarta Supermarkets

Project Description:

Conditional Use Permit (CUP) 23-05264 and Development Plan Review (DPR) 24-00014

The Vallarta Market Place Community Shopping Center project (Project) is the proposed construction and operation of a total of eight new commercial/retail buildings on a 10.55-acre Project site located at the southeast corner of North Perris Boulevard and Placentia Avenue in the City of Perris, CA. The project would include a new grocery store (59,371 sf), three Quick Serve Restaurant buildings totaling 7,067 sf, three retail buildings totaling 30,113 sf, and one convenience store (4,913 sf) with an 8 pump (16 position) fueling station. A total of six access driveways would be provided – three along Placentia Avenue and three along Perris Boulevard. A total of 489 parking spaces, including 18 accessible spaces, would be constructed. **Figure 2, Site plan**

The Draft EIR addresses the short – and long-term effects of the Project on the environment, including the impacts of any off-site improvements. It also evaluates the potential for the Project to cause direct and indirect growth-inducing impacts, as well as cumulative impacts. Alternatives to the proposed Project were evaluated that may reduce impacts that were determined to be significant in the EIR. The environmental topic areas addressed in the EIR include Aesthetics, Agricultural Land, Air Quality, Archeology/ Historical, Biological Resources, Drainage, Flood Plain/Flooding, Forest Land/Fire Hazard, Minerals, Population, Recreation /Parks, Schools, Solid Waste, Vegetation, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Hydrology and Water Quality, Water supply/ Ground water, Land Use and Planning, Noise, Public Services, Transportation, Tribal Cultural Resources, and Utilities and Service Systems. The Draft EIR determined that potentially significant and unavoidable Air Quality and Greenhouse Gas emissions could occur with the implementation of the proposed Project. A Statement of Overriding Considerations is required prior to Project approval.

The Project site is not included in a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (California Department of Toxic Substances Control list of various hazardous Sites).

Public Comment Period:

This NOA and the Draft EIR will be available for public review and comment for a period of 45 days, beginning April 11, 2025, and ending May 26, 2025. Public agencies, interested organizations, and individuals have the opportunity to comment on the proposed Project.

This NOA and Draft EIR are available for public review on the City of Perris website:

https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-476#docan1206_1313_479

Copies of the Draft EIR are also available for review at:

- Perris City Hall - 135 South D Street, Perris, CA 92570
 - Monday to Friday, 8 am to 5 pm

- Cesar E. Chavez Library – 163 E. San Jacinto Road, Perris CA 92570
 - Monday, Thursday, Friday, Saturday 10 am - 6 pm
 - Tuesday, Wednesday - 12 pm - 8 pm
 - Sunday 1 pm - 5 pm

Any response must be submitted to the City of Perris, Planning Department at the earliest possible date but no later than the May 26, 2025, deadline. Comments must be submitted via email or in writing to:

City of Perris Planning Department

ATTN: Alfredo Garcia

135 South D Street,

Perris CA 92570

Phone: (951) 943-5003

E-mail: algarcia@cityofperris.com

Figure 1
Aerial Map

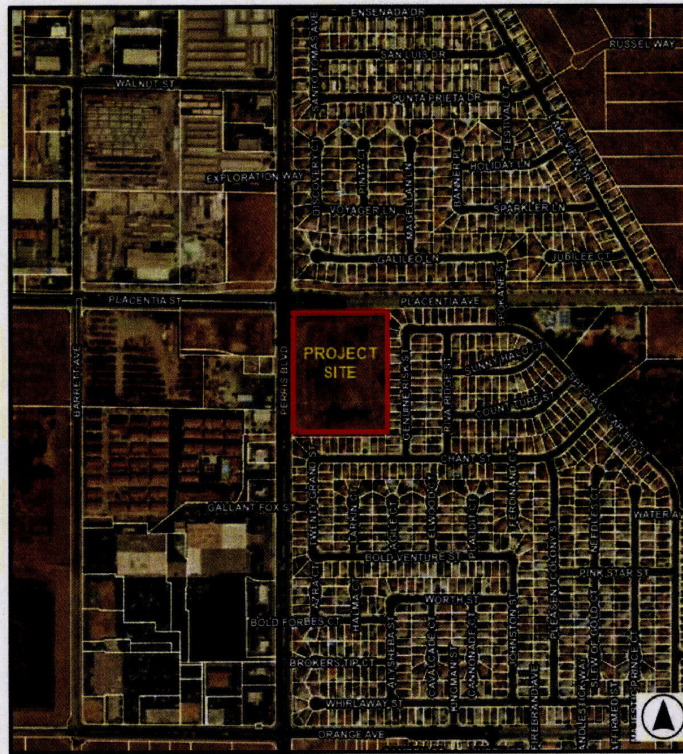
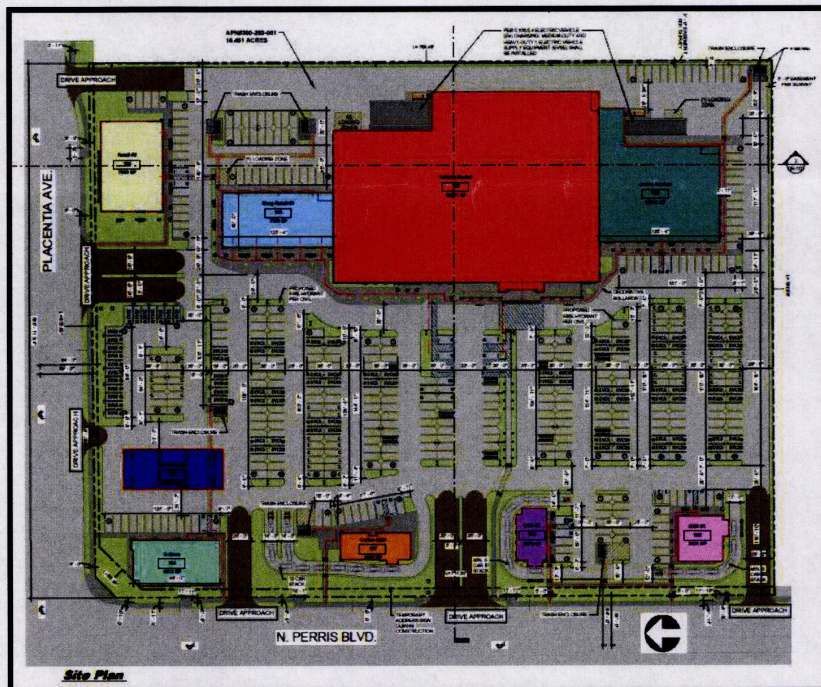


Figure 2
Site Plan



Comment Letter B

Eastern Municipal Water District (May 7, 2025)

Response to Comment Letter B

Comment B1. Potential impacts associated with the proposed Project's anticipated water demand, wastewater generation, and potential impacts to Eastern Municipal Water District (EMWD) facilities were evaluated in detail in Section 4.3 of the Draft EIR. As stated in Section 4.3.4 of the Draft EIR, the proposed Project would have an estimated water demand of approximately 9,635,000 gallons (29.5 acre-feet) of water annually or approximately 26,400 gallons per day assuming a reduction of 20% over business as usual as required by the CALGreen Code. The water demand associated with the Project would be less than 0.0011 percent of the EMWD's combined retail and wholesale 2045 demand/supply reported in the 2020 Urban Water Management Plan. Of the total, outdoor water demand would be approximately 214,306 gallons annually or 587 gallons per day. The outdoor water demand could be met with reclaimed water; however, for planning purposes, potable water is assumed to be used for irrigation. The proposed Project is consistent with the existing City of Perris zoning (Community Commercial) and General Plan (Community Commercial) designations for the Project site. As stated, because the proposed use is consistent with zoning, demand for future development would have been included in the EMWD water supply forecasts.

Comment B2. As stated in Section 4.3.4 of the Draft EIR, the Project is expected to connect to existing EMWD water and sewer facilities. No off-site utility infrastructure expansion is proposed or required as part of the Project. The Project site is located within a developed urban area; thus, water/wastewater pipeline capacity was assumed to be adequate and no indication has been provided by the EMWD to date that expansion of the existing infrastructure would be required to accommodate the Project.

Comment B3. Comment noted. As stated, no required off-site infrastructure improvements have been identified to date and no off-site infrastructure improvements, other than connection of the laterals to existing water and sewer lines located in North Perris Boulevard and Placentia Avenue, have been proposed.

Comment B4. Comment noted. As stated above, off-site improvements would consist of making connections to existing water and sewer lines in North Perris Boulevard and Placentia Avenue. No expansion of existing water or sewer lines is proposed off-site that would cause environmental impacts greater than or different from what has been proposed as part of the Project.

Comment B5. Comment noted. The Project applicant is engaging with the EMWD as part of the design process to obtain approval for the proposed on-site water and sewer design as well as existing connections to the EMWD water and sewer pipelines.

California Department of Transportation

DISTRICT 8
464 WEST 4TH STREET
SAN BERNARDINO CA, 92401
(909) 925-7520
www.dot.ca.gov



May 12, 2025

Route & Postmile #: SR 215 / 27.623
Cross Street: Placentia Ave. & N. Perris Blvd.
GTS ID: 36174
SCH #: 2024110841

City of Perris
Planning Division
Attn: Alfredo Garcia
135 N. "D" Street
Perris, CA 92570

Subject: Vallarta Market Place Community Shopping Center – S/E Corner of Placentia Avenue and North Perris Boulevard, CA 92571 - APN: 300-260-001-08.

The California Department of Transportation (Caltrans) Local Development Review (LDR) Branch has completed its review of the proposed Vallarta Market Place Community Shopping Center project, located approximately 0.85 miles east of the I-215/Placentia Avenue interchange, at the southeast corner of Placentia Avenue and North Perris Boulevard in the City of Perris.

The proposed Vallarta Market Place Community Shopping Center involves the development of eight commercial/retail buildings on a 10.55-acre site at the southeast corner of North Perris Boulevard and Placentia Avenue in the City of Perris, CA. The project includes:

- A 59,371-square-foot Vallarta Supermarket with a rear delivery dock
- A 15,593-square-foot junior anchor retail building
- A 4,913-square-foot convenience store with an 8-pump (16-position) fueling station
- Three quick-serve restaurant buildings totaling 7,067 square feet, each with drive-thru or dine-in service
- Two additional retail buildings totaling 14,520 square feet

Site access will be provided via six driveways—three on Placentia Avenue and three on Perris Boulevard—with a total of 489 parking spaces, including 18 ADA-accessible spaces and 70 EV-capable spaces per CALGreen Code. On-site infrastructure improvements will include extensions of water, sewer, storm drain, electrical, and communication services.

The Vallarta Supermarket will operate from 7:00 a.m. to 10:00 p.m. daily, employing approximately 225 people, with around 80 on-site per shift. Other tenant operations are yet to be determined. The convenience store and fueling station may operate 24 hours a day.

"Improving lives and communities through transportation"

Based on the information provided, we are submitting the following comments and recommendations for your consideration:

Local Development Review

- 1. Given the scale and anticipated traffic volumes of the proposed development, Caltrans recommends that the City of Perris submit a Traffic Impact Analysis (TIA) for review prior to project entitlement. | C1
- 2. The Caltrans Planning Forecasting Office is to review and concur with the forecasted traffic volumes used in the TIA. | C2

Traffic Operations

Caltrans Traffic Operations has reviewed the *Trip Generation and VMT Screening Analysis* memo prepared by Mizuta Traffic Consulting (MTC), dated October 2, 2024, and offers the following comments:

- 1. Trips generated and distributed by the project are expected to have direct or indirect impacts on the State transportation facility. As such, a comprehensive Traffic Impact Analysis report is required. | C3
- 2. The Vehicle Miles Traveled (VMT) Screening Analysis must be prepared in accordance with the Caltrans Transportation Impact Study Guide (dated May 20, 2020). | C4

Equitable Access

If any Caltrans facilities are affected by the project, they must be brought into compliance with Americans with Disabilities Act (ADA) standards upon project completion. In addition, the project must maintain safe and continuous bicycle and pedestrian access throughout all phases of construction. These requirements are consistent with Caltrans' equity mission to deliver a safe, sustainable, and inclusive transportation network for all users.

Caltrans Encroachment Permit

Please note that any permanent work or temporary traffic control that encroaches onto Caltrans' Right-of-Way (R/W) requires a Caltrans-issued encroachment permit.

For information regarding the Encroachment Permit application and submittal requirements, contact:

Caltrans Office of Encroachment Permits
464 West 4th Street, Basement, MS 619
San Bernardino, CA 92401-1400
(909) 383-4526

D8.E-permits@dot.ca.gov

<https://dot.ca.gov/programs/traffic-operations/ep>

Important Note: All new permit applications must now be submitted through our new CEPS Online Portal at: <https://ceps.dot.ca.gov/>

Please be advised that LDR's point of contact role will conclude upon the completion of the development entitlement process. Once project is entitled, the Encroachment Permit Office will serve as the primary point of contact moving forward.

Thank you again for including Caltrans in the review process. Should you have any questions regarding this letter, or for future notifications and requests for review of new projects, please

email LDR-D8@dot.ca.gov or call 909-925-7520.

Sincerely,

A handwritten signature in black ink that reads "Janki Patel". The signature is written in a cursive, flowing style.

Janki Patel
Branch Chief - Local Development Review
Division of Transportation Planning
Caltrans District 8

Comment Letter C

California Department of Transportation (May 12, 2025)

Response to Comment Letter C

Comment C1. Comment noted. As discussed in the Caltrans Vehicle Miles Traveled-Focused Transportation Impact Study Guide, the State has transitioned away from level of service (LOS) to vehicle miles traveled (VMT) for CEQA analyses. The City of Perris continues to require transportation impact analyses for most new development projects but these analyses are used to develop the conditions of approval for the individual projects. Because LOS is no longer an impact threshold under CEQA, transportation impact analyses that only address LOS do not need to be included in the CEQA documentation when a separate VMT analysis is prepared. Sometimes, the transportation impact analysis includes the VMT analysis and, in this case, the complete transportation impact analysis is included as an appendix to the CEQA document but the LOS analysis is not discussed in the CEQA document. In the case of this particular Project, a separate VMT analysis was prepared to support the analysis required for the CEQA document and a transportation impact analysis will be completed for the use on developing the conditions of approval prior to approval of the project by the City of Perris. The City of Perris is the lead agency for the proposed Project under CEQA and has primary approval authority for the Project. Thus, California Department of Transportation review of the Traffic Impact Analysis could occur but would require coordination with the City of Perris Department of Public Works staff and this review would occur outside of the requirements of CEQA.

Comment C2. Comment noted. As stated in the response to Comment C1, the City of Perris is the lead agency for the proposed Project under CEQA and has primary approval authority for the Project. A separate VMT analysis was prepared to support the analysis required for the CEQA document and a transportation impact analysis will be completed for the use on developing the conditions of approval prior to approval of the project by the City of Perris. California Department of Transportation review of the Traffic Impact Analysis could occur but would require coordination with the City of Perris Department of Public Works staff and this review would occur outside of the requirements of CEQA.

Comment C3. Comment noted. It is important to note that this is Project is a local serving commercial use that includes a market in an area of the City that is lacking this service. All access improvements to and from the Project site would occur on North Perris Boulevard and Placentia Avenue. Both are under the jurisdiction of the City of Perris. No substantial evidence has been presented by the commenter that the proposed Project will have a direct or indirect impact on a State transportation facility. As stated in the response to Comment C1, the City of Perris is the lead agency for the proposed Project under CEQA and has primary approval authority for the Project. A separate VMT analysis was prepared to support the analysis required for the CEQA document and a transportation impact analysis will be completed for the use on developing the conditions of approval prior to approval of the project by the City of Perris.

Comment C4. As stated in the response to Comment C1, the City of Perris is the lead agency for the proposed Project under CEQA and has primary approval authority for the Project. The Vehicle Miles Traveled (VMT) Analysis (Mizuta Traffic Consulting, Inc., October 2024) was prepared consistent with the criteria outlined in the City of Perris *Transportation Impact Analysis Guidelines for CEQA*, May 12, 2020. According to the City's TIA Guidelines, projects located within ½ mile of an existing or major transit stop or an existing stop along a high-quality transit corridor may be presumed to have a less than significant

impact absent substantial evidence to the contrary. The City's Transit Priority Area exhibit shows the Project site is located within a Transit Priority Area. Additionally, the WRCOG VMT Screening Tool was used for the TPA screening. The Project site is located in Transportation Analysis Zone (TAZ) 1836 which is located inside a Transit Priority Area. Thus, the proposed Project was determined by the City to have a less than significant VMT impact.

June 2, 2025

Advocates for the Environment

A non-profit public-interest law firm
and environmental advocacy organization



Alfredo Garcia
Senior Planner
City of Perris
135 North D Street
Perris, CA 92570

Via U.S. Mail and email to algarcia@cityofperris.org

re: Comments on Draft Environmental Impact Report for Vallarta Market Place Community
Shopping Center Project, SCH No. 2024110841

Dear Mr. Garcia:

Advocates for the Environment submits the comments in this letter regarding the Draft Environmental Impact Report (**DEIR**) for the Vallarta Market Place Community Shopping Center Project (**Project**). The Project Site is located on the intersection of North Perris Boulevard and Placentia Avenue in the City of Perris (**City**), County of Riverside. The Project proposes to develop the 10.55-acre Project Site by constructing eight commercial or retail buildings, and one convenience store with an 8-pump fueling station. We have reviewed the DEIR released in April 2025 and submit comments regarding the sufficiency of the DEIR's Greenhouse-Gas (**GHG**) analysis under the California Environmental Quality Act (**CEQA**).

D.1

The City Should Require the Project to be Net-Zero

Given the current regulatory context and technological advancements, a net-zero significance threshold is feasible and extensively supportable. GHG emissions from buildings, including indirect emissions from offsite generation of electricity, direct emissions produced onsite, and from construction with cement and steel, amounted to 21% of global GHG emissions in 2019. (IPCC Sixth Assessment Report, Climate Change 2022, WGIII, Mitigation of Climate Change, p. 9-4.) This is a considerable portion of global GHG emissions. It is much more affordable to construct new building projects to be net-zero than to obtain the same level of GHG reductions by expensively retrofitting older buildings to comply with climate change regulations. Climate damages will keep increasing until we reach net zero GHG emissions, and there is a California state policy requiring the state to be net-zero by 2045. It therefore is economically unsound to construct new buildings that are not net-zero.

Environmental groups have achieved incredible outcomes by litigation under CEQA. Two of the largest mixed-use development projects in the history of California, Newhall Ranch (now FivePoint Valencia), and Centennial (part of Tejon Ranch) decided to move forward as net-zero communities after losing CEQA lawsuits to environmental groups. The ability for these large projects

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to become net-zero indicates that it is achievable, even for large-scale developments. The Applicant for this Project should do the same.

We urge the City to adopt net-zero as the GHG significance threshold for this project. This threshold is well-supported by plans for the reduction of GHG emissions in California, and particularly the CARB Climate Change Scoping Plans. The CARB 2017 Scoping Plan states that “achieving no net additional increase in GHG emissions, resulting in no contribution to GHG impacts, is an appropriate overall objective for new development.” (CARB 2017 Scoping Plan, p. 101.) Additionally, the CARB 2022 Scoping Plan reaffirms the necessity of a net zero target by expressing: “it is clear that California must transition away from fossil fuels to zero-emission technologies with all possible speed ... in order to meet our GHG and air quality targets.” (CARB 2022 Scoping Plan, p. 184.) CARB further encourages a net-zero threshold in its strategies for local actions in Appendix D to the 2022 Scoping Plan. (CARB 2022 Scoping Plan, Appendix D p. 24-26.)

D.2

Moving this Project forward as a net-zero project would not only be the right thing for the City to do, but also would help protect the City and the Applicant from CEQA GHG litigation.

The Project Has a Significant GHG Impact Overall

A finding of significant impact under either of the two GHG thresholds means the GHG impact as a whole would be significant. CEQA requires that lead agencies to determine overall significance as to each environmental impact, including the category of GHG impact. Further, lead agencies should communicate this overall significance determination in a way that does not mislead decision-makers and the public.

D.3

Here, the City summarized the GHG impact under its second chosen threshold as “no impact,” because it determined that the Project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHGs. (DEIR, p. 1-9). However, under the first chosen threshold, whether the Project would “[g]enerate greenhouse gas emissions,” the City determined that the Project’s GHG impact would be “significant and unavoidable.” (DEIR, p. 1-8.) Therefore, the determination that there would be no impact under the second threshold is erroneous because GHG emissions are inherently cumulative, and substantial evidence supports a significant impact under the first threshold.

D.4

Summarizing the impact as less than significant in these circumstances is confusing and misleading because it makes it more difficult for decision-makers and the public to understand that the significance of the Project’s GHG impact. The DEIR’s failure to acknowledge the Project’s GHG significant impact overall is indicated by the summary of cumulative GHG impact that stated the GHG impact as significant and unavoidable and simultaneously less than significant. (DEIR, 4.2-25.) This is not only illogical, but it also evades the purpose of the cumulative analysis to determine

D.5

whether the cumulative GHG impact would be considerable. The DEIR should state a single unified significance conclusion as to GHG impact overall, which the lead agency failed to do here.

D.5, cont.

Consistency with Identified Applicable Plans

The DEIR included a discussion of the California Air Resources Board (CARB) 2022 Scoping Plan, CARB 2017 Scoping Plan, SCAG 2022-2045 RTP/SCS, and the City of Perris Climate Action Plan (CAP), to support its determination that the Project would not conflict with an applicable plan, policy, or regulation for GHG emissions reductions. This significance analysis violates CEQA by erroneously overlooking the Project's conflict with the 2022 Scoping Plan and 2017 Scoping Plan, and failing to acknowledge and analyze all applicable plans for the reduction of GHGs.

The Project would conflict with the 2022 Scoping Plan, which sets a goal for 50% of all industrial energy demand to be electrified by 2045 (2022 CARB Scoping Plan, p. 77).¹ The DEIR makes no showing that the Project is consistent with this goal. The 2022 CARB Scoping Plan also places particular emphasis on decarbonizing industrial facilities by “displacing fossil fuel use with a mix of electrification, solar thermal heat, biomethane, low- or zero-carbon hydrogen, and other low-carbon fuels to provide energy for heat and reduce combustion emissions” (2022 CARB Scoping Plan, p. 208). Again, the Project does not appear to be consistent with this goal, based on the analysis provided in the DEIR. The Project creates a conflict with the 2022 Scoping Plan by its reliance on diesel fuel in its operations.

D.6

Similarly, the Project would conflict with the 2017 Scoping Plan, which is still in effect because the goals have not yet been achieved. The CARB 2017 Scoping Plan was developed to help California comply with SB 32, which mandates a 40% reduction in GHG emissions below 1990 levels by 2030 (Health & Safety Code § 38566). The DEIR claims to be consistent with the objectives of the 2017 Scoping Plan (DEIR, p. 4.2-18 – 4.2-22), but the EIR does not explain how the Project aligns with the 2050 goal of reducing emissions by 80% below 1990 levels.

D.7

Moreover, the 2017 Scoping Plan sets statewide per capita GHG emissions targets of 6 MTCO_{2e} by 2030 and 2 MTCO_{2e} by 2050. (CARB Scoping Plan, p. 99.) The Project would significantly overshoot, and thus conflict with, the 2030 target because the Project would emit over 70 MTCO_{2e} per service population.² Given that the more stringent 2050 target must be achieved within the Project's operational lifespan, it is evident that the Project will remain inconsistent with the 2017 Scoping Plan's long-term goals. Therefore, the Project directly conflicts with the 2017 Scoping Plan and SB 32.

D.8

¹ 2022 Scoping Plan located at: <https://ww2.arb.ca.gov/sites/default/files/2023-04/2022-sp.pdf>

² $15,911 \text{ MTCO}_2e \div 225 \text{ employees} = \text{approximately } 70.72 \text{ MTCO}_2e \text{ per service population}$.
DEIR, p. 3-18, referencing the number of employees.

Consequently, because the Project is inconsistent with applicable plans for the reduction of GHGs, it is significant under the second threshold. The City’s significance determination as to the second GHG threshold is not supported by substantial evidence.

The DEIR Should Have Analyzed All Applicable Plans

The City chose, as its second GHG threshold, whether the Project would “[c]onflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.” (DEIR, p. 4.2-12.) This language requires that the DEIR analyze the Project’s consistency with all other applicable plans, not just the plans that the City prefers to analyze. Although the DEIR identified and described regulatory information which was deemed “particularly relevant to the Project,” (DEIR, p. 4.2-2 – 4.2-10), the City did not analyze the Project’s consistency with the majority of these identified relevant regulations.

D.9

An agency must consider a project’s GHG impact over the project’s lifetime to reasonably evaluate the full extent of environmental impact as CEQA requires. The City estimated that the Project lifespan would be 30 years, as indicated by the construction emissions amortization across 30 years. (DEIR, p. 4.2-14.) Accordingly, the Project must show consistency with long-term State GHG goals to comply with CEQA. In particular, the DEIR must also demonstrate consistency with Executive Order B-55-18 (EO B- 55-18).

D.10

EO B-55-18 requires the State of California to achieve carbon neutrality—net zero GHG emissions—by 2045. The Project is inconsistent with EO B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas. The use of trucks can be expected to significantly contribute to fossil fuel consumption. Burning non-renewable fuels results in substantial GHG emissions, preventing the Project from ever achieving carbon neutrality, unless it enters into agreements with the applicant and/or future tenant to ensure that fossil fuel use is on track to be eliminated by 2045 as required by EO B-55-18.

D.11

GHG Mitigation is Insufficient under CEQA

The calculated project-related emissions amount to 15,911 metric tons of carbon dioxide equivalent (MTCO_{2e}) per year (DEIR, p. 4.2-17). The City adopted a numeric GHG significance threshold of 3,000 MTCO_{2e} based on the South Coast Air Quality Management District (SCAQMD)(DEIR, p. 4.2-12.) The City concluded the Project would have significant GHG emissions for exceeding this numerical threshold. To reduce this identified significant GHG impact, the GHG Analysis offered the following mitigation measures: 1) Mitigation Measure (MM) GHG-1, which would require electrical service to be provided by landscaped areas to allow for electrical landscape equipment to be used; MM GHG-2, which would require all landscaping equipment to be electric-powered; MM GHG-3, which would require loading docks to be compatible with SmartWay

trucks; MM GHG-4, which would require that the loading docks be sized to support heavy truck charging facilities; and MM GHG-5, which would require buildings to be constructed as certified LEED Silver and adopt voluntary measures to design parking for fuel efficient and carpool vehicles, design parking areas to provide electric vehicle (EV) charging stations equal to the Title 24 Tier 2 standards, and plant trees beyond the requirement in the Perris Valley Commerce Center Specific Plan (PVCCSP) landscaping standards. (DEIR, p. 4.2-17 through 4.2-18).

While this is a good start, the DEIR estimated that the above five mitigation measures, altogether, would reduce the Project's annual impact by a mere 1.16 percent. (DEIR, p. 4.2-18.) Despite the availability of other GHG mitigation, the DEIR declared that the Project's mitigated emissions were unavoidable. However, because this conclusion is not supported by substantial evidence, the DEIR should have included more mitigation to reduce the Project's GHG emissions to the extent required by CEQA.

D.12

Infeasibility Finding Lacks Substantial Evidence

The conclusion that the Project will not be able to achieve any mitigation beyond which was identified in the proposed mitigation measures is not supported with substantial evidence. The EIR should have proposed these features to be applied to the maximum-feasible extent in order to justify the conclusion that the Project's GHG impact would be unavoidable due to lack of feasibility of further mitigation. Overall, the lead agency carries the burden of including an adequate discussion of feasible mitigation measures, including identifying the reasons for infeasibility, and the failure to do so here is a violation of CEQA and insufficient to meet the City's burden.

D.13

It Is Feasible to Adopt Further Mitigation Measures

CEQA requires that the lead agency identifies specific reasons for infeasibility of further mitigation when concluding significant and unavoidable impact. The City did not attempt to specify any infeasible mitigation measures when concluding that the Project's GHG impact would be unavoidable, nor did it provide any reasoning that the identified mitigation measures represent the maximum feasible mitigation.

D.14

Thus, the conclusion that further mitigation is infeasible was not supported by substantial evidence; there are other readily available mitigation measures, especially considering that the majority of the impact originates from mobile emissions which the mitigation measures were not focused on reducing. The City and Applicant together can commit to design and technology specifications that reduce emissions, especially in the heavy-duty truck and transportation vehicle fleet. Further, the City can choose to further reduce energy usage by adopting more green building features beyond which have already been incorporated by existing mitigation measures.

The Project's GHG Impacts Must be Fully Mitigated

CEQA requires that the Project include fair-share mitigation for all significant cumulative impacts. (*Napa Citizens for Honest Gov't v. Napa County Board of Supervisors* (2001) 91 Cal.App.4th 342, 364.) Here, this means mitigation of the full extent of the Project's GHG impacts. The DEIR claims that no other mitigation measures are feasible, beyond the identified mitigation measures. But that conclusion is incorrect, and not supported by substantial evidence.

D.15

The amount of GHG emissions that comprises the Project's fair share is clear. The Project's mitigated annual emissions were estimated at 15,726 MTCO_{2e},³ and the reasonable lifespan this Project is approximately 30 years, as indicated by the amortization of construction emissions. (DEIR, p. 4.2-14.) Therefore, the Project would likely contribute to approximately 611,512.5 MTCO_{2e} during its entire lifespan.⁴ This would be a good starting point from which to subtract the effect of additional non-offset mitigation measures, before implementing offset purchases.

D.16

In addition to the recommended modifications to the existing mitigation measures, there are several ways that the City could improve upon and go beyond the existing mitigation measures, including by entering into agreements with the applicant to require enrollment with the SmartWay truck program, install heavy duty truck charging stations at the loading docks, and install EV charging stations in the parking areas.

D.17

Additionally, the Project could install solar panels to produce renewable electricity on-site beyond the Title 24 Standards. The City could require future tenants to enroll in the U.S. Environmental Protection Agency's SmartWay program⁵, which helps reduce the GHG impact of trucking and deliveries. To further encourage fleet upgrades to zero-emission vehicles, the applicant could provide tenants with information on fleet upgrade incentive programs such as the Carl Moyer Program⁶ and the Voucher Incentive Program⁷ to upgrade their fleets. Thus, the conclusion that further mitigation is infeasible was not supported by substantial evidence. Strict prohibitions on idling could also be implemented to further reduce emissions on-site.

D.18

Further, even though the Project contemplates the possibility of involving cold storage and refrigeration, accounting for up to 20% of the Project's emissions,⁸ there is no proposed mitigation for warehouse refrigeration storage—only for potential mitigation of the Transportation Refrigeration Units (TRUs). If the Project ends up involving cold storage warehousing, the City could commit to

D.19

³ 15,911 MTCO_{2e} unmitigated Project emissions – 185 MTCO_{2e} mitigation reductions = 15,726 MTCO_{2e} mitigated Project emissions

⁴ 15,726 MTCO_{2e} × 30 years = 471,780 MTCO_{2e} lifetime emissions

⁵ Learn About Smart Way, <https://www.epa.gov/smartway/learn-about-smartway>

⁶ <https://ww2.arb.ca.gov/our-work/programs/carl-moyer-memorial-air-quality-standards-attainment-program>

⁷ <https://ww2.arb.ca.gov/our-work/programs/road-heavy-duty-voucher-incentive-program>

⁸ 3,484 MTCO_{2e} area source and refrigerant emissions ÷ 15,911 MTCO_{2e} annually = 0.218 or approximately 20%.

low-warming HFCs or other alternatives to traditional coolants, as well as energy efficient refrigeration systems.

Even after implementing on-site emissions reductions to the maximum-feasible extent, the City could also require the Applicant to enter into an agreement to have a zero-emission heavy-duty truck fleet as soon as feasible and to buy clean power for the warehouse's remaining electricity usage that it is unable to produce through solar power on-site. The City could also require the Applicant to purchase offsets to the extent necessary to mitigate the Project's emissions to the fair share extent, not merely to the level of less-than-significant under the adopted threshold.

D.20

Overall, there are more options available to mitigate emissions to the full extent of project emissions, and the City did not demonstrate that it would be infeasible to implement more mitigation measures than the ones identified in the DEIR.

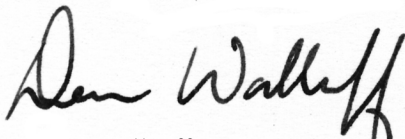
Conclusion

The DEIR fails to require all feasible mitigation, despite concluding that the significant GHG impact will be unavoidable. The lead agency has not met its burden of showing that such measures are infeasible, and therefore the DEIR should be amended to reflect all feasible mitigation to the fair-share extent.

D.21

Please put me on the interest list to receive updates about the progress of this Project. We make this request under Public Resources Code, section 21092.2.

Sincerely,



Dean Wallraff, Attorney at Law
Executive Director, Advocates for the Environment

Comment Letter D

Advocates for the Environment (June 2, 2025)

Response to Comment Letter D

Comment D.1. This comment summarizes the proposed Project. The mission statement of Advocates for the Environment, a law firm and organization located in Shadow Hills, Los Angeles County, is introductory in nature and provides an accurate summary of the proposed Project as analyzed in Draft EIR. Specific responses to commenter statements are provided below. This comment does not question the content or conclusions of the Draft EIR. No further response is warranted.

Comment D.2. This comment asserts that the City of Perris should adopt a net zero standard as the threshold of significance for addressing greenhouse gas (GHG) impacts under CEQA. The commenter also makes unsubstantiated statements that it is more affordable to construct new buildings to be net-zero now than to retrofit an old building in the future to meet the same standard. The commenter also references California's policy to achieve net-zero GHG emissions no later than 2045 (presumably Assembly Bill 1279). It should be noted that the State has not adopted a net-zero GHG threshold (or any GHG threshold) for individual development projects. The State's policy to achieve net-zero GHG emissions by 2045 requires the California Air Resources Board (CARB) to ensure that Scoping Plan updates identify and recommend measures to achieve carbon neutrality, and to identify and implement policies and strategies that enable carbon dioxide removal solutions and carbon capture, utilization, and storage (CCUS) technologies.

The 2022 CARB Scoping Plan does not recommend a net-zero GHG threshold for individual development projects, noting that such thresholds may make it more difficult to achieve statewide goals by prohibiting or complicating projects that are needed to support the State's climate goals, like infill development or solar arrays. The 2022 Scoping Plan also cautions using net-zero targets and specifically notes that jurisdictions considering a net-zero target should carefully consider the implications it may have on emissions in neighboring communities and beyond. Appendix D page 18 of the 2022 Scoping Plan states the following:

Jurisdictions should also avoid creating targets that are impossible to meet as a basis to determine significance. For example, a net-zero target may imply that the GHG emissions of any project that are not reduced or offset to zero would be considered potentially significant. This may lead to undue burdens and frustrate project approval processes, which may be particularly problematic for residential development in climate-smart, infill areas. In addition, some jurisdictions have more land capacity to remove and store carbon, while others host GHG-emitting facilities that serve necessary functions and will take time to transition to new technology (e.g., municipal wastewater treatment plants, landfills, energy generation facilities).

Local governments have the discretion to adopt targets that apply to their jurisdictions as long as those targets are supported by substantial evidence. As stated in Section 4.2.3 of the Draft EIR, the determination of significance is governed by State CEQA Guidelines Section 15064.4, entitled "Determining the Significance of Impacts from Greenhouse Gas Emissions." State CEQA Guidelines Section 15064.4(a) states, "[t]he determination of the significance of greenhouse gas emissions calls for a careful judgment by the lead agency consistent with the provisions in Section 15064. A lead agency

should make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of greenhouse gas emissions resulting from a project. A lead agency shall have discretion to determine, in the context of a particular project, what threshold(s) should be used to qualitatively and quantitatively determine the significance of a project impact. Therefore, consistent with State CEQA Guidelines Section 15064.4, the GHG analysis for the proposed Project appropriately relies upon a threshold of significance based on the exercise of careful judgement and believed to be appropriate in the context of this particular Project. The Draft EIR uses a GHG threshold of significance developed by the South Coast Air Quality Management District (AQMD), which is based on substantial evidence as explained in Section 4.2.3 of the Draft EIR. Based on this threshold, which is supported by substantial evidence, the Project's GHG impacts were found to be significant and unavoidable.

Adoption and implementation of a City "net-zero GHG emission threshold" as suggested by the commenter is beyond the scope of the Project and the Draft EIR. These comments are forwarded to the decision-makers for their consideration. However, the Draft EIR provides sufficient and adequate information enabling decision-makers to make a decision regarding the project taking into account the Project's potential environmental consequences as stated in the Findings of Fact and Statement of Overriding Considerations document prepared by the City.

Comment D.3. This comment states that a finding of significant impact under either of the two GHG thresholds means the GHG impact as a whole would be significant and that CEQA requires that lead agencies to determine overall significance as to each environmental impact, including the category of GHG impact. This is incorrect. The City of Perris has determined that, per the State CEQA Guidelines, each of the CEQA Guidelines Appendix G threshold considerations are separate and independent criteria substantiating the significance of the Project's potential GHG emissions impacts. A project may exceed quantitative thresholds but still be consistent with applicable climate plans and GHG reduction strategies – as is the case for the Project considered here. The Draft EIR properly identifies a significant and unavoidable impact for threshold a (GHG emissions) and a less than significant impact for threshold b (plan consistency). The analysis and conclusions of the Draft EIR are not affected by this comment and revisions to the Draft EIR are not required. No further response is needed.

Comment D.4. The comment addresses the City's impact determination for the two thresholds of significance that require evaluation. The comment is incorrect in stating that the City [the Draft EIR] summarized the GHG impact under its second chosen threshold as "no impact." First of all, this threshold was not chosen by the City. Threshold b is applied verbatim from Appendix G of the State CEQA Guidelines. Second, the Draft EIR analysis for threshold b has determined that the potential impact of the proposed Project would be less than significant; not "no impact." Based on the substantial evidence provided in the Draft EIR, the impact determinations for both thresholds are accurate. The overall significance for this topical area is "significant and unavoidable" which is why this issue was addressed in the Draft EIR.

The City disagrees with the assertion that the determination of no impact for threshold b is erroneous because GHG emissions are "inherently cumulative". Substantial evidence supports the determinations for both thresholds. Further, because the issues was evaluated in the Draft EIR based on the determination for threshold a, the Draft EIR discloses the potential impact and provides meaningful opportunity for members of the public and decision-makers to review and comment on the determinations of both thresholds.

Comment D.5. The City of Perris disagrees with the statement that “summarizing the impact as less than significant in these circumstances is confusing and misleading because it makes it more difficult for decision-makers and the public to understand that the significance of the Project’s GHG impact.” As stated in Section 4.2.5, the assessment of GHG emissions is inherently cumulative because climate change is a global phenomenon. Because the Project’s GHG emissions would exceed the 3,000 metric tons of CO₂e per year threshold of significance used for this analysis, the Project would result in a cumulatively considerable impact related to GHG emissions as it pertains to threshold a. This does not change the fact that the Project would not conflict with applicable plans, policies or regulations adopted for the purpose of reducing GHG emissions.

Comment D.6. The comment asserts that the Project would conflict with the 2022 Scoping Plan, which sets a goal for 50% of all industrial energy demand to be electrified by 2045. The comment further quotes the 2022 Scoping Plan by stating the plan “places particular emphasis on decarbonizing industrial facilities by “displacing fossil fuel use with a mix of electrification, solar thermal heat, biomethane, low- or zero-carbon hydrogen, and other low-carbon fuels to provide energy for heat and reduce combustion emissions.”

The proposed Project is a commercial shopping center. It is not an industrial facility as asserted in the comment. As stated in Draft EIR Table 4.2-7, the Project would be consistent with the 2017 Scoping Plan and it would have no effect on the diversification of energy sources. With respect to 2022 Scoping Plan consistency, the Project would not impede the State’s progress towards carbon neutrality by 2045. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Thus, potential impacts related to consistency with the 2022 Scoping Plan would be less than significant.

Comment D.7. The comment asserts that the Draft EIR claims to be consistent with the objectives of the 2017 Scoping Plan but it does not explain how the Project aligns with the 2050 goal of reducing emissions by 80% below 1990 levels.

As discussed in the Draft EIR, GHG emissions are inherently a cumulative issue as one project by itself, will not have an adverse effect on global climate change. In this case, the City has provided a detailed discussion of the Project consistency with the 2017 Scoping Plan. As stated, regarding goals for 2050 under Executive Order S-3-05, at this time it is not possible to quantify the emissions savings from future regulatory measures, as they have not yet been developed. Nevertheless, it can be anticipated that Project operations would benefit from applicable measures enacted to meet State GHG reduction goals. The Project would not impede the State’s progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2017 Scoping Plan. Thus, potential impacts related to consistency with the 2017 Scoping Plan would be less than significant. Further, the Project would be required to comply with existing codes (i.e., California Energy Code Title 24 and 2022 CalGreen code). These are current regulatory requirements that would contribute to achieving 2030 GHG reduction goals.

Comment D.8. The comment stated that the 2017 Scoping Plan sets statewide per capita GHG emissions targets of 6 metric tons of CO₂e by 2030 and 2 metric tons of CO₂e by 2050. The Project would “significantly overshoot”, and thus conflict with, the 2030 target because the Project would emit over 70 metric tons of CO₂e per service population. The comment assumes that the service population is comprised only of the estimated 250 supermarket employees.

As stated above, the City of Perris uses the South Coast AQMD's 3,000 metric tons of CO₂e annually for all non-industrial projects. The service population standard is not used in this case nor is it correct to assume the service population is limited only to the supermarket and other retail employees. No further response is warranted.

Comment D.9. The comment asserts that an analysis of all plans, policies and regulations summarized in the Draft EIR be performed. The plans, policies and regulations addressed in the Draft EIR represent a broad spectrum of statewide legislative and planning actions that have occurred with the overall intent of reducing GHG emissions. Many of the action items that originated with these statewide initiatives are captured in applicable codes (i.e., California Energy Code and CalGreen Code) as well as local planning initiatives such preparation and implementation of Climate Action Plans. The Project was properly evaluated for compliance with applicable codes, as these are specific measures that have been codified for the purpose of achieving statewide GHG emission reduction. As evaluated in Table 4.2-7, 2017 Scoping Plan Consistency, of the Draft EIR, many regulatory initiatives are beyond the scope of individual projects and/or outside the purview of jurisdictions like the City of Perris. Evaluating Project consistency with each plan, policy or regulation, is not warranted.

Comment D.10. The comment asserts that a lead agency must consider a project's GHG impact over the Project's lifetime to reasonably evaluate the full extent of environmental impact. In particular, the Draft EIR must also demonstrate consistency with Executive Order B-55-18. Executive Order B-55-2018 was signed into law on September 10, 2018, and established a new statewide goal to achieve carbon neutrality as soon as possible and no later than 2045. See the response to Comment D.7 above. The Project would not impede the State's progress towards carbon neutrality by 2045 under the 2022 Scoping Plan. The Project would be required to comply with applicable current and future regulatory requirements promulgated through the 2022 Scoping Plan. Thus, potential impacts related to consistency with the 2022 Scoping Plan would be less than significant. Further, as stated above, the Project would comply with existing codes (i.e., California Energy Code Title 24 and 2022 CALGreen code). These are current regulatory requirements that would contribute to achieving 2050 GHG reduction goals referenced in EO B-55-18.

Comment D.11. The comment asserts that EO B-55-18 requires the State of California to achieve carbon neutrality—net zero GHG emissions—by 2045; that the Project is inconsistent with EO B-55-18 because it does not prohibit the use of gasoline, diesel, and natural gas; that the use of trucks can be expected to significantly contribute to fossil fuel consumption; and that burning non-renewable fuels results in substantial GHG emissions, preventing the Project from ever achieving carbon neutrality, unless it enters into agreements with the applicant and/or future tenant to ensure that fossil fuel use is on track to be eliminated by 2045 as required by EO B-55-18.

In response, it is important to note that EO B-55-18 is a goal rather than a mandate. The City of Perris does not have the authority or ability to regulate the use of fossil fuels by employees, customers and vendors that would visit the various businesses comprising the Project or any other business within the City. Mobile sources comprise approximately 81 percent of the total Project emissions. While the use of alternative fuels and electric vehicles would reduce fossil fuel consumption, it is not possible using current methods, to predict the reduction in mobile source emissions associated with these options. The Project would be designed consistent with the California Energy Code Title 24 and the 2022 CalGreen code which would minimize GHG emissions associated with Project operations. To the extent that alternative fuels and electric vehicles are incorporated into the fuel supply and vehicle fleet, use of these fuels and vehicles would contribute proportionately to a reduction in mobile source GHG emissions.

Comment D.12. The comment asserts that the Draft EIR should have included more mitigation to reduce the Project's GHG emissions to the extent required by CEQA.

A total of five mitigation measures are provided in Section 4.2.4 of the Draft EIR. These measures are all intended to reduce GHG measures associated with the Project. However, not all of them are measurable; thus, the benefits cannot be accurately quantified using currently available methods. Those that can be quantified are focused on a reduction in potable water demand as well as solid waste recycling. These measures would result in an annual decrease of approximately 185 metric tons of CO₂e. As stated, the Project would be designed consistent with the California Energy Code Title 24 and the 2022 CALGreen code which would minimize GHG emissions associated with building operation. To the extent that alternative fuels and EVs are incorporated into the fuel supply and vehicle fleet, use of these fuels and electric vehicles would contribute proportionately to a reduction in mobile source GHG emissions.

Comment D.13. The commentor asserts that the Project will not be able to achieve any mitigation beyond which was identified in the proposed mitigation measures and that statement is not supported with substantial evidence. The commentor further states that the Draft EIR should have proposed these features to be applied to the maximum-feasible extent to justify the conclusion that the Project's GHG impact would be unavoidable due to lack of feasibility of further mitigation.

In response, the Draft EIR does not state that mitigation beyond those identified in Section 4.2, cannot be achieved. The mitigation measures identified in the Draft EIR are those that have been determined by the City of Perris to be feasible for the proposed commercial uses. The City is not aware of any other mitigation measures that would be feasible for the proposed Project and it is not clear based on the comment what additional features "should have" been proposed. No further comment is warranted.

Comment D.14. This comment states that the conclusion that further mitigation is infeasible was not supported by substantial evidence and that there are other readily available mitigation measures, especially considering that the majority of the impact originates from mobile emissions which the mitigation measures were not focused on reducing.

In response, as stated in Section 4.2, *Greenhouse Gas Emissions*, of the Draft EIR, the Project would include a majority of the feasible operational mitigation measures listed in the 2022 Scoping Plan Appendix D as design features. Some of the recommended operational measures would include providing bicycle parking, creating on- and off-site safety improvements for bike, pedestrian, and transit connections, requiring solar panels, drought-tolerant landscaping, and energy conserving appliances. Further, the Project would be consistent with all applicable plan goals and applicable regulatory programs designed to reduce GHG emissions generated by land use projects. The Project would be subject to compliance with all building codes in effect at the time of construction, which include energy conservation measures mandated by California Building Standards Code Title 24 – Energy Efficiency Standards. See also the responses to Comment D.11 and D.12 regarding mobile source emissions.

Comment D.15. This comment states that the Draft EIR claims that no other mitigation measures are feasible, beyond the identified mitigation measures and that this conclusion is incorrect and not supported by substantial evidence.

See the responses to Comments D.12, D.13 and D.14 above. No further response is warranted.

Comment D.16. This comment states that over the 30-year project lifespan, the Project would likely contribute to approximately 611,512.5 metric tons of CO₂e and that this would be a good starting point

from which to subtract the effect of additional non-offset mitigation measures, before implementing offset purchases.

This comment is noted. The Project applicant is not required by current regulation or methodology to purchase carbon offsets to reduce potential Project impacts associated with GHG emissions.

Comment D.17. This comment states that in addition to the recommended modifications to the existing mitigation measures, there are several ways that the City could improve upon and go beyond the existing mitigation measures, including by entering into agreements with the applicant to require enrollment with the SmartWay truck program, install heavy duty truck charging stations at the loading docks, and install EV charging stations in the parking areas.

See Mitigation Measures GHG-3, GHG-4 and GHG-5 in Section 4.2, *Greenhouse Gas Emissions*, of the Draft EIR.

Comment D.18. The commenter provides numerous suggestions regarding what the applicant could do to reduce GHG emissions. These include the installation of solar panels to produce renewable electricity on-site beyond the Title 24 Standards; require future tenants to enroll in the U.S. Environmental Protection Agency's SmartWay program, which helps reduce the GHG impact from trucking and deliveries, provide tenants with information on fleet upgrade incentive programs such as the Carl Moyer Program and the Voucher Incentive Program to upgrade their fleets.

As stated in Section 4.2, *Greenhouse Gas Emissions*, of the Draft EIR, the California Energy Commission adopted the 2022 Energy Code in August 2021. In December 2021, it was approved by the California Building Standards Commission for inclusion into the California Building Standards Code. The 2022 Energy Code includes measures referenced above as well as others intended to reduce energy demand. Mitigation Measure GHG-3 ensures that the supermarket loading dock would be designed to be compatible with SmartWay trucks. The proposed Project would comply with applicable elements of the California Energy Code Title 24 and 2022 CalGreen code.

Comment D.19. The commenter references the possibility of involving cold storage and refrigeration which accounts for up to 20 percent of the Project's emissions and notes that no specific mitigation is proposed for warehouse refrigeration storage.

The proposed Project would provide a supermarket and restaurant buildings which would have refrigeration systems for food storage. No warehousing is proposed. New equipment would be installed to accommodate refrigeration requirements. This equipment would meet current energy efficiency and coolant standards.

Comment D.20. The commenter provides additional measures that could be implemented to reduce GHG emissions. These include requiring the Applicant to enter into an agreement to have a zero-emission heavy-duty truck fleet as soon as feasible, to buy clean power for the warehouse's remaining electricity usage that it is unable to produce through solar power on-site and to purchase offsets to the extent necessary to mitigate the Project's emissions to the fair share extent.

The proposed Project would provide a supermarket and commercial uses. No warehousing is proposed. No fleet vehicles would be based at the Project site.

Comment D.21. The commentor states again that the Draft EIR fails to require all feasible mitigation, despite concluding that the significant GHG impact will be unavoidable. The lead agency has not met its burden of showing that such measures are infeasible, and therefore the Draft EIR should be amended to reflect all feasible mitigation to the fair-share extent.

See the responses to Comments D.12 through D.20.

3.0 MITIGATION MONITORING AND REPORTING PROGRAM

Mitigation Monitoring Requirements and Procedures

CEQA was amended in 1989 to add Section 21081.6, which requires a public agency to adopt a monitoring and reporting program for assessing and ensuring compliance with any required mitigation measures applied to a proposed development.

As stated in CEQA Section 21081.6, “...*the public agency shall adopt a reporting or monitoring program for the changes to the project which it has adopted, or made a condition of project approval, in order to mitigate or avoid significant effects on the environment.*”

CEQA Section 21081.6 provides general guidelines for implementing mitigation monitoring programs and indicates that specific reporting and/or monitoring requirements, to be enforced during project implementation, shall be defined prior to final certification of the EIR.

The mitigation monitoring and reporting table provided on the following pages lists those mitigation measures that will be adopted for the Project. To ensure that all the mitigation measures are properly implemented, the following monitoring and reporting program identifies the timing and responsibility for monitoring and reporting each measure. The Project developer will have the primary responsibility for implementing the measures, and the various City of Perris departments will have the primary responsibility for monitoring and reporting the implementation of the mitigation measures.

**City of Perris
 Vallarta Market Place Commercial Shopping Center Project
 Mitigation Monitoring and Reporting Program**

Project Mitigation Measures							
Aesthetics							
The Project could create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	Project Mitigation Measures						
	AES-1: Prior to issuance of grading permits, the Project developer shall provide evidence to the City of Perris that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.	Prior to issuance of a grading permit	Confirmation that construction contracts include required restriction.	City of Perris Planning Division			
Air Quality							
The proposed Project could expose sensitive receptors to substantial pollutant concentrations.	Project Mitigation Measures						
	AIR-1 During Site Preparation phase, water active construction areas at least three times daily to reduce PM ₁₀ and PM _{2.5} emissions.	Prior to issuance of a grading permit.	Confirmation that these requirements are included in contractor contracts.	City of Perris Building Division			
Biological Resources							
The project could have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service	Project Mitigation Measures						
	MM BIO-1. To avoid violation of the Migratory Bird Treaty Act (MBTA) and the California Fish and Game Code Sections 3503, 3503.5, and 3513, site preparation activities (ground disturbance, construction activities, staging equipment, and/or removal of trees and vegetation) for the project shall be avoided, to the greatest extent possible, during the nesting season of potentially occurring native and migratory bird species. If site-preparation activities are proposed during the nesting/breeding season, the project proponent shall retain a qualified biologist to conduct a pre-activity field survey prior to the issuance of grading permits for the project to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. The nest surveys shall include the Project site and adjacent areas where project activities have the potential to cause nest failure. The survey results shall be	Prior to issuance of grading permits	Results of pre-activity field survey shall be submitted to City of Perris Planning Division. If nests are encountered, monitoring report shall be submitted to the City of Perris Planning Division.	City of Perris Planning Division			

Project Mitigation Measures						
	<p>provided to the City's Planning Division. The project proponent shall adhere to the following:</p> <ol style="list-style-type: none"> 1. The project proponent shall designate a biologist (Designated Biologist) experienced in: identifying local and migratory bird species of special concern; conducting bird surveys using appropriate survey methodology; nesting surveying techniques, recognizing breeding and nesting behaviors, locating nests and breeding territories, and identifying nesting stages and nest success; determining/establishing appropriate avoidance and minimization measures; and monitoring the efficacy of implemented avoidance and minimization measures. 2. Pre-activity field surveys shall be conducted at the appropriate time of day/night, during appropriate weather conditions, no more than 3 days prior to the initiation of project activities. Surveys shall encompass all suitable areas including trees, shrubs, bare ground, burrows, cavities, and structures. Survey duration shall take into consideration the size of the Project site; density, and complexity of the habitat; number of survey participants; survey techniques employed; and shall be sufficient to ensure the data collected is complete and accurate. <p>If no nesting birds are observed during the survey, site preparation and construction activities may begin conducted during the nesting/breeding season. However, if active nests (including nesting raptors) are located then avoidance or minimization measures shall be undertaken in consultation with the City of Perris and the California Department of Fish and Wildlife (CDFW). Measures shall include immediate establishment of an appropriate buffer zone to be established by a qualified biologist, and approved by the City of Perris, based on their best professional judgement and experience. The buffer around the nest shall be delineated and flagged, and no construction activity shall occur within the buffer area until a qualified biologist determines nesting species have fledged and the nest is no longer active or the nest has failed. The biologist shall monitor the nest at the onset of project activities and at the onset of any changes in such project activities (e.g., increase in number or type of equipment, change in equipment usage, etc.) to determine the efficacy of the buffer. If the biologist determines that such project</p>					

Project Mitigation Measures							
	<p>activities may be causing an adverse reaction, the biologist shall adjust the buffer accordingly or implement alternative avoidance and minimization measures, such as redirecting or rescheduling construction or erecting sound barriers. All work within these buffers shall be halted until the nesting effort is finished (i.e., the juveniles are surviving independent from the nest). The onsite biologist shall review and verify compliance with these nesting avoidance buffers and shall verify the nesting effort has finished. Work can resume within these avoidance areas when no other active nests are found. Upon completion of the survey and nesting bird monitoring, a report shall be prepared and submitted to City of Perris Planning Division for mitigation monitoring compliance record keeping.</p>						
	<p>MM BIO-2. The Project proponent shall retain a qualified biologist to conduct a pre-construction survey for resident burrowing owls within 30 days prior to commencement of grading and construction activities on the Project site. The survey shall include the Project site and all suitable burrowing owl habitat within a 500-foot buffer. The results of the survey shall be submitted to the City of Perris Planning Division prior to obtaining a grading permit. In addition, if burrowing owls are observed during the nesting bird survey (Mitigation Measure BIO-1), to be conducted within three days prior to ground disturbance or vegetation clearance, the observation shall be reported to the Wildlife Agencies. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity shall be conducted in accordance with the current Burrowing Owl Survey Instructions for the Western Riverside MSHCP.</p> <p>If burrowing owl are detected, the CDFW shall be sent written notification by the City, within three days of detection of burrowing owls. If active nests are identified during the pre-construction survey, the nests shall be avoided and the qualified biologist and Project applicant shall coordinate with the City of Perris Planning Department, the US Fish and Wildlife Service, and the CDFW to develop a Burrowing Owl Plan to be approved by the City in consultation with the CDFW and the US Fish and Wildlife Service prior to commencing Project activities. The Burrowing Owl Plan shall</p>	<p>No more than 30 days prior to grading.</p>	<p>Results of preconstruction survey shall be submitted to City of Perris Planning Division.</p> <p>If burrowing owls are detected, the City shall send written notification to the CDFW.</p> <p>A burrowing owl plan shall be put in place by qualified biologist, CDFW, USFWS, City of Perris Planning Division, and Project applicant, if applicable.</p>	<p>City of Perris Planning Division.</p>			

Project Mitigation Measures							
	<p>be prepared in accordance with guidelines in the CDFW Staff Report on Burrowing Owl (March 2012) and MSHCP. The Burrowing Owl Plan shall describe proposed avoidance, minimization, relocation, and monitoring as applicable. The Burrowing Owl Plan shall include the number and location of occupied burrow sites and details on proposed buffers if avoiding the burrowing owls and/or information on the adjacent or nearby suitable habitat available to owls for relocation. If no suitable habitat is available nearby for relocation, details regarding the creation and funding of artificial burrows (numbers, location, and type of burrows) and management activities for relocated owls may also be required in the Burrowing Owl Plan. The Permittee shall implement the Burrowing Owl Plan following CDFW and US Fish and Wildlife Service review and concurrence. A final letter report shall be prepared by the qualified biologist documenting the results of the Burrowing Owl Plan. The letter shall be submitted to the CDFW prior to the start of Project activities. When a qualified biologist determines that burrowing owls are no longer occupying the Project site per the criteria in the Burrowing Owl Plan, Project activities may begin.</p> <p>If burrowing owls occupy the Project site after Project activities have started, then construction activities shall be halted immediately. The Project proponent shall notify the City and the City shall notify the CDFW and the US Fish and Wildlife Service within 48 hours of detection. A Burrowing Owl Plan, as detailed above, shall be implemented.</p>						
Cultural Resources							
Ground-disturbing activities have the potential to impact unknown buried archaeological resources in the Project area.	Project Mitigation Measures	Prior to issuance of grading permits and during ground disturbing activities.	Confirmation of professional archaeologist retention and Native American tribal agreement/ ongoing/ monitoring/ submittal of Report of Findings.	City of Perris Planning Division			

Project Mitigation Measures							
	<p>Perris Director of Development Services and no ground-disturbing activities shall occur at the Project site or within the off-site Project improvement areas until the archaeologist has been approved by the City.</p> <p>The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.</p> <p>The Project proponent/developer shall also enter into an agreement with either the Pechanga Band of Indians or the Soboba Band of Luiseño Indians for a Native American tribal representative (observer/monitor) to work along with the consulting archaeologist. This tribal representative will assist in the identification of Native American resources and will act as a representative between the City, the Project proponent/developer, and the Native American Tribal Cultural Resources Department. The Native American tribal representative shall be on-site during all ground-disturbing of each portion of the Project site including clearing, grubbing, tree removals, grading, trenching, etc. The Native American tribal representative should be on-site any time the consulting archaeologist is required to be on-site. Working with the consulting archaeologist, the Native American representative shall have the authority to halt, redirect, or divert any activities in areas where the identification, recording, or recovery of Native American resources are on-going.</p> <p>The agreement between the proponent/developer and the Native American tribe shall include, but not be limited to:</p> <ul style="list-style-type: none"> • An agreement that artifacts will be reburied on-site and in an area of permanent protection; • Reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist; 						

Project Mitigation Measures							
	<ul style="list-style-type: none"> Native American artifacts that cannot be avoided or relocated within the Project site shall be prepared for curation at an accredited curation facility in Riverside County that meets federal standards (per 36 CFR Part 79) and available to archaeologists/researchers for further study; and The Project archaeologist shall deliver the Native American artifacts, including title, to the identified curation facility within a reasonable amount of time, along with applicable fees for permanent curation. <p>The Project proponent/developer shall submit a fully executed copy of the agreement to the City of Perris Planning Division to ensure compliance with this condition of approval. Upon verification, the City of Perris Planning Division shall clear this condition. This agreement shall not modify any condition of approval or mitigation measure.</p> <p>In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner shall commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.</p> <p>If any Native American artifacts are identified when the Native American tribal representative is not present, all reasonable measures shall be taken to protect the resource(s) in situ and the City Planning Division and Native American tribal representative will be notified. The designated Native American tribal representative shall be given ample time to examine the find. If the find is determined to be of sacred or religious value, the Native American tribal representative will</p>						

Project Mitigation Measures							
Implementation of the proposed Project may result in the disturbance of human remains	<p>work with the City and Project archaeologist to protect the resource in accordance with tribal requirements. All analysis shall be undertaken in a manner that avoids destruction or other adverse impacts.</p> <p>In the event that human remains are discovered at the Project site or within the off-site Project improvement areas, Mitigation Measure CUL-2 shall immediately apply and all items found in association with Native American human remains shall be considered grave goods or sacred in origin and subject to special handling.</p> <p>Non-Native American artifacts shall be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts shall be subjected to curation, as deemed appropriate, or returned to the property owner.</p> <p>Once grading activities have ceased and/or the archaeologist, in consultation with the designated Native American tribal representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.</p> <p>A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center and the Native American tribe(s) involved with the Project.</p>						
	<p>Project Mitigation Measures</p> <p>CUL-2: In the event that human remains (or remains that may be human) are discovered at the Project site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors, Project archaeologist, and/or designated Native American tribal representative shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County</p>	During ground disturbing activities.	Confirmation of coroner and NAHC contact and submittal of Report of Findings, if applicable.	City of Perris Planning Division			

Project Mitigation Measures							
	<p>Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).</p> <p>If the coroner determines that the remains are of Native American origin, the coroner would notify the NAHC, which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Native American tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the Project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in consultation between the Project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations shall be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center.</p>						
Geology/Soils							
<p>Due to the presence of fossil localities in the vicinity, Project-related ground disturbance has the potential to impact paleontological resources throughout the Project area.</p>	<p>Project Mitigation Measures</p> <p>PAL-1 Prior to the issuance of grading permits, the Project applicant shall submit to and receive approval from the City of Perris Planning Division, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision of a qualified professional paleontologist (or his or her trained paleontological monitor representative) during onsite and offsite subsurface excavation that exceeds five (5) feet in depth below the pre-grade surface. Selection of the paleontologist shall be subject to approval of the City of Perris Planning Manager and no grading activities shall occur at the</p>	<p>Prior to issuance of a grading permit.</p>	<p>Submit a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP).</p>	<p>City of Perris Planning Division</p>			

Project Mitigation Measures							
	<p>Project site or within offsite Project improvement areas until the paleontologist has been approved by the City.</p> <p>Monitoring shall be restricted to undisturbed subsurface areas of older Quaternary alluvium, which might be present below the surface. The paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.</p> <p>Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.</p> <p>A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.</p>						
	<p>PAL-2 Prior to the start of the proposed project activities, all field personnel shall receive a worker's environmental awareness training on paleontological resources. The training shall provide a description of the laws and ordinances protecting fossil resources, the types of fossil resources that may be encountered in the project area, the role of the paleontological monitor, outline steps to follow if a fossil discovery is made, and provide contact information for the project paleontologist. The training shall be developed by the project paleontologist and can be delivered concurrently with other training, including cultural, biological, safety, etc.</p>	Prior construction.	to	Submit verification that Worker's Environmental Awareness Program training has occurred.	City of Perris Planning Division		
Greenhouse Gas	Project Mitigation Measures						

Project Mitigation Measures							
Annual greenhouse gas emissions would exceed the City of Perris and South Coast AQMD thresholds of significance.	<p>GHG-1 Prior to the issuance of each building permit, the Project Applicant and its contractors shall provide plans and specifications to the City of Perris Building Division that demonstrate that electrical service is provided to each of the areas in the vicinity of all buildings that are to be landscaped in order that electrical equipment may be used for landscape maintenance.</p>	Prior to issuance of each building permit.	Confirmation that this requirement is included in building plans.	City of Perris Building Division			
	<p>GHG-2 All landscaping equipment (e.g., leaf blower) used for property management shall be electric-powered only. The property manager/facility owner for all buildings constructed shall provide documentation (e.g., purchase, rental, and/or services agreement) to the City of Perris Building Division to verify, to the City's satisfaction, that all landscaping equipment utilized will be electric-powered.</p>	Prior to issuance of certificates of occupancy.	Confirmation that this requirement is included in purchase, rental, and/or services agreements.	City of Perris Planning Division			
	<p>GHG-3 Tenants who employ 250 or more full or part-time employees shall comply with SCAQMD Rule 2202, On-Road Motor Vehicle Mitigation Options. The purpose of this rule is to provide employees with a menu of options to reduce employee commute vehicle emissions. Tenants with less than 250 employees or tenants with 250 or more employees who are exempt from SCAQMD Rule 2202 (as stated in the Rule) shall either (a) join with a tenant who is implementing a program in accordance with Rule 2202 or (b) implement an emission reduction program similar to Rule 2202 with annual reporting of actions and results to the City of Perris. The tenant-implemented program would include, but not be limited to the following:</p> <ul style="list-style-type: none"> • Appoint a Transportation Demand Management (TDM) coordinator who would promote the TDM program, activities and features to all employees; • Create and maintain a "commuter club" to manage subsidies or incentives for employees who carpool, vanpool, bicycle, walk, or take transit to work; • Inform employees of public transit and commuting services available to them (e.g., social media, signage); • Provide on-site transit pass sales and discounted transit passes; • Guarantee a ride home; 	Reports submitted annually for the warehouse building.	Review of annual reports demonstrating that this requirement is being met.	City of Perris Planning Division			

Project Mitigation Measures							
	<ul style="list-style-type: none"> • Offer shuttle service to and from public transit and commercial areas/food establishments, if warranted; • Coordinate with the Riverside Transit Agency and employers in the surrounding area to maximize the benefits of the TDM program; and • Implement a commute trip reduction (CTR) program to provide employees assistance in using alternative modes of travel and provide incentives to encourage employee usage. The CTR program would be a multi-strategy program that could include the following individual measures: <ul style="list-style-type: none"> ○ Carpooling encouragement; ○ Ride-matching assistance; ○ Preferential carpool parking; ○ Flexible work schedules for carpools; ○ Half-time transportation coordinator; ○ New employee orientation of trip reduction and alternative travel mode options; ○ Vanpool assistance; and ○ Bicycle end-trip facilities (parking and lockers). 						
	<p>GHG-4 Prior to the issuance of a building permit for the supermarket, the Project Applicant shall provide evidence to the City of Perris Building Division that the loading dock is designed to be compatible with SmartWay trucks.</p>	<p>Prior to issuance of a building permit for the warehouse building.</p>	<p>Confirmation that this requirement is included in building plans.</p>	<p>City of Perris Building Division</p>			
	<p>GHG-5 Prior to issuance of a building permit, the Project Applicant shall provide the City of Perris Building Division with project specifications, drawings, and calculations that demonstrate that main electrical supply lines and panels have been sized to support heavy truck charging facilities when these trucks become available. The calculations shall be based on reasonable predictions from currently available truck manufacturer's data. Electrical system upgrades that exceed reasonable costs shall not be required.</p>	<p>Prior to issuance of a building permit.</p>	<p>Provide design documents that this requirement has been met.</p>	<p>City of Perris Building Division</p>			

Project Mitigation Measures							
	<p>GHG-6 The buildings shall be constructed as certified LEED Silver Level and implement the following, voluntary provisions of the California Green Building Standards Code (CALGreen). The project applicant/developer(s) shall provide documentation (e.g., building plans) of implementation of the applicable voluntary measures to the City of Perris Building Department prior to the issuance of building permits.</p> <ul style="list-style-type: none"> • Design the proposed parking areas to provide parking for low-emitting, fuel-efficient, and carpool/van vehicles. At minimum, the number of preferential parking spaces shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.1.2; • Design the proposed parking areas to provide electric vehicle (EV) charging stations. At minimum, the number of EV charging stations shall equal the Tier 2 Nonresidential Voluntary Measures of the California Green Building Standards Code, Section A5.106.5.3.2; • • Plant trees in excess of the number required per the PVCCSP landscaping standards for commercial uses or identify, with assistance from City staff, areas (i.e., parks and open space) within the City of Perris where additional trees could be planted. 	Prior to issuance of a building permit for the warehouse building.	Confirmation that this requirement is included in building plans.	City of Perris Building Division			
Noise							
The Project could generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance,	<p>Project Mitigation Measures</p> <p>NOI-1: Install Temporary Noise Barrier. A noise barrier shall be erected along the southern and eastern site boundary during construction. A minimum 8-foot-high barrier shall be maintained throughout site preparation and grading activities to reduce noise at adjacent receivers to the south and east. The noise barrier should be constructed of material with a minimum weight of 4 pounds per square foot with no gaps or perforations. Noise barriers may be constructed of 5/8-inch plywood and/or 5/8-inch oriented strand board. Other temporary construction noise barrier systems may be used at the contractors' discretion with City of Perris approval.</p>	Prior to issuance of grading permits	Confirmation that the temporary noise barrier has been erected	City of Perris Planning Division			

Project Mitigation Measures							
or applicable standards of other agencies.	<p>NOI-2: Neighbor Notification. Notification shall be provided to residential occupants adjacent to the project site at least 48 hours prior to initiation of construction activities that could result in substantial noise levels at outdoor or indoor living areas. This notification shall include the anticipated hours and duration of construction and a description of noise reduction measures being implemented at the project site. The notification shall include a telephone number for local residents to call and submit complaints associated with construction noise.</p>	Prior to issuance of grading permits	Confirmation that this requirement is included in contractor specifications	City of Perris Planning Division			
	<p>NOI-3: Noise Control Plan. Construction contractors shall develop and implement a noise control plan that includes a noise control monitoring program to avoid construction noise levels exceeding 80 dBA Lmax at the nearest sensitive receivers. The plan may include the following requirements:</p> <ul style="list-style-type: none"> • Contractor shall turn off idling equipment. • Contractor shall perform noisier operation during the times least sensitive to receptors. • All diesel equipment shall be operated with closed engine doors and shall be equipped with factory-recommended mufflers. • Electrical power shall be used to run air compressors and similar power tools and to power any temporary structures, such as construction trailers or security staff facilities. 	Prior to issuance of grading permits	Review of required noise control plan	City of Perris Planning Division			
	<p>NOI-4. All truck deliveries requiring use of the loading dock at the rear of the supermarket building shall be conditioned to occur only between 7:00 a.m. and 10:00 p.m.</p>	Prior to issuance of a certificate of occupancy	Applicant shall present evidence in an operating agreement or similar document that these conditions will be met.	City of Perris Planning Division			