

# Perris Valley Commerce Center Specific Plan Perris, California

## FINAL ENVIRONMENTAL IMPACT REPORT SCH No. 2009081086

*Project Applicant:*

CITY OF PERRIS  
Development Services Department  
135 North "D" Street  
Perris, CA 92570  
Contact: Diane Sbardellati, LEED AP, Associate Planner  
(951) 943-5003

*Lead Agency:*

CITY OF PERRIS  
Development Services Department  
135 North "D" Street  
Perris, CA 92570  
Contact: Diane Sbardellati, LEED AP, Associate Planner  
(951) 943-5003

*Prepared by:*

ALBERT A. WEBB ASSOCIATES  
3788 McCray Street  
Riverside, CA 92506  
Contact: Cheryl DeGano, Principal Environmental Analyst  
(951) 686-1070

**November 2011**

## TABLE OF CONTENTS

### 9.0 INTRODUCTION

Introduction.....	9.0-1
Public Review Summary .....	9.0-1
Relationship to the Draft EIR .....	9.0-2
Corrections, Errata, and Changes from Draft EIR to Final EIR .....	9.0-2
List of Modified Figures .....	9.0-27
List of Persons, Organizations, and Public Agencies that Commented on the Draft EIR .....	9.0-36

### 10.0 RESPONSE TO COMMENTS

#### **Federal Agencies**

*No federal agencies commented on the DEIR*

#### **State Agencies**

Department of Toxic Substances Control.....	10.0-A-1
Department of Conservation, Division of Land Resources Protection .....	10.0-B-1
Governor’s Office of Planning and Research, State Clearinghouse and Planning Unit .....	10.0-C-1
Department of Fish and Game, Inland Desert Region (Region 6) .....	10.0-D-1
Department of Transportation, District 8 .....	10.0-E-1

#### **Regional and Local Agencies**

Riverside County Fire Department.....	10.0-F-1
Southern California Association of Governments .....	10.0-G-1
Riverside County Sheriff’s Department, Perris Station .....	10.0-H-1
City of Moreno Valley, California .....	10.0-I-1
March Joint Powers Authority.....	10.0-J-1
Eastern Municipal Water District.....	10.0-K-1
South Coast Air Quality Management District .....	10.0-L-1
Riverside County Airport Land Use Commission.....	10.0-M-1
Riverside County Flood Control and Water Conservation District .....	10.0-N-1

#### **Native American Tribes**

Pechanga Cultural Resources, Temecula Band of Luiseño Mission Indians.....	10.0-O-1
--	----------

#### **Other Interested Parties**

Southwest Land Consultants.....	10.0-P-1
Joseph T. Flanagan .....	10.0-Q-1
Kay Swoffer Follet et al. ....	10.0-R-1
Greg I. Anderson p.p. Barbara Minyard and Mary Johnson Kirst .....	10.0-S-1
Paul Jacobs .....	10.0-T-1

#### **Comment Letters**

### 11.0 MITIGATION MONITORING AND REPORTING PROGRAM

## 9.0 INTRODUCTION

### INTRODUCTION

The Final Environmental Impact Report (Final EIR or FEIR), as required pursuant to Sections 15089 and 15132 of the Guidelines for Implementation of the California Environmental Quality Act (*CEQA Guidelines*), includes the Draft Environmental Impact Report (Draft EIR or DEIR) or a revision thereof, comments and recommendations received on the DEIR, a list of persons, organizations and public agencies commenting on the DEIR and the responses of the Lead Agency to significant environmental points raised in the review and consultation process. A Mitigation Monitoring and Reporting Program (MMRP) is also completed to ensure compliance with all adopted mitigation measures during project implementation (Public Resources Code Section 21081.6, *CEQA Guidelines* Section 15097).

### PUBLIC REVIEW SUMMARY

The EIR process typically consists of three parts – the Notice of Preparation (NOP), Draft EIR (or DEIR), and Final EIR (or FEIR). The NOP for the proposed project was circulated to the State Clearinghouse, responsible agencies, and other interested parties on or about August 26, 2009. A notice advising of the availability of the NOP was posted by the Riverside County Clerk on August 26, 2009. Pursuant to Section 15082 of the *CEQA Guidelines*, recipients of the NOP were requested to provide responses within 30 days after their receipt of the NOP. Copies of both the NOP and comments received on the NOP are presented in Appendix A of the DEIR. In addition, a scoping meeting was held on September 16, 2009 before the City of Perris Planning Commission pursuant to the requirements of Section 15082(c)(1) of the State *CEQA Guidelines*.

The City of Perris circulated the DEIR for the Perris Valley Commerce Center from July 20, 2011 to September 6, 2011. The Notice of Availability of the DEIR was circulated to the State Clearinghouse, responsible agencies, and other interested parties on or about July 20, 2011.

As provided in the public notice and in accordance with CEQA Section 21091(d), the City of Perris accepted written comments through September 6, 2011, letters received are listed below. Ten letters were received via mail, fax and/or email on or before September 6, 2011 from: Southwest Land Consultants, Riverside County Fire Department, Southern California Association of Governments, Riverside County Sheriff's Department, Joseph T. Flanagan, Department of Toxic Substances Control, City of Moreno Valley, Kay Swoffer Follet *et al.*, March Joint Powers Authority, and Department of Conservation. The following comment letters were received after the close of the public comment period between September 4 and September 15, 2011: Greg I. Anderson *p.p.* Barbara Minyard and Mary Johnson Kirst, Pechanga Indian Reservation, Eastern Municipal Water District, South Coast Air Quality Management District, State Clearinghouse, Riverside County Airport Land Use Commission, Riverside County Flood Control and Water Conservation District, Department of Fish and Game, Department of Transportation, and Paul Jacobs. . All letters are included in Section 10.0 of this FEIR and discussed in the Response to Comments, also in Section 10.0. In accordance with the provisions of Public Resources Code Section 21092.5, the City of Perris has provided a written proposed response to each commenting public agency no less than 10 days prior to the proposed certification date of the FEIR.

## RELATIONSHIP TO THE DRAFT EIR

Minor changes that better clarify or correct minor inaccuracies in the DEIR appear as revised pages in the *Corrections, Errata, and Changes from Draft to Final EIR* section which follows, herein. The DEIR copies considered by the decision making bodies and the City of Perris Development Services Department have been edited to show changes made to reflect corrections and responses to comments raised. Together with the MMRP (Section 11.0, herein) and the Findings, these documents constitute the environmental disclosure record that will serve as the basis for approval of the proposed project by the City of Perris.

## CORRECTIONS, ERRATA AND CHANGES FROM DRAFT EIR TO FINAL EIR

The FEIR will be a revised document that incorporates all the changes made to the DEIR following the public review period. Added or modified text is underlines (example), while deleted text is struck out (~~example~~).

Corrections, errata, and changes from the DEIR to FEIR represent additional information that amplifies and clarifies the discussion in the DEIR or corrections that do not change the project impacts or mitigation measures such that new or more severe environmental impacts result from the project. Such items are sometimes added as a result of comments received from responsible agencies, changes in the existing conditions at the site, revised public policies since the DEIR was written, or minor corrections or clarifications.

The following summary will present the location and types of additions, and changes or corrections made within each section of the FEIR since the DEIR was published.

### **Section 1.0 – Executive Summary**

Reference to March Joint Powers Authority (MJPA) will be added to the first paragraph under the subheading “Project Location” on page 1.0-1 as follows:

The proposed PVCC project site is located over approximately 3,500 gross acres within the City of Perris, in Riverside County, California (**Figure 1.0-1, Regional Map**). The project site is located east of Interstate 215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB) and March Joint Powers Authority (MJPA), and north of Placentia Street. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east (**Figure 1.0-2, Aerial Photograph**).

Reference to the MJPA will be added to the list under the third paragraph under the subheading “Project Description” on page 1.0-1 as follows:

- North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction
- South:** Industrial, residential and vacant land
- East:** PVSC, residential and vacant land

**West:** Vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction

Reference to the MIPA will be added to the first paragraph on page 1.0-2 under the subheading “Project Description” as follows:

The terrain within the project site is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near MARB and MIPA, an 87-foot difference in elevation over a distance of 3.5 miles.

During the 45-day public review period for the DEIR, requests were received by the City to revise the proposed land use designations for certain parcels within the Perris Valley Commerce Center (PVCC) Specific Plan. As a result of these requests, the Specific Plan land use designations are being revised and **Table 1.0-B, Proposed Land Use Designation Changes** (on pages 1.0-2 – 1.0-3 of the DEIR) will be revised in the FEIR as follows.

**Table 1.0-B, Proposed Land Use Designation Changes**

<b>Land Use Designations</b>	<b>Current Perris GP Acreage</b>	<b>PVCC Proposed Acreage</b>
Business Park (BP)	286.87	0.00
Business Park/Professional Office (BPO)	0.00	<del>357.12</del> 343.23
Commercial (C)	0.00	<del>309.22</del> 349.05
Community Commercial (CC)	456.47	0.00
General Industrial (GI)	422.90	407.95
Light Industrial (LI)	1,620.08	1,866.34
Neighborhood Commercial (NC)	5.85	0.00
Open Space (OS)	30.73	0.00
Other (ROW, Basins, etc)	<del>329.24</del> 306.91	<del>339.47</del> 338.45
Professional Office (PO)	30.13	0.00
Public/Semi-Public Facility (P) (includes basins and future Perris Valley storm drains)	89.36	<del>248.71</del> 193.73
Residential (Multi-Family) (MFR-14)	<del>0.00</del> 22.33	22.33
Residential (Single-Family) (R-6,000)	59.12	0.00
Residential (Single-Family) (R-20,000)	62.88	62.88
Specific Plan (SP)	190.33	0.00
<b>Total Acres</b>	<b>3,583.96</b>	<b>3,583.96</b>

**Figure 1.0-2, Aerial Photograph** on page 1.0-7 of the DEIR will be modified to show the boundaries of the MJPA and MARB.<sup>1</sup>

**Figure 1.0-4, Proposed Land Use Plan** on page 1.0-9 of the DEIR will be modified to show the revisions to the proposed land use plan made in response to requests received by the City.

Mitigation Measures **MM Air 13** and **MM Air 20** in **Table 1.0-C, EIR Summary Matrix** on pages 1.0-17 and 1.0-19 of the DEIR will be revised as follows:

**MM Air 13:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to SCAQMD’s Carl Moyer Program, or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year will be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD’s website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.

**MM Air 20:** Each implementing development project shall be encouraged to implement, at a minimum, an increase in each building’s energy efficiency 15 percent beyond Title 24, and reduce indoor water use by 25 percent. All ~~requirements~~ reductions will be documented through a checklist to be submitted prior to issuance of building permits for the implementing development project with building plans and calculations.

In response to the letter received from the Pechanga Band of Luiseño Indians, mitigation measures **MM Cultural 1** and **MM Cultural 2** have been revised; new mitigation measures **MM Cultural 3** and **MM Cultural 4** have been added. Mitigation measures **MM Cultural 3** and **MM Cultural 4** in the DEIR have been renumbered to **MM Cultural 5** and **MM Cultural 6**, respectively and newly renumbered **MM Cultural 6** has been revised in **Table 1.0-C, EIR Summary Matrix** on pages 1.0-25 through 1.0-32 as follows:

**MM Cultural 1:** Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist<sup>2</sup> shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development

<sup>1</sup> Modified figure are included in the figures section of this FEIR

<sup>2</sup> For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior’s standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.
2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.
3. Field survey of the implementing development or infrastructure project site.

The proponents of the subject implementing development projects and the professional archaeologists ~~shall~~ ~~are~~ also ~~encouraged to~~ contact the local Native American tribes (as identified by the California NAHC and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the project site.

Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference:

1. Avoidance.
2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.
3. Relocation of the structure.
4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.

Avoidance is the preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas.

The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.

**MM Cultural 2:** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by a professional archaeologist is needed for the implementing development project; the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I

Cultural Resources Study and to monitor the initial ground-altering activities<sup>3</sup> at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.

The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.

~~Depending on the nature of the artifacts,~~ In the event that cultural resources are discovered at the development site, the handling of the discovered resources will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find shall stop, the project developer and project archaeologist shall notify the City of Perris Planning Division, the Pechanga Band of Luiseño Indians and the Soboba Band of Mission Indians, and a Native American observer of Luiseño descent shall be asked retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling (see **MM Cultural 46, below**). ~~The remainder of the Native American artifacts assemblage that cannot be avoided or relocated at the project site~~ will be prepared in a manner for curation and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time.

Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

Once ground-altering activities have ceased or the professional archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.

---

<sup>3</sup> For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Eastern Information Center (EIC).

**MM Cultural 3** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by both a professional archaeologist and a Native American representative is needed for the implementing development project, the project proponent shall retain a professional archaeologist and a Native American representative of Luiseño descent prior to the issuance of grading permits. The professional archaeologist and Native American observer shall be required on site during all initial ground-altering activities. The Native American observer shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow the evaluation of cultural resources with the project archaeologist. The evaluation and treatment provisions of mitigation measure **MM Cultural 2** shall apply to this measure.

**MM Cultural 4** In the event that cultural resources are discovered at a development site that is not monitored by a professional archaeologist, all activities in the immediate vicinity of the find shall stop, the project developer shall notify the City of Perris Planning Division, and the project developer shall retain a professional archaeologist to analyze the find for identification as prehistoric and historical archaeological resources. The evaluation and treatment provisions of mitigation measure **MM Cultural 2** shall apply to this measure.

**MM Cultural 3 5:** Prior to grading for projects requiring subsurface excavation that exceeds five (5) feet in depth, proponents of the subject implementing development projects shall retain a professional paleontologist to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the subsurface excavation that exceed five (5) feet in depth. Selection of the paleontologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the paleontologist has been approved by the City.

Monitoring should be restricted to undisturbed subsurface areas of older 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.

Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.

A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

**MM Cultural 4 6:** In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division ~~immediately and retain a professional archaeologist to assess the find. In accordance with the California Health and Safety Code, the City of Perris will contact the County Coroner's office within 24 hours~~ and the coroner will be permitted to examine the remains.

If the coroner determines that the remains are of Native American origin, the coroner will ~~report to~~ notify the NAHC and the Commission will identify the "Most Likely Descendent" (MLD).<sup>4</sup> Despite the affiliation of any Native American ~~observers~~ representatives at the site, the Commission's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of the 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 their 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 with the City of Perris, the project proponent, and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.

If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.

Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting

---

<sup>4</sup> The "Most Likely Descendent" ("MLD") is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. In the case of the City of Perris, the Native American Heritage Commission may identify any Luiseño descendent, but generally names the Soboba or Pechanga bands of Mission Indians (both Luiseño populations) and alternates between the two groups. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).

At the request of the MJPA, mitigation Measure **MM Haz 2** will be revised in **Table 1.0-C, EIR Summary Matrix** on page 1.0-33 as follows:

**MM Haz 2:** Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/March Inland Port Airport Authority.

In response to a request from the Department of Toxic Substances Control, DTSC, mitigation measure **MM Haz 7** will be added to **Table 1.0-C, EIR Summary Matrix** on page 1.0-33 for the Impact/Threshold “Emit hazardous emissions or handle hazardous emissions or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school” as follows:

**MM Haz 7:** Prior to any excavation or soil removal action on a known contaminated site, or if contaminated soil or groundwater (i.e., with a visible sheen or detectable odor) is encountered, complete characterization of the soil and/or groundwater shall be conducted. Appropriate sampling shall be conducted prior to disposal of the excavated soil. If the soil is contaminated, it shall be properly disposed of, according to Land Disposal restrictions. If site remediation involves the removal of contamination, then contaminated material will need to be transported off site to a licensed hazardous waste disposal facility. If any implementing development projects require imported soils, proper sampling shall be conducted to make sure that the imported soil is free of contamination

To clarify that implementing development projects within the PVCC will not pay the City’s Development Impact Fee (DIF) or Transportation Uniform Mitigation Fee (TUMF), because these fees are included in the North Perris Road and Bridge Benefit District (NPRBBD), mitigation measure **MM Trans 3** will be revised in **Table 1.0-C, EIR Summary Matrix** on page 1.0-38 and 1.0-39 DEIR as follows:

**MM Trans 3:** Each implementing development project shall participate in the phased construction of off-site traffic signals through payment of that project’s fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which includes ~~TUMF (Transportation Uniform Mitigation Fee), DIF (Development Impact Fee) and the NPRBBD (North Perris Road and Bridge Benefit District).~~ The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.

## **Section 2.0 – Introduction**

No changes made to this section.

## **Section 3.0 – Project Description**

Reference to the MJPA will be added to the first paragraph under the subheading “Project Location”: on page 3.0-1 as follows:

The proposed Perris Valley Commerce Center Specific Plan (PVCC) project site is located on approximately 3,500 gross acres within the City of Perris, in Riverside County, California (**Figure 3.0-1, Regional Map**). The project site is located east of Interstate 215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB) and March Joint Powers Authority (MJPA), and north of Placentia Street. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east. (**Figure 3.0-2, Aerial Photograph**)

Reference to the MJPA will be added to the list under the third paragraph under the subheading “Site Description” on page 3.0-1 as follows:

- North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction
- South:** Industrial, residential and vacant land
- East:** Perris Valley Storm Channel, residential and vacant land
- West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction

Reference to the MJPA will be added to the first paragraph on page 3.0-2 under the subheading “Site Description” as follows:

The terrain within the project site is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near March Air Reserve Base and MJPA, an 87-foot difference in elevation over a distance of 3.5 miles.

Reference to the MJPA will be added to the first paragraph on page 3.0-5 under subheading “Project Description” as follows:

Immediately north of the City of Perris is the MARB and MJPA. After conversion of the March Air Force Base to an Air Reserve Base in 1996, surplus lands were sold to commercial and industrial ventures, and the balance of lands not required for military purposes acquired by the MJPA. Since then, the entire area surrounding the base has been in transition. The quick pace of development of these areas has increased the desire to efficiently manage and coordinate the changing community. To facilitate this change, the City of Perris has designated more than five square miles and over 3,500 acres in the northwestern portion of the City to be developed under the guidance of a master development plan known as the PVCC Specific Plan. This plan will include revised General Plan land use designations and infrastructure plans to support new development within this area.

Figure 3.0-2, Aerial Photograph<sup>5</sup> on page 3.0-4 will be modified to show the boundaries of the MJPA and MARB.

Table 3.0-B, Proposed Land Use Designation Changes on pages 3.0-5 and 3.0-6 will be revised as follows:

**Table 3.0-B, Proposed Land Use Designation Changes**

<b>Land Use Designations</b>	<b>Current Perris GP Acreage</b>	<b>PVCC Proposed Acreage</b>
Business Park (BP)	286.87	0.00
Business Park/Professional Office (BPO)	0.00	<del>357.12</del> 343.23
Commercial (C)	0.00	<del>309.22</del> 349.05
Community Commercial (CC)	456.47	0.00
General Industrial (GI)	422.90	407.95
Light Industrial (LI)	1,620.08	1,866.34
Neighborhood Commercial (NC)	5.85	0.00
Open Space (OS)	30.73	0.00
Other (ROW, Basins, etc)	<del>329.24</del> 306.91	<del>339.47</del> 338.45
Professional Office (PO)	30.13	0.00
Public/Semi-Public Facility (P) ( <u>includes basins and future Perris Valley storm drains</u> )	89.36	<del>248.71</del> 193.73
Residential (Multi-Family) (MFR-14)	<del>0.00</del> 22.33	22.33
Residential (Single-Family) (R-6,000)	59.12	0.00
Residential (Single-Family) (R-20,000)	62.88	62.88
Specific Plan (SP)	190.33	0.00
<b>Total Acres</b>	<b>3,583.96</b>	<b>3,583.96</b>

Figure 3.0-4, Proposed Land Use Plan<sup>6</sup> on page 3.0-10 will be modified to reflect Exhibit 3-3, Compatibility Map, contained in the 2010 Draft Joint Land Use Study.

<sup>5</sup> Modified figures are included in the Figures section of this FEIR.

<sup>6</sup> Modified figures are included in the Figures section of this FEIR.

## **Section 4.0 – Potentially Significant Environmental Effects**

### **Section 4.1 Agriculture**

Reference to the MJPA will be added to the first paragraphs under the subheading “Setting” on page 4.1-1 as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses. The project site comprises approximately 3,500 gross acres within the city of Perris. The site is located adjacent to the east side of Interstate-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Avenue.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the city of Moreno Valley, MJPA, and MARB to the north; the community of Mead Valley, an unincorporated area of Riverside County, to the west; and more developed areas of the city of Perris to the south and east.

### **Section 4.2 Air Quality**

Reference to the MJPA will be added to the first paragraphs under the subheading “Setting” on page 4.2-3 as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) is located over approximately 3,500 gross acres within the City of Perris, Riverside County. The project site is located east of Interstate-215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base and March Joint Powers Authority (MJPA), and north of Placentia Street. At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, MJPA, and March Air Reserve Base to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east.

Surrounding land uses include the following:

**North:** Vacant land, March Air Reserve Base, MJPA, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction.

Reference to the MJPA will be added to the following paragraphs under the threshold “Conflict with or obstruct implementation of the applicable air quality plan” on page 4.2-32 as follows:

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, MJPA, and March Air Reserve Base to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east.

Surrounding land uses include the following:

**North:** Vacant land, March Air Reserve Base, MJPA, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction.

Mitigation measures **MM Air 13** and **MM Air 20** will be revised to require all developers and their successors in interest of implementing developments projects to apply for funding to retrofit their trucks and encourage increasing each building’s energy efficiency beyond what is required by Title 24 and revised under the subheading “Proposed Mitigation Measures” on pages 4.2-54 and 4.2-55 as follows:

**MM Air 13:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to SCAQMD’s Carl Moyer Program, or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year will be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for

funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.

**MM Air 20:** Each implementing development project shall be encouraged to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24, and reduce indoor water use by 25 percent. All ~~requirements~~ reductions will be documented through a checklist to be submitted prior to issuance of building permits for the implementing development project with building plans and calculations.

### Section 4.3 Biological Resources

References to the MJPA will be added to the first paragraph under the subheading "Setting" on pages 4.3-1 and 4.3-2 as follows:

At this time, a large portion of the proposed PVCC project area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, March Joint Powers Authority (MJPA), and March Air Reserve Base to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east.

Reference to the MJPA will be added to the first paragraph under the threshold "Interfere substantially with the movement of any native resident or migrating fish or wildlife species or establish native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites" on page 4.3-27 as follows:

Wildlife corridors are features whose primary function is to connect at least two significant wildlife habitat areas. These corridors may help to reduce or moderate some of the adverse effects of habitat fragmentation by facilitating dispersal of individuals between substantive patches of remaining habitat, allowing for both long-term genetic interchange and individuals to re-colonize habitat patches from which populations have been locally extirpated. The PVCC area is not adjacent to any MSHCP-identified cores or linkages, and bounded by Interstate 215 to the west, March Air Reserve Base, MJPA, and Oleander Avenue to the north, the Perris Valley Storm Channel to the east, and Placentia Avenue to the south. Surrounding existing and approved development limits the long-term suitability of the project site for the movement of native resident or migratory wildlife species. There are no water features on the project site that support fish species. Therefore, although the proposed project will interfere with the movement of wildlife species across the project site, the potential impact will be less than significant. Additionally, there are no known wildlife nursery sites on or near the project site. Therefore, the proposed project will not directly or indirectly impact or impede the use of any recognized wildlife nursery sites and the potential

**impact is less than significant.** Furthermore, implementation of mitigation measures **MM Bio 1, MM Bio 2, MM Bio 5, and MM Bio 6**, will further reduce this impact.

#### Section 4.4 Cultural Resources

Reference to the MJPA will be added to the first paragraph under the subheading “Setting” on page 4.4-1 as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) consists of approximately 3,500 acres located in the North Perris area of western Riverside County. The site is bordered generally by I-215 to the west, March Air Reserve Base, March Joint Powers Authority (MJPA), and Oleander Avenue to the north, the Perris Valley Storm Channel (PVSC) to the east, and Placentia Avenue to the south. The surrounding area includes the city of Moreno Valley, MJPA, and March Air Reserve Base to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east.

Reference to the MJPA will be added to the first paragraph under the subheading “Current Setting” on page 4.4-1 as follows:

The project site includes both developed and undeveloped land. Native features in the vicinity have been reshaped by the region’s past growth and gradual urbanization, while the project site encompasses a patchwork of residential, commercial and industrial development interspersed with agricultural fields and vacant land. The terrain within the PVCC is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near March Air Reserve Base and MJPA, an 87-foot difference in elevation over a distance of 3.5 miles.

Mitigation measure **MM Cultural 1** will be revised under the subheading “Proposed Mitigation Measures” on pages 4.4-14 and 4.4-15 as follows:

**MM Cultural 1:** Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist<sup>7</sup> shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

---

<sup>7</sup> For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior’s standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.
2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.
3. Field survey of the implementing development or infrastructure project site.

The proponents of the subject implementing development projects and the professional archaeologists ~~shall~~ are also ~~encouraged to~~ contact the local Native American tribes (as identified by the California NAHC and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the project site.

Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference:

1. Avoidance.
2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.
3. Relocation of the structure.
4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.

Avoidance is the preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas.

The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.

**Mitigation Measure Cultural 2** will be revised under the subheading "Proposed Mitigation Measures" on pages 4.4-15 and 4.4-16 as follows:

**MM Cultural 2:** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by a professional archaeologist is needed for the implementing development project, the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I

Cultural Resources Study and to monitor the initial ground-altering activities<sup>8</sup> at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.

The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.

~~Depending on the nature of the artifacts, In the event that cultural resources are discovered at the development site, the handling of the discovered resources~~ will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find shall stop, the project developer and project archaeologist shall notify the City of Perris Planning Division, the Pechanga Band of Luiseño Indians and the Soboba Band of Mission Indians, and a Native American observer of Luiseño descent shall be asked-retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling (see **MM Cultural 46**, below). ~~The remainder of the Native American artifacts assemblage that cannot be avoided or relocated at the project site~~ will be prepared in a manner for curation and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time.

Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

Once ground-altering activities have ceased or the professional archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City

---

<sup>8</sup> For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.

of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Eastern Information Center (EIC).

In response to Pechanga's recommendation, new mitigation measure, **MM Cultural 3** and **MM Cultural 4** will be added under the subheading "Proposed Mitigation Measures" on page 4.4-16 as follows:

**MM Cultural 3** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by both a professional archaeologist and a Native American representative is needed for the implementing development project, the project proponent shall retain a professional archaeologist and a Native American representative of Luiseño descent prior to the issuance of grading permits. The professional archaeologist and Native American observer shall be required on site during all initial ground-altering activities. The Native American observer shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow the evaluation of cultural resources with the project archaeologist. The evaluation and treatment provisions of mitigation measure CUL-2 shall apply to this measure.

**MM Cultural 4** In the event that cultural resources are discovered at a development site that is not monitored by a professional archaeologist, all activities in the immediate vicinity of the find shall stop, the project developer shall notify the City of Perris Planning Division, and the project developer shall retain a professional archaeologist to analyze the find for identification as prehistoric and historical archaeological resources. The evaluation and treatment provisions of mitigation measure **MM Cultural 2** shall apply to this measure.

The mitigation measures identified in the DEIR as **MM Cultural 3** and **MM Cultural 4** will be renumbered to **MM Cultural 5** and **MM Cultural 6**, respectively, and newly renumbered MM Cultural R will be revised as follows:

**MM Cultural 3 5:** Prior to grading for projects requiring subsurface excavation that exceeds five (5) feet in depth, proponents of the subject implementing development projects shall retain a professional paleontologist to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the subsurface excavation that exceed five (5) feet in depth. Selection of the paleontologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the paleontologist has been approved by the City.

Monitoring should be restricted to undisturbed subsurface areas of older 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.

Collected samples of sediments shall be washed to recover small invertebrate and vertebrate fossils. Recovered specimens shall be prepared so that they can be identified and permanently preserved. Specimens shall be identified and curated and placed into an accredited repository (such as the Western Science Center or the Riverside Metropolitan Museum) with permanent curation and retrievable storage.

A report of findings, including an itemized inventory of recovered specimens, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered specimens. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

**MM Cultural-4 6:** In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division ~~immediately and retain a professional archaeologist to assess the find. In accordance with the California Health and Safety Code, the City of Perris will contact the County Coroner's office within 24 hours and the coroner will be permitted to examine the remains.~~

If the coroner determines that the remains are of Native American origin, the coroner will ~~report to~~ notify the NAHC and the Commission will identify the "Most Likely Descendent" (MLD).<sup>9</sup> Despite the affiliation of any Native American ~~observers~~ representatives at the site, the Commission's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of the 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 their 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 with the City of Perris, the project proponent, and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.

If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.

---

<sup>9</sup> The "Most Likely Descendent" ("MLD") is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. In the case of the City of Perris, the Native American Heritage Commission may identify any Luiseño descendent, but generally names the Soboba or Pechanga bands of Mission Indians (both Luiseño populations) and alternates between the two groups. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).

#### **Section 4.5 Geology and Soils**

No changes made to this section.

#### **Section 4.6 Hazards and Hazardous Materials**

Reference to the MJPA will be added to the first three paragraphs under the subheading "Setting" on pages 4.6-2 and 4.6-3 as follows:

The PVCC project area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses. The PVCC site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of I-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing development including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. Val Verde High School is located at 972 Morgan Street, between Nevada Road and Webster Avenue. The surrounding area includes the city of Moreno Valley, MJPA, and MARB to the north; the unincorporated community of Mead Valley west of Interstate 215; and more developed areas of the City of Perris to the south and east.

There is one airport located within proximity to the PVCC boundaries, MARB. In the 1990s, the federal government ceased or reduced military operations at several military bases throughout the United States. The bases were "realigned" for civilian use and/or military reserve uses. Subsequent to the base realignment process in 1996, March Air Force Base (MAFB) became MARB, and portions of the former MAFB were reserved for use as a commercial airport. ~~The March Joint Powers Authority (MJPA)~~ is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned MAFB, including conversion and operation of the commercial airport, March ~~Global~~ Inland Port. The four individual public entities that cooperatively formed the MJPA are the cities of Perris, Moreno Valley and Riverside, and the County of Riverside. The MJPA Commission includes members of the Riverside County Board of Supervisors and members of the Perris, Moreno Valley and Riverside City Councils.

Reference to the F-16 aircraft at MARB will be added to the first full paragraph on page 4.6-3 under the subheading “Setting” as follows:

The 2005 update of the MARB Air Installation Compatibility Use Zone (AICUZ) Study summarized current and forecast aircraft activity at MARB. The AICUZ study states that there are 40,813 annual current military and civilian aircraft operations, with a total of 69,600 military, civilian and other aircraft operations forecast for MARB. Each arrival (landing) and departure (takeoff) is counted as a separate operation and closed pattern operations in which the aircraft conducts a “touch-and-go” landing (or a low approach and departure) are counted as two operations. Military aircraft based at MARB include KC-10, KC-135, C-141, ~~and C-17, and F-16~~ aircraft. Moreover, F-16 aircraft, currently operated by the United States National Guard, are anticipated to be replaced by F-15 aircraft, the replacement of which is under review pursuant to the National Environmental Policy Act. Transient military aircraft operations, consisting of a variety of aircraft, include aircraft arriving and departing MARB, operations by aircraft traveling through the area, and training operations conducted by aircraft based at other locations. Military-related civil operations include contract cargo flights for delivery of aircraft parts and maintenance supplies and contract passenger flights

Reference to March Air Reserve Base/March Inland Port Airport Authority will be added to the fourth paragraph under the subheading “Design Considerations” on page 4.6-10 as follows:

The PVCC Guidelines include an “avigation easement” requirement with regards to MARB, which states that, “Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the land owner shall convey an avigation easement to March Air Reserve Base/March ~~Global~~ Inland Port Airport Authority through the Airport Land Use Commission (ALUC)...” and “provide and disclose a ‘Notice of Airport in Vicinity’ to building tenants.”

Reference to March Air Reserve Base/March Inland Port Airport Authority will be added to mitigation measure **MM Haz 2** under the subheading “Proposed Mitigation Measures” on page 4.6-19 as follows:

**MM Haz 2:** Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/March Inland Port Airport Authority.

In the event soil excavation or filling is required, mitigation measure **MM Haz 7** will be added under the subheading “Proposed Mitigation Measures” on page 4.6-20 as follows:

**MM Haz 7:** Prior to any excavation or soil removal action on a known contaminated site, or if contaminated soil or groundwater (i.e., with a visible sheen or detectable odor) is encountered, complete characterization of the soil and/or groundwater shall be conducted. Appropriate sampling shall be conducted prior to disposal of the excavated soil. If the soil is contaminated, it shall be properly disposed of, according to Land Disposal restrictions. If

site remediation involves the removal of contamination, then contaminated material will need to be transported off site to a licensed hazardous waste disposal facility. If any implementing development projects require imported soils, proper sampling shall be conducted to make sure that the imported soil is free of contamination

#### **Section 4.7 Hydrology and Water Quality**

In response to Caltrans request, to clarify the requirements of the Phase II National Pollution Elimination Systems (NPDES) Program as requested by Caltrans, the following text will be added after the third full paragraph on page 4.7-8 under the subheading “State.”

As part of Phase II of the NPDES permit program, the SWRCB adopted a General Permit for small municipal separate storm sewer systems (MS4s). The applicable MS4 Permit for the Project is Order No. R8-2010-0033, NPDES No. CAS 618033 adopted by the Santa Ana RWQCB on January 29, 2010. RCFC&WCD is the designated Principal Permittee; the City, along with the other cities in the watershed, is a Co-Permittee.

The main objectives of the Phase II regulations are to reduce the amount of pollutants being discharged to the maximum practical extent and protect the quality of the receiving waters. In order to meet this requirement, permittees are required to prepare a Storm Water Management Program to address the following six minimum control measures:

1. Public education and outreach;
2. Public participation/involvement;
3. Illicit discharge detection and elimination;
4. Construction site storm water runoff control for sites greater than one acre;
5. Post-construction storm water management in new development and redevelopment; and
6. Pollution prevention/good housekeeping for municipal operations.

These control measures are typically addressed through the implementation of Best Management Practices (BMPs) which will be identified and developed in the SWPPPs and WQMPs prepared for the implementing development and infrastructure projects.

#### **Section 4.8 Land Use & Planning**

Reference to the MJPA will be added to the first and third paragraphs under the subheading “Existing and Surrounding Land Uses” on page 4.8-2 as follows:

The proposed Perris Valley Commerce Center Specific Plan (PVCC) is located within the northern area of the city of Perris. The PVCC project area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial and business park uses. The project site comprises approximately 3,500 gross acres within the city of Perris. The site is located adjacent to the east side of Interstate 215 and the west side of the Perris

Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Avenue.

[...]

The surrounding area includes vacant land, March Air Reserve Base, MJPA, and industrial uses within the jurisdiction of the City of Moreno Valley to the north of the project site; industrial, residential and vacant land to the south of the project site; residential, vacant land and the PVSC to the east; and vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction to the west of the project site.

Table 4.8-A, Proposed Land Use Designation Changes on page 4.8-3 will be revised as follows:

**Table 3.0-B, Proposed Land Use Designation Changes**

Land Use Designations	Current Perris GP Acreage	PVCC Proposed Acreage
Business Park (BP)	286.87	0.00
Business Park/Professional Office (BPO)	0.00	<del>357.12</del> <u>343.23</u>
Commercial (C)	0.00	<del>309.22</del> <u>349.05</u>
Community Commercial (CC)	456.47	0.00
General Industrial (GI)	422.90	407.95
Light Industrial (LI)	1,620.08	1,866.34
Neighborhood Commercial (NC)	5.85	0.00
Open Space (OS)	30.73	0.00
Other (ROW, <del>Basins, etc</del> )	<del>329.24</del> <u>306.91</u>	<del>339.47</del> <u>338.45</u>
Professional Office (PO)	30.13	0.00
Public/Semi-Public Facility (P) ( <u>includes basins and future Perris Valley storm drains</u> )	89.36	<del>248.71</del> <u>193.73</u>
Residential (Multi-Family) (MFR-14)	<del>0.00</del> <u>22.33</u>	22.33
Residential (Single-Family) (R-6,000)	59.12	0.00
Residential (Single-Family) (R-20,000)	62.88	62.88
Specific Plan (SP)	190.33	0.00
<b>Total Acres</b>	<b>3,583.96</b>	<b>3,583.96</b>

Figure 4.8-4, PVCC Specific Plan Proposed Land Use Plan on page 4.8-7 of the DEIR will be modified to show the revisions to the proposed land use plan made in response to requests received by the City.

#### Section 4.9 Noise

Reference to the MJPA will be added to the first two paragraphs under the subheading “Setting” on page 4.9-2 as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial and business park uses. The project site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of Interstate 215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. Other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, MJPA, and March Air Reserve Base to the north; the unincorporated community of Mead Valley to the west; and more developed areas of the City of Perris to the south and east.

Reference to the MJPA will be added to the third paragraph under the subheading “Riverside County Airport Land Use Commission” on page 4.9-15 as follows:

The 2005 MARB Air Installation Compatible Use Zone (AICUZ) Study provides noise contours produced by aircraft operations at MARB, based upon the Day-Night Average A-weighted Sound Level (DNL) metric used by the United States Air Force (USAF) and Community Noise Equivalent Level (CNEL) used by the State of California. It also provides the information necessary to maximize beneficial use of the land surrounding MARB, including MJPA, while minimizing the potential for degradation of the health and safety of the affected public. The basic objective of the AICUZ program is to achieve compatible uses of public and private lands in the vicinity of military airfields by controlling incompatible development through local actions. The MARB AICUZ provides compatible use guidelines for land use areas around the base which is provided to assist local communities in future planning and zoning activities.

Reference to the MJPA will be added to the first paragraph under the threshold “Exposure of people to severe noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies” on page 4.9-31 as follows:

Noise impacts fall into two broad categories with respect to all types of projects and City of Perris standards: noise impacts from the project and noise impacts to the project. The first category is the noise created by the uses or traffic associated with the project. The second category of noise impacts is noise created offsite that may cause unacceptable levels of noise within buildings or outdoor areas on the project site. The offsite sources of noise that have

the potential to generate the noise impact to individual implementing projects within the PVCC project site are traffic-generated noise and March Air Reserve Base and land uses associated with MJPA.

#### Section 4.10 Transportation and Traffic

Reference to the MJPA will be added to the first paragraph under the subheading “Setting” on pages 4.10-1 and 4.10-2 as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commercial, industrial and business park uses. The area has access to a multi-directional freeway system via Interstate 215 that traverses north and south along the western boundary of the project area, as shown on **Figure 4.10-1, Vicinity Map**. The project site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of Interstate 215, adjacent to the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street, as shown in **Figure 4.10-2, Project Boundary**.

Reference to the MJPA will be added to the text under the subheading “Land Uses” on page 4.10-2 as follows:

Existing land uses surrounding the project site include the following:

**North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction

To clarify that implementing development projects within the PVCC will not pay the City’s Development Impact Fee (DIF) or Transportation Uniform Mitigation Fee (TUMF), because these fees are included in the North Perris Road and Bridge Benefit District (NPRBBD), the discussion under the subheading “Fair Share Fee Programs” on pages 4.10-12 and 4.10-13 of the DEIR will be revised as follows:

To ensure that area-wide traffic conditions do not worsen as development occurs throughout the County of Riverside, the County has established "fair share" mitigation fees which apply to projects within the City. The proposed project is subject to two major sources of off-site roadway improvement fees: the Transportation Uniform Mitigation Fee (TUMF) and the City of Perris Development Impact Fee (DIF). TUMF is a multi-jurisdictional impact fee program administered by the Western Riverside Council of Governments that funds transportation improvements on a regional and sub-regional basis associated with new growth. The DIF program will finance transportation infrastructure at levels identified through the year 2030. However, as the project site is located within the North Perris Road and Bridge Benefit District (NPRBBD), these fees are included in the

~~applicable NPRBBB fee. The proposed project will be required to pay the NPRBBB fee, which includes into DIF and TUMF, to which will off-set the project's contribution to area-wide traffic impacts.~~

~~The Western Riverside Council of Governments (WRCOG) is responsible for establishing and updating the TUMF rates. WRCOG receives all fees generated from the TUMF as collected by the local jurisdictions. WRCOG invests, accounts for, and expends the fee in accordance with the TUMF ordinance, the administrative plan and applicable state laws. The TUMF is structured so that 48.7% of funds generated in each zone go back to that zone to be programmed for projects. Another 48.7% is allocated to regional inter-zone projects programmed by the Riverside County Transportation Commission (RCTC), and 2.6% is allocated for regional transit projects programmed by the Riverside Transit Agency. Thereafter, local jurisdictions implement the projects approved for each applicable area within each jurisdiction.~~

~~The City of Perris performed a comprehensive review of their DIF program and adopted an update in February 2006. Fee amounts have been determined that will finance transportation infrastructure at levels identified through the year 2030. A summary of these and their respective future rates are provided in the Traffic Study, along with a list of potentially eligible TUMF and DIF improvements in the proposed project vicinity. Fees owed to DIF by the project proponent will be based on the fees that are current when building permits are issued. Fees owed to TUMF by the project proponent will be based on the current fees when the certificate of occupancy is issued.~~

~~The North Perris Road and Bridge Benefit District (NPRBBB) encompasses approximately 3,500 acres (five square-miles) of land in north Perris, as shown in Figure 4.10-4, North Perris Road and Bridge Benefit District. The NPRBBB boundary is the same as nearly conterminous with that of the proposed PVCC. Unlike PVCC, NPRBBB includes the residential subdivision and mobile home park located immediately north of Placentia Avenue and east of Perris Boulevard.~~

~~The purpose of the NPRBBB is to streamline the financing of specific regional road and bridge improvements determined to provide benefit to the developing properties within the boundaries of the NPRBBB. The road and bridge improvement fee for the NPRBBB is a one-time fee paid to the City prior to recordation of a final tract or parcel map, or prior to the issuance of a building permit, and, as mentioned, already includes fees associated the TUMF and DIF programs. The payment of the NPRBBB fee is not intended to relieve the subdivider, developer or an applicant for a building permit from the requirements imposed under other provisions or ordinances of the City of Perris to dedicate and improve roads as a condition of approval of a tentative map or building permit.~~

~~The selected facilities are needed to provide acceptable levels of service in conjunction with the planned development of the area. Eligible facilities are those which will provide a regional benefit and are shown on the Circulation Element of the Perris GP. The NPRBBB includes Expressway, Arterial, and Secondary Arterial classifications of roadway.~~

**Figure 4.10-4 North Perris Road and Bridge Benefit District**<sup>10</sup> on page 4.10-14 will be modified to conform to Exhibit L, NPRBBB Facility Map, contained in the final *North Perris Road and Bridge Benefit District Analysis Report*, dated June 12, 2008.

Mitigation measure **MM Trans 3** on page 4.10-21 of the DEIR will be revised as follows:

---

<sup>10</sup> Modified figures are included in the Figures section of this FEIR.

**MM Trans 3:** Each implementing development project shall participate in the phased construction of off-site traffic signals through payment of that project's fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which includes ~~TUMF (Transportation Uniform Mitigation Fee), DIF (Development Impact Fee) and the NPRBBD (North Perris Road and Bridge Benefit District)~~. The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.

#### Section 4.11 Utilities and Service Systems

Reference to the MJPA will be added to the first paragraph under the subheading "Setting" on page 4.11-3 as follows:

The PVCC consists of approximately 3,500 gross acres located in the north Perris area of western Riverside County (**Figure 3.0-1, Regional Map**). The site is bordered generally by I-215 to the west, MARB, MJPA, and Harley Knox Boulevard to the north, the PVSC to the east, and Placentia Avenue to the south. At this time, a large portion of the proposed PVCC project area is undeveloped land currently used for agriculture. Other portions contain existing development including warehouse/distribution facilities, neighborhood and community commercial, small-scale industrial facilities, a rural residential neighborhood, and a mobile home park. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the unincorporated community of Mead Valley to the west, and more developed areas of Perris to the south and east.

A request by Eastern Municipal Water District, reference to the Plan of Service (POS) will be added to the first full paragraph on page 4.11-7 under the subheading "Water Infrastructure" as follows:

##### Water Infrastructure

In 2010, EMWD's potable water system consisted of 2,421 miles of transmission and distribution pipeline, 77 water storage tanks, and a maximum storage capacity of 193 million gallons with 133,810 active domestic accounts and 146 active agriculture and irrigations accounts (CAFR, p. 79). Moreover, EMWD operates 84 pumping plants, 18 active domestic wells with a production capacity of 32,843 AFY, 7 active desalter wells, 2 desalter treatment plants with a combined capacity of 8 million gallons per day, and 2 filtration treatment plants with a combined capacity of 32 million gallons per day (CAFR, p. 79). According to the *Perris Valley Commerce Center Specific Plan*, EMWD provides service to the PVCC project site through its system of existing pipelines, ranging in size from 8 to 42 inches in diameter, within the 1,627-foot and 1,705-foot pressure zones. A list of waterlines within the project area as of October 2008 is provided in **Table 4.11-B**. ~~Although EMWD has no conceptual plans for expansion of these waterlines, they will assess demand as growth occurs and upgrades are designed as part of implementing development projects in order to meet future demands of the PVCC project area.~~ EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the

PVCC, the proponents of such implementing development projects will coordinate with EMWD to determine if a Plan of Service (POS) is required prior to final design of any water, wastewater, and/or recycled water facilities.

As requested by EMWD, reference to the POS will be added as the last paragraph under the subheading “Wastewater” on page 4.11-12 as follows:

EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the PVCC, the proponents of such implementing development projects will coordinate with EMWD to determine if a POS is required prior to final design of any water, wastewater, and/or recycled water facilities.

As requested by EMWD, reference to the POS will be added to the second paragraph under the subheading “Recycled Water” on page 4.11-12 as follows:

The PVCC project site is located within EMWD’s Recycled Water Service area, served by the Moreno Valley RWRF; recycled water sourced from this facility is utilized for agricultural purposes within the project area. Currently, new development in the area must connect to the potable water system to provide for irrigation needs, until enough recycled capacity is available. ~~Additionally, the lack of transmission lines prohibits the ability to adequately phase out the usage of potable water for irrigation purposes throughout the specific plan area.~~ EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the PVCC, the proponents of such implementing development projects will coordinate with EMWD to determine if a Plan of Service (POS) is required prior to final design of any water, wastewater, and/or recycled water facilities.

### **Section 5.0 – Mandatory CEQA Topics**

To clarify that implementing development projects within the PVCC will not pay the TUMF, third full paragraph on page 5.0-11 of the DEIR will be revised as follows:

Additionally, the project will be required to pay ~~Transportation Uniform Mitigation Fees (TUMF) and City of North Perris Road and Bridge Benefit District (NPRBBD)~~ fees to help pay for off-site improvements designed to mitigate local and regional traffic impacts to which the project contributes.

### **Section 6.0 – Alternatives to the Proposed Project**

No changes made to this section

### **Section 7.0 – References**

No changes made to this section.

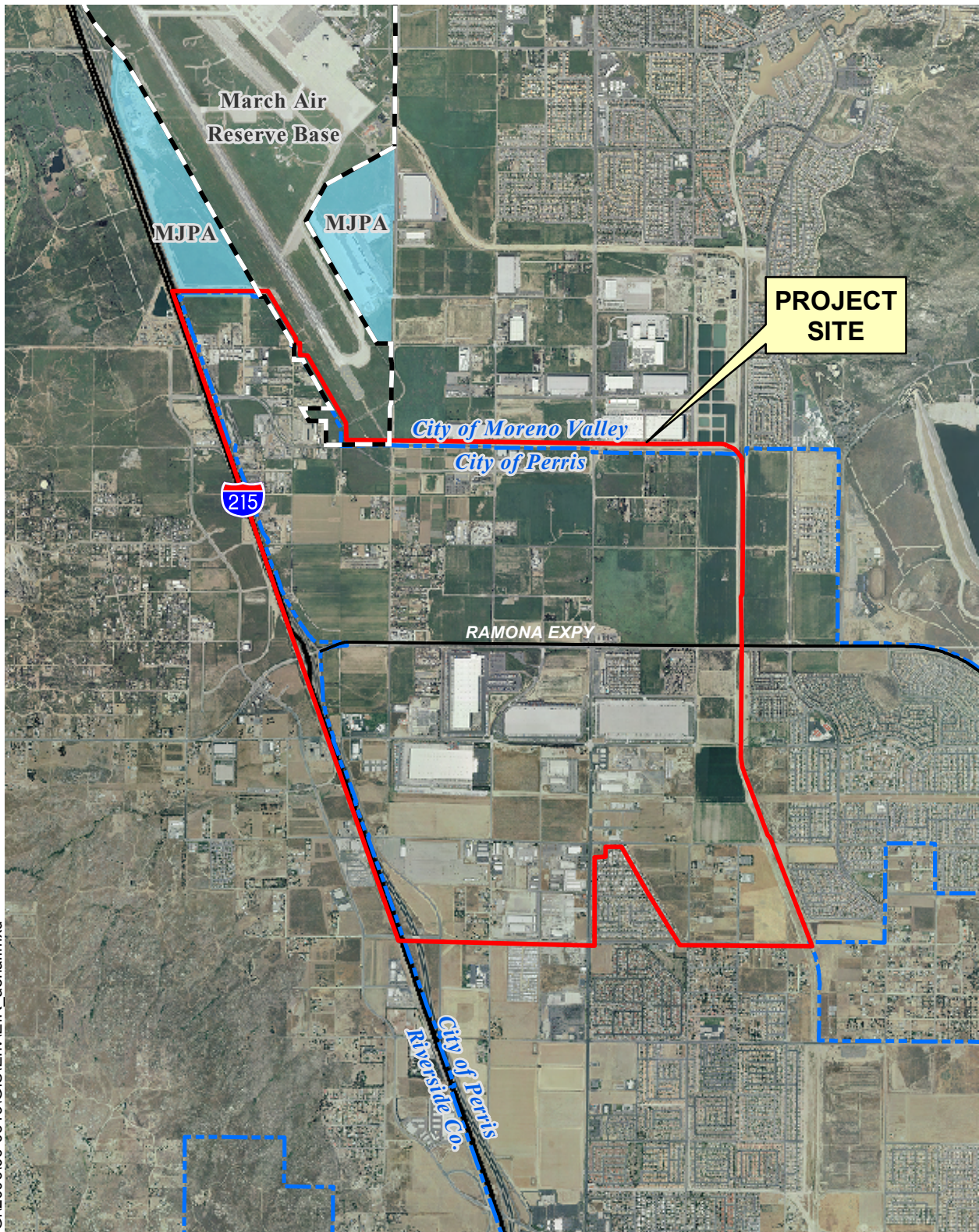
**Section 8.0 – Acronyms**

No changes made to this section.

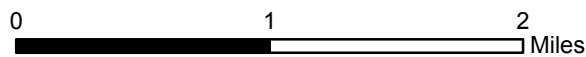
**LIST OF FIGURES MODIFIED**

<b>Figure Number</b>	<b>Figure Name and Location in the DEIR</b>	<b>Change Made</b>
1.0-2	Aerial Photograph (page. 1.0-7)	Modified to show the boundaries of the MJPA and MARB
1.0-4	Proposed Land Use Plan (page (1.0-9)	Modified to reflect revisions to the proposed land use plan made as a result of property owner requests
3.0-2	Aerial Photograph (page 3.0-4)	Modified to show the boundaries of the MJPA and MARB
3.0-4	Proposed Land Use Plan (page 3.0-10)	Modified to reflect revisions to the proposed land use plan made as a result of property owner requests
4.7-3	Project Related Modifications of Existing Perris Valley MDP (page 4.7-16)	Modified to conform to the PVCC MDP
4.8-4	PVCC Proposed Land Use Map (page 4.8-7)	Modified to reflect revisions to the proposed land use plan made as a result of property owner requests
4.10-4	North Perris Road and Bridge Benefit District (page 4.10-14)	Modified to conform to Exhibit L, NPRBBD Facility Map, contained in the final <i>North Perris Road and Bridge Benefit District Analysis Report</i> , dated June 12, 2008.

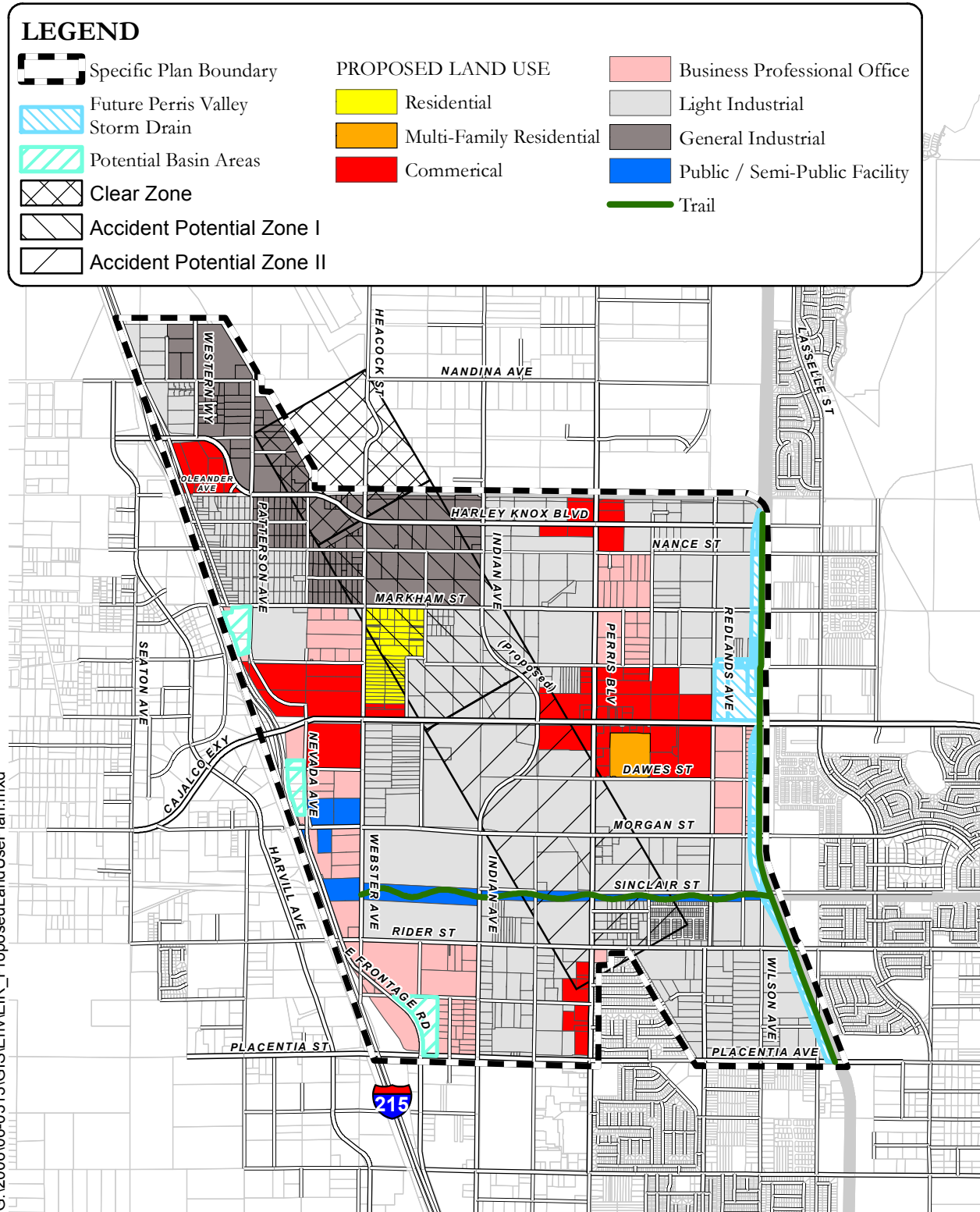
The modified figures are included on the following pages.



Imagery: Eagle Aerial, April 2010

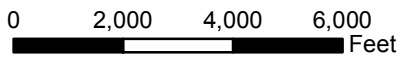


**Figure 1.0-2**  
**Aerial Photograph**

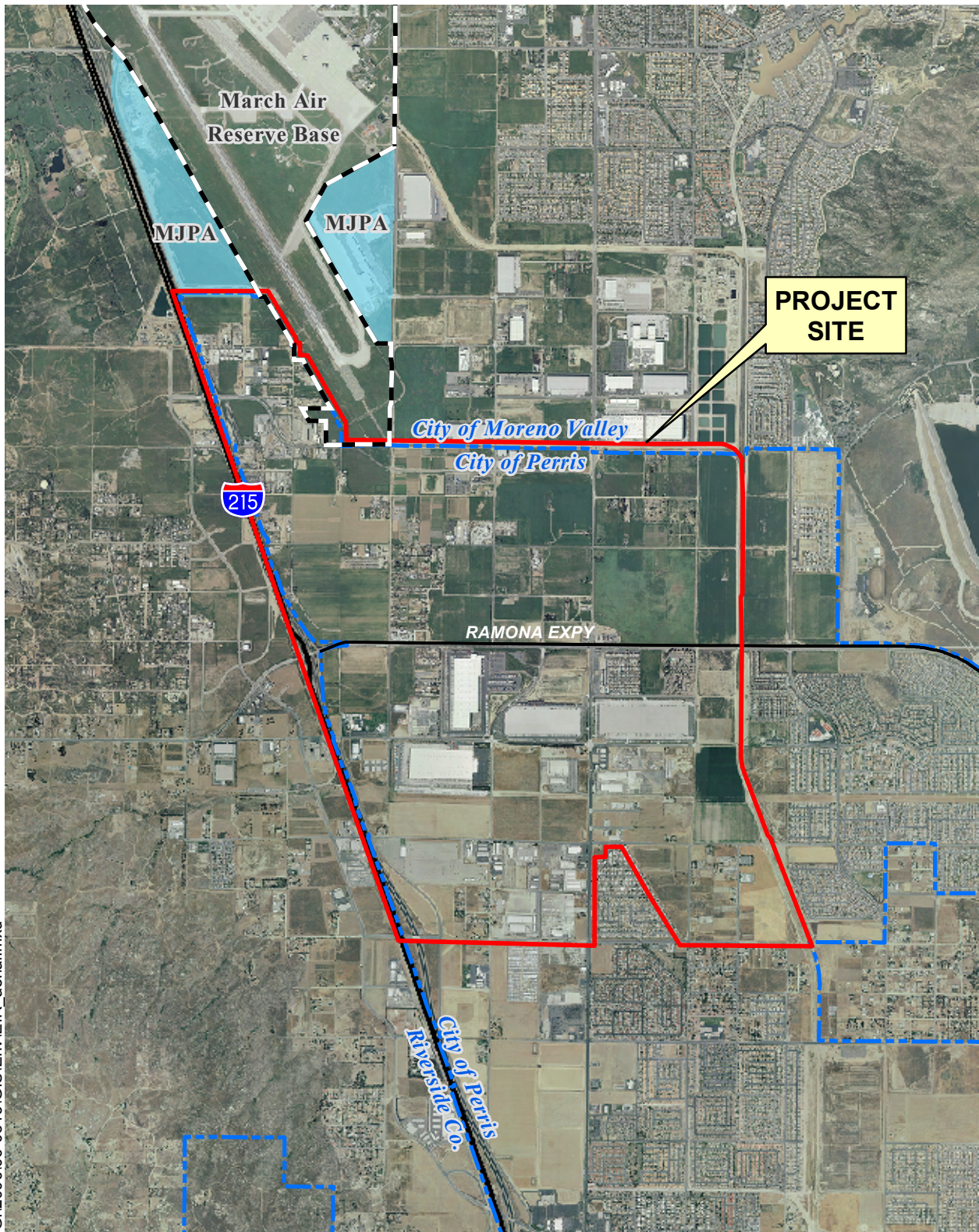


G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.

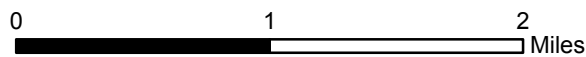


**Figure 1.0-4  
 Proposed Land  
 Use Plan**

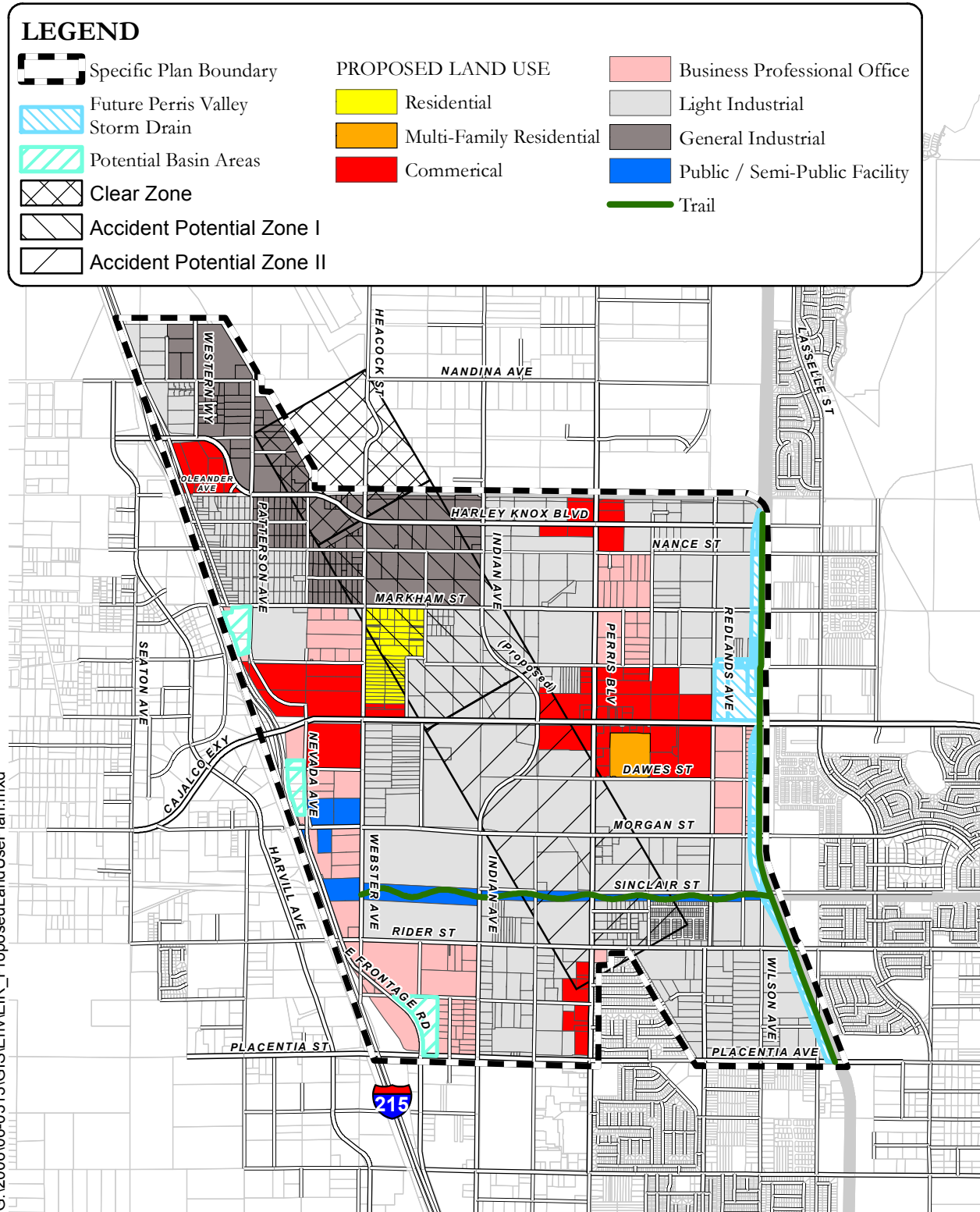


G:\2006\06-03\GIS\Env\EIR\_aerial.mxd

Imagery: Eagle Aerial, April 2010



**Figure 3.0-2**  
**Aerial Photograph**



G:\2006\06-03\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.

















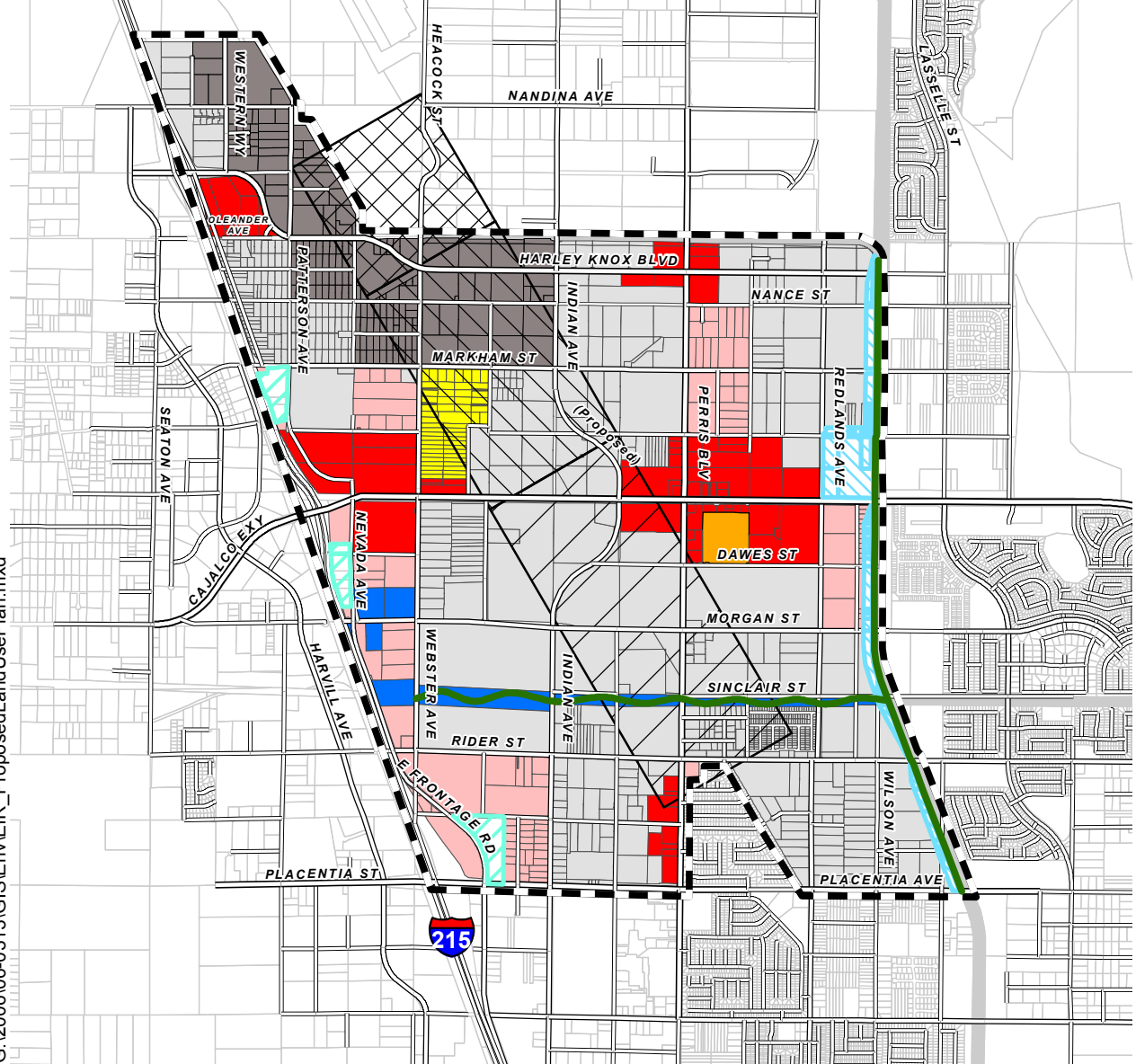
0 2,000 4,000 6,000  
 Feet

**Figure 3.0-4  
 Proposed Land  
 Use Plan**



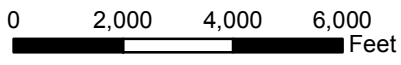
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 4.8-4  
 PVCC Specific Plan  
 Proposed Land Use**



G:\2006\06-03\GIS\ENR\EIR\_RBBD.mxd

Imagery: Eagle Aerial, 2010.



0 2,000 4,000 6,000 Feet

**Figure 4.10-4  
 North Perris Road and  
 Bridge Benefit District**

**LIST OF PERSONS, ORGANIZATIONS, AND PUBLIC AGENCIES  
THAT COMMENTED ON THE DRAFT EIR**

Comment letters were received from the following persons, organizations, and public agencies. Agency, Tribe, and Party names with an asterick (\*) were received after the close of the public review period; however, responses have been prepared to these late comments.

**Federal Agencies**

Letter		
No.	Date of Letter	Agency
N/A	<i>None</i>	<i>None</i>

**State Agencies**

Letter		
No.	Date of Letter	Agency
A	August 26, 2011	Department of Toxic Substances Control
B	September 2, 2011	Department of Conservation, Division of Land Resource Protection
C	September 6, 2011	State Clearinghouse*
D	September 14, 2011	Department of Fish and Game, Inland Desert Region (Region 6)*
E	September 15, 2011	Department of Transportation, District 8*

**Regional and Local Agencies**

Letter		
No.	Date of Letter	Agency
F	August 11, 2011	Riverside County Fire Department
G	August 12, 2011	Southern California Association of Governments
H	August 19, 2011	Riverside County Sheriff's Department, Perris Station
I	August 31, 2011	City of Moreno Valley, California
J	September 2, 2011	March Joint Powers Authority
K	September 6, 2011	Eastern Municipal Water District
L	September 6, 2011	South Coast Air Quality Management District
M	September 8, 2011	Riverside County Airport Land Use Commission*
N	September 8, 2011	Riverside County Flood Control and Water Conservation District*

**Native American Tribes**

Letter		
No.	Date of Letter	Tribe
O	September 6, 2011	Pechanga Indian Reservation, Temecula Band of Luiseño Mission Indians

**Other Interested Parties**

Letter

No.	Date of Letter	Party
P	July 27, 2011	Southwest Land Consultants
Q	August 26, 2011	Joseph T. Flanagan
R	August 31, 2011	Kay Swoffer Follet <i>et al.</i>
S	September 4, 2011	Greg I. Anderson <i>p.p.</i> Barbara Minyard and Mary Johnson Kirst
T	September 14, 2011	Paul Jacobs*

Responses to comments received and the comment letters are included in Section 10 – Rresponse to Comments.

## **10.0 RESPONSE TO COMMENTS**

Pursuant to CEQA Guidelines Section 15088, the responses to comments presented in this section address specific, relevant comments on environmental issues raised in the submitted comment letters. For clarification, copies of the original letters, including all attachments, are presented at the end of this section.

## **RESPONSE TO COMMENTS**

### **FEDERAL AGENCIES**

No comment letters were received from federal agencies.

**RESPONSE TO COMMENTS**

**STATE AGENCIES**

**Response to Comment Letter A**  
**Department of Toxic Substances Control (DTSC)**  
**Dated August 26, 2011**

**Comment A-1**

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The proposed Perris Valley Commerce Center (PVCC) includes the adoption of the PVCC Specific Plan and related infrastructure plans. The PVCC site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of I-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB) and Riverside county Flood Control District Channel, and north of Placentia Street. At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing development including warehouse/distribution facilities, neighborhood commercial, small-scale industrial facilities, a rural residential community, and a mobile home subdivision. The PVCC project area and its surrounding are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses".

**Response to Comment A-1**

The comment accurately summarizes the proposed project description. No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required. No further response is necessary.

**Comment A- 2**

- 1) DTSC provided comments on the project Notice of Preparation (NOP) on September 15, 2009; some of those comments have been addressed in the submitted draft Environmental Impact Report. Please ensure that all those comments will be addressed in the final EIR.

**Response to Comment A- 2**

The DTSC NOP comment letter dated September 15, 2009 addressed the need for compliance with various laws, regulations, and procedures surrounding issues including: the Project's current and historic land uses, and the potential for site contamination.

The Initial Study (DEIR Appendix A, pp. 13-15) determined less than significant or no impacts regarding hazardous materials sites, safety hazard for people residing or working in the Project area within the vicinity of a private airstrip, interfere with an adopted emergency response plan, or expose people or structures to a significant risk or loss, injury or death involving wildland fires.

Section 4.6 *Hazards and Hazardous Materials* in the DEIR (pp. 4.6-1 through 4.6-20) analyzes the remaining thresholds of potential impacts regarding hazards and hazardous materials within the proposed Project boundary. The Project's current and historic land uses were described in the DEIR in Section 4.6 *Hazards and Hazardous Materials* on page 4.6-2 and 4.6-3. The analysis in the DEIR concluded that with implementation of mitigation measures **MM Haz 1** through **MM Haz 6** (DEIR, Section 4.6 *Hazards and Hazardous Materials*, pp. 4.6-19 and 4.6-20), the potential impacts regarding hazards and hazardous materials were reduced to less than significant levels.

Additionally, the DEIR is considered a programmatic document, as defined in Section 15168 of the State *CEQA Guidelines*. Under the programmatic EIR approach, future projects or phases may require additional, project-specific environmental analysis. Since future projects are unknown at this time, the level of detail that DTSC is requesting is not applicable at this point in the CEQA process. Future uses that would generate hazardous materials in quantities or in a manner sufficient to constitute a significant hazard to the public or the environment will be subject to project-based CEQA review.

In response to DTSC's recommendation regarding procedures be followed in the event soil excavation or filling is required, the following mitigation measure will be added to Table 1.0-C, EIR Summary Matrix and to page 4.6-20 of the DEIR:

**MM Haz 7:** Prior to any excavation or soil removal action on a known contaminated site, or if contaminated soil or groundwater (i.e., with a visible sheen or detectable odor) is encountered, complete characterization of the soil and/or groundwater shall be conducted. Appropriate sampling shall be conducted prior to disposal of the excavated soil. If the soil is contaminated, it shall be properly disposed of, according to Land Disposal restrictions. If site remediation involves the removal of contamination, then contaminated material will need to be transported off site to a licensed hazardous waste disposal facility. If any implementing development projects require imported soils, proper sampling shall be conducted to make sure that the imported soil is free of contamination

No new environmental issues have been raised by this comment; thus, no further analysis is warranted. No further response is necessary.

*Remainder of page intentionally blank*

**Comment A- 3**

- 2) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at [rahmed@dtsc.ca.gov](mailto:rahmed@dtsc.ca.gov), or by phone at (714) 484-5491.

**Response to Comment A- 3**

Comment acknowledged. No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required. No further response is necessary.

**Response to Comment Letter B  
Department of Conservation  
Dated September 2, 2011**

**Comment B-1:**

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Perris Valley Commerce Center (PVCC) DEIR. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

**Project Description:**

The proposed Perris Valley Commerce Center is located on 3,500 acres within the City of Perris, Riverside County. The project area is primarily designated for Light Industrial land use by the General Plan, but also contains Business Park, Community Commercial, General Industrial, Neighborhood Commercial, Open Space, Professional Office, Residential, and Public/Semi-Public land use designations.

Immediately north of the City is the March Air Reserve Base, which was converted from the March Air Force Base in 1996. Surplus lands were sold for commercial and industrial ventures and the remainder of lands not required for military purposes, were acquired by the March Joint Powers Authority. Since then the area, surrounding the base has been in transition. To facilitate this change the City has designated more than five square miles and over 3,500 acres to be developed under a master development plan known as the Perris Valley Commerce Center Specific Plan. The proposed project includes the adoption of the Perris Valley Commerce Center Specific Plan and infrastructure plans to develop the area.

The project site is identified as having 691.5-acre of Prime Farmland, 244.3-acres of Farmland of Statewide Importance, 34.7-acres of Unique Farmland, and 1,465-acre of Farmland of Local Importance.

**Response to Comment B-1:**

The comment accurately summarizes the proposed project description, except that the project area is also designated as a Specific Plan land use designation. No further response is necessary since the comment did not raise any specific environmental issue.

**Comment B-2:**

**Division Comments:**

The PVCC DEIR tiers off of some of the information presented in the City of Perris 1991 General Plan EIR. The PVCC DEIR states on page 4.1-5, that the City of Perris 1991 General Plan EIR insisted that there were no impacts with regard to the conversion of farmland to non-agricultural uses because the agricultural land use designations were eliminated from the General Plan. However, agricultural uses can still exist even when land use designations do not out rightly designate them as the main use. Since the PVCC DEIR is based on that previous CEQA review, it states that, "no new significant impacts related to the conversion of farmland to non-agricultural uses exist".

However, the question is whether farmland was converted based on maps prepared pursuant to the Farmland Mapping and Monitoring Program(FMMP) of the Department of Conservation to a non-agricultural use, not the General Plan or zoning designations assigned by the City. The Division is concerned and questions if the issue was correctly addressed in the City of Perris 1991 General Plan EIR. The Division recommends that the Perris 1991 General Plan EIR not be used as a source to tier off of for the issues of conversion of Important Farmland, and believes that it should be considered a significant impact and thoroughly reviewed in the PVCC DEIR on its own. The Division has a number of options it suggests for mitigation for the loss of Important Farmland which are discussed under the Mitigation Measure section below.

**Response to Comment B-2:**

The Division is correct in stating that the PVCC DEIR tiers off of the City of Perris 1991 General Plan EIR, and subsequently the City of Perris General Plan 2030 DEIR. According to Section 15152 (b) of the State *CEQA Guidelines*, the lead agencies are allowed and encouraged to tier environmental analyses to "...eliminate repetitive discussions of the same issues and focus the later EIR or negative declaration on the actual issues ripe for decision at each level of environmental review."

In Section 15152 (d), the State *CEQA Guidelines* continue to state (emphasis added):

Where an EIR has been prepared and **certified** for a program, plan, policy, or ordinance consistent with the requirements of this section, any lead agency for a later project pursuant to or consistent with the program, plan, policy or ordinance **should limit the EIR or negative declaration on the later project to effects which were not examined as significant effects on the environment in the prior EIR.**

The City of Perris 1991 General Plan EIR (State Clearinghouse # 1990020558) was certified with respect to that general plan and notices were sent to state and local agencies regarding the project. Page VI-3 of the City of Perris General Plan 2030 DEIR states that:

...the Environmental Impact Report prepared in conjunction with the 1991 General Plan identified conversion of agricultural land as a significant cumulative impact. Findings and facts indicating that certain social and economic factors outweighed the cumulative impacts associated with conversion of agricultural land to non-agricultural use and a Statement of Overriding Considerations were thereby adopted.

The Statement of Overriding Considerations was adopted by the City Council via Resolution 1739 on October 30, 1989. Since a Statement of Overriding Considerations was adopted regarding unavoidable significant environmental impacts to agricultural use, the City of Perris 2030 General Plan update did not need to examine this impact to avoid repetitive discussions, as allowed by in Section 15152 in the State CEQA Guidelines. The City of Perris 2030 General Plan EIR (State Clearinghouse # 2004031135) was certified by the City on April 26, 2005.

Therefore, the City, as lead agency, will not be taking the Division's recommendation regarding not tiering the agricultural resources evaluation in the PVCC DEIR from the Perris 1991 General Plan EIR. Because this not be used as a source to tier off of for the issues of conversion of Important Farmland is not accurate or valid. The proposed project is a related project to the Perris GP and continues to designate farmland within the project area with non-agricultural land use designations as previously certified and adopted in 1991 and 2005. Therefore, the findings contained within the Perris GP EIR are also applicable to the proposed project and it can be concluded that the proposed project will also have no new significant impact related to the conversion of farmland to non-agricultural uses.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Comment B-3:**

**Project Impacts on Agricultural Land**

**When determining the agricultural value of the land, it is important to recognize that the value of a property may have been reduced over the years due to inactivity or rezoning, but it does not mean that there is no longer any agricultural value. The inability to farm the land for agriculture, rather than the choice not to do so, is what could constitute a reduced agricultural value.**

**Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:**

**[http://www.consrv.ca.gov/DLRP/gh\\_les.htm](http://www.consrv.ca.gov/DLRP/gh_les.htm)**

**Response to Comment B-3:**

Please refer to Response to Comment B-2, the EIR prepared in conjunction with the 1991 General Plan identified conversion of agricultural land as a significant cumulative impact. Findings and facts indicating that certain social and economic factors outweighed the cumulative impacts associated with conversion of agricultural land to non-agricultural use and a Statement of Overriding Considerations were thereby adopted in Resolution 1739 on October 30, 1989.

The proposed project is a related project to the Perris GP and continues to designate farmland within the project area with non-agricultural land use designations as previously certified and adopted in 1991 and 2005. Therefore, the findings contained within the Perris GP EIR are also applicable to the proposed project and it

can be concluded that the proposed project will also have no new significant impact related to the conversion of farmland to non-agricultural uses.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

*Remainder of page intentionally blank*

**Comment B-4:**

**Mitigation Measures**

CEQA is the state's main policy tool for agricultural land preservation. If a project is deemed significant, lead agencies are required to adopt feasible mitigation measures to avoid or substantially lessen them. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department adamantly advises the use of permanent agricultural conservation easements on land of at least equal quality and size as compensation for the direct loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State.

Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation can be accomplished by incorporating a mitigation program into the Perris Valley Commerce Center Specific Plan, which would require mitigation for loss of agricultural resources from specific future projects. This does not require mitigation be in place at this time, but allows for a framework in dealing with impacts to agricultural resources for development occurring over the phased life of the project.

Based on the FMMP Important Farmland designations within the project area, and the fact that it is a conversion of 970.5-acres of agricultural resources into urban uses, the Division believes that the project will have a Significant Impact on agricultural resources under CEQA.

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. A Statement of Overriding Considerations is not a substitute for the requirement to prepare findings (CEQA Guidelines §15091). CEQA states that the Lead Agency shall describe the specific reasons for rejecting identified mitigation measures. Therefore, all mitigation measures allegedly feasible should be included in the DEIR. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. It is imprudent to ignore feasible mitigation measures, which can lessen a project's

**Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.**

**One source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts, which can be found at:**

**<http://www.calandtrusts.org>**

**The California Council of Land Trusts deals with all types of mitigation banks. It is suggested that the County contact them to get an understanding of the fees associated with mitigation banking and the options available.**

**Another source is the Division's California Farmland Conservancy Program (CFCP), which has participated in bringing about conservation easements throughout the State of California involving Land Trust Alliance, the California Council of Land Trusts, and the American Farmland Trust. If the County were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be glad to help. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.**

**Response to Comment B-4:**

A conservation easement would place a permanent deed restriction on a piece of property allowing only agricultural uses on said property. A land trust then becomes the steward of that property. A conservation easement for the protection of agricultural lands is different than placing lands under conservation for biological habitat, because agriculture is a business. When a property is set aside to preserve habitat, a land trust is responsible for making sure the land is left alone as native habitat. Placing that natural land under permanent conservation does not economically burden the property owner, as that owner has likely been compensated for its purchase. However, the placement of a permanent restriction on a property that only allows for agriculture in perpetuity, limits that property to one type of business. Continued agricultural production is dependent on economic and social factors that determine where, when and how long that business will stay in operation. Placing a piece of property under permanent agricultural use could cause future land use compatibility issues as surrounding lands are developed, as seen in the portions of western Riverside County.

An alternative to a permanent conservation easement would be to place agricultural land under a Williamson Act contract. However, as evident in the City, the adjacent cities of San Jacinto and Moreno Valley, and the nearby cities of Jurupa Valley, Eastvale, Chino and Ontario, many property owners have filed notices of non-renewal on their properties in order to remove the property from the restrictions of the Williamson Act due to the economic infeasibility of continuing agricultural operations. Additionally, agriculture is not the General Plan designated land use for this area and zoning must be brought into conformance with the General Plan land use designations to comply with state law.

Even if feasible, the placing of alternative farmland under a conservation easement or under Williamson Act contract would establish a commitment to retain that alternative farmland for agricultural use. The length of time that alternative land will remain in agricultural use would be dependent upon the terms of the conservation easement (perpetual agricultural use) or Williamson Act contract (minimum 10 year term). However, the conservation easement or Williamson Act contract will only reduce the potential that the alternative land will convert to non-agricultural use. These documents cannot feasibly assure the land will actually be farmed. The individual and cumulative loss of agricultural land caused by the proposed project will still occur. Therefore, this mitigation measure will not reduce the proposed project's impacts upon agriculture to below the level of significance. For these reasons, placing alternative privately-held lands under permanent restriction through conservation easements is considered infeasible.

The City does not have a program for the transfer of development rights from one property to another. The payment of a mitigation fee for the acquisition of fee title to or development rights from agricultural property would only have the effect of preventing use of property for non-agricultural purposes. It does not ensure that the land would be put to use for agricultural purposes. There would be no reduction in the individual or cumulative impacts resulting from the loss of agricultural land and uses on the project site. Thus, this potential mitigation measure would not reduce or eliminate the proposed project's impacts upon agriculture and deemed infeasible.

Moreover, the Environmental Impact Report prepared in conjunction with the 1991 General Plan identified conversion of agricultural land as a significant cumulative impact. Findings and facts indicating that certain social and economic factors outweighed the cumulative impacts associated with conversion of agricultural land to non-agricultural use and a Statement of Overriding Considerations were thereby adopted in Resolution 1739 on October 30, 1989.

The proposed project is a related project to the Perris GP and continues to designate farmland within the project area with non-agricultural land use designations as previously certified and adopted in 1991 and 2005. Therefore, the findings contained within the Perris GP EIR are also applicable to the proposed project and it can be concluded that the proposed project will also have no new significant impact related to the conversion of farmland to non-agricultural uses. Therefore, no mitigation measures are required.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

*Remainder of page intentionally blank*

**Comment B-5:**

**Williamson Act Lands**

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it would result in the cancellation of a Williamson Act for any parcel of 100 or more acres.

Sections 51282 through 51285 outlines the steps necessary for the cancellation of a Williamson Act contract. Section 51284.1 requires the notice for a tentative cancellation of a contract to be sent as soon as the cancellation application is deemed complete, but not less than 30 (thirty) days prior to the scheduled action by the Board or Council. The Board or Council must consider any comments submitted by the Department when making their findings. A notice of the hearing and copy of the landowner's petition shall be mailed to the Director of the Department of Conservation 10 (ten) working days prior

to the hearing as a separate application from any CEQA document. The notice must be mailed to:

Department of Conservation  
C/o Division of Land Resource Protection  
801 K Street MS 18-01  
Sacramento, CA 95814-3528

Under Government Code section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document.

**Response to Comment B-5:**

A discussion of the Williamson Act is provided on pages 4.1-3, 4.1-5, and 4.1-7 of Section 4.1 of the DEIR. The proposed project site contains 29 parcels encompassing approximately 200 acres within active Williamson Act contracts. According to the City of Perris General Plan 2030 EIR, the remaining land zoned for agricultural use in the City is subject to a Williamson Act contract, for which a Notice of Non-renewal has been filed, thereby stopping the automatic annual renewals and placing the contract in a status in which it runs out over the remaining life of the contract until the contract expires. When a Notice of Non-renewal has matured (i.e., the remaining years have run out and the property is no longer subject to the contract) or a cancellation occurs, removal of the subject land from the affected agricultural preserve requires a separate action to amend the official agricultural preserve maps by diminishing or disestablishing the agricultural preserve.

Although build-out of the PVCC will result in the elimination of agricultural preserves within the project boundaries, cancellation of Williamson Act contracts are not proposed as part of the proposed project. Only when either (i) a Notice of Non-renewal has matured or (ii) when cancellation of a Williamson Act contract is approved by the City, will property within the PVCC be removed from the affected agricultural preserve. As future implementing development projects are proposed, each such project will be subject to CEQA review.

The proponent of any implementing development project within an active Williamson Act contract will be required to request cancellation of such contract. The DEIR does not discuss the findings requires per California Government Code Section 51282 because no cancellation of a Williamson Act contract is proposed by the PVCC Specific Plan Therefore, the proposed project will have no impact related to potential conflicts with Williamson Act contracts.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Comment B-6:**

**Thank you for giving us the opportunity to comment on the Perris Valley Commerce Center (PVCC) DEIR. Please provide this Department with the date of any hearings for this particular action, and the FEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.**

**Response to Comment B-6:**

The Department's request to be notified of project-related hearings and materials such as staff reports will be honored by the City. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Response to Comment Letter C  
State Clearinghouse and Planning Unit  
Dated September 6, 2011**

**Comment C-1:**

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 2, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

**Response to Comment C-1:**

Comment acknowledged. The State Clearinghouse transmitted comments received from the Department of Conservation (Letter B) and the Department of Toxic Substances Control (Letter A).

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Response to Comment Letter D**  
**Department of Fish and Game, Inland Desert Region (Region 6)**  
**Dated September 2, 2011**

**Comment D-1:**

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Environmental Impact Report for the Perris Valley Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 et seq.).

The Department is also responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Plan Program (NCCP). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, et seq., of the California Fish and Game Code.

The proposed plan for the 5.23 square mile project consists of the following components: 1,836 acres of light industrial, 408 acres of general industrial 309 acres of commercial, 372 acres of business park/professional office, 63 acres of Residential, 22 acres of multi-family residential, 160 acres of public/semi-public facility, three acres of open space and two basins on 75 acres.

The proposed project site is located in the City of Perris with the Interstate 215 (I-215) to the west, the City of Moreno Valley to the north, Placentia Ave. to the south and the Perris Valley Stormwater Channel to the east. The Ramona Expressway splits the site west to east.

---

**Response to Comment D-1:**

The comment accurately summarizes the proposed Project description, except the proposed land uses for business park/professional office is 357 acres, public/semi-public facility is 249 acres, and other land uses (right-of-way, basins, and etc.) is 340 acres (DEIR, Section 1.0 *Executive Summary*, p. 1.0-3).

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment D-2:**

**Multiple Species Habitat Conservation Plan**

The proposed project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. The City of Perris is signatory to the Implementing Agreement and is a Permittee of the MSHCP. Participants in the MSHCP are issued take authorization for covered species. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans.

MSHCP policies and procedures apply to the proposed project such as the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy") and Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28).

**A) Special Survey Areas**

The eastern portion of the site is located within the Narrow Endemic Plant Species Survey Areas (NEPSSA) (section 6.1.3 of the MSHCP) and the Criteria Area Plant Species Survey Areas (CAPSSA) (section 6.3.2). Any projects occurring within these two areas must conduct a habitat assessment to determine if the plants are found on the site and, if found, provide a consistency analysis with the MSHCP.

The site is also within the burrowing owl survey area. Future projects should include a habitat assessment or survey for burrowing owl.

**B) Other policies**

The site has jurisdictional State waters and future projects require compliance with the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20). A wetland jurisdictional report will be required for each future project that contains jurisdictional State waters. The determination that an area exhibits vernal pool characteristics, must be made on a case-by-case basis. The requirements for a vernal pool assessment are contained in Section 6.1.2 of the MSHCP. Future projects containing jurisdictional waters may require filing a Determination of Biologically Equivalent or Superior Preservation with the Regional Conservation Authority (RCA).

---

**Response to Comment D-2:**

The DEIR is a programmatic document, as defined in Section 15168 of the State *CEQA Guidelines*. Under the programmatic EIR approach, future implementing development projects or phases or future infrastructure

projects will require additional, project-specific CEQA review and will likely require additional environmental analysis. Since details regarding future implementing development projects are unknown at this time, the level of detail requested by CDFG is not applicable nor is it available at this point in the CEQA process. Future uses that would conflict with the MSHCP will be subject to project-based CEQA review.

The proposed Project is located within the Mead Valley Area Plan of the overall MSHCP planning area. Project consistency with MSHCP is discussed in Section 4.3 *Biological Resources* in the DEIR, pages 4.3-21 through 4.3-27.

Project consistency with MSHCP Section 6.1.2 (Protection of Species Associated with Riparian/Riverine Areas and Vernal Pool) is discussed in Section 4.3 *Biological Resources* in the DEIR, pages 4.3-22 through 4.3-24. Approximately 17.16 acres of “riparian” areas were noted during the roadside assessments, though more, smaller areas may exist within areas that could not be detected from the roads. Project-specific focused surveys will need to be conducted within potentially suitable habitat if impacted by individual development projects. If avoidance is infeasible for least Bell’s vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), and western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) located within the PVCC area, then a Determination of Biologically Equivalent or Superior Preservation (DBESP) must be prepared and filed with the RCA and the resources agencies. The DBESP must identify mitigation to offset the loss of functions associated with riparian/riverine areas as they pertain to Covered Species. Mitigation measure **MM Bio 4** (DEIR, p. 4.3-29), requires project-specific mapping of riparian and unvegetated riverine features for future implementing projects.

The majority of lands within the PVCC area are not likely to support vernal pools given their disturbed nature. However, the presence of vernal pools on the sites of future implementing projects cannot be ruled out without site-specific surveys for implementing projects conducted in the appropriate season, as required by mitigation measure **MM Bio 5**. (DEIR, p. 4.3-29) Additionally, the PVCC area is likely to contain ponding features (including road ruts) that contain the non-listed versatile fairy shrimp (*Branchinecta lindabli*), though the PVCC area is unlikely to support any listed species of fairy shrimp. Future project-specific focused surveys will be required during the appropriate season to confirm the presence/absence of the relevant vernal pool plants and listed fairy shrimp. With the implementation of mitigation measures, **MM Bio 3** through **MM Bio 6** (DEIR, p. 4.3-29), the PVCC and its implementing development and infrastructure projects will comply with the requirements of the MSHCP, and will therefore, be consistent with Section 6.1.2 of the MSHCP.

Project consistency with MSHCP Section 6.1.3 (Protection of Narrow Endemic Plant Species) is discussed in DEIR Section 4.3 Biological Resources on pages. 4.3-24 and 4.3-25. Focused surveys for individual projects would be required during the appropriate time of the year to determine the presence/absence of all Narrow Endemic Plants and Criteria Area Plants as required by **MM Bio 6** (DEIR, p. 4.3-29).

Project consistency with MSHCP Section 6.1.4 (Guidelines Pertaining to the Urban/Wildlands Interface) is discussed in DEIR Section 4.3 Biological Resources, on page 4.3-25. The PVCC area is not located adjacent to MSHCP conservation areas; therefore, the PVCC and its implementing projects will not have edge effects on any existing or future MSHCP conservation areas. The PVCC is in compliance with Section 6.1.4 of the MSHCP.

Project consistency with MSHCP Section 6.3.2 (Additional Survey Needs and Procedures) is discussed in DEIR Section 4.3 on 4.3-25 and 4.3-26. The majority of the PVCC area occurs within the MSHCP Survey Area for the western burrowing owl (BUOW). Some areas within the PVCC clearly do not contain suitable habitat for BUOW, specifically areas that are already developed. However, the remaining areas (approximately 1,600 acres of the PVCC Specific Plan area) consist of active agricultural areas, disced fallow fields, and ruderal vegetation area; all of which meet minimum habitat requirements for BUOW. At a minimum, site specific habitat assessments will be required for implementing development projects and infrastructure projects. If suitable habitat is confirmed, including the presence of burrows, then focused BUOW surveys will be required. With implementation of mitigation measure, **MM Bio 2** (DEIR pp. 4.3-28 and 4.3-29), the PVCC and its implementing projects will be consistent with Section 6.3.2 of the MSHCP.

Project consistency with MSHCP Section 6.4 (Fuels Management) is discussed in Section 4.3 on page. 4.3-26. The proposed PVCC is not located directly adjacent to MSHCP Conservation Areas and is surrounded by already developed or highly disturbed lands. Any necessary fuel modification associated with the PVCC will be incorporated into its implementing projects. The PVCC and its implementing projects are therefore consistent with Section 6.4 of the MSHCP.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

**Comment D-3:****Lake and Streambed Alteration Agreement (LSAA)**

Although the proposed project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and could be subject to Section 6.1.2, Protection of Species

---

Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification is still required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2. Any mitigation measures required by the resource protection policies of the MSHCP should be included in the CEQA document.

For any projects containing jurisdictional waters, the survey, mapping and documentation requirements, avoidance and minimization measures, relationship to existing wetland regulations or DBESP requirements may apply.

The Department recommends submitting a notification early, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a LSAA notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

If the future CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002).

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

The Department recommends submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

---

- 1) **Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);**
  - 2) **Discussion of avoidance measures to reduce project impacts; and,**
  - 3) **Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.**
- 

**Response to Comment D-3:**

The above comment has been addressed in Section 4.3 Biological Resources of the DEIR on page 4.3-21 which states:

The PVCC area contains features, including drainage ditches that could potentially be subject to CDFG jurisdiction. Implementing project-specific jurisdictional delineations will be required to determine the extent, if any, of CDFG jurisdiction. Impacts to CDFG jurisdiction will require a Streambed Alteration Agreement. Implementation of mitigation measure **MM Bio 3** and compliance with Section 6.1.2 of the MSHCP reduces potential impacts to federally protected wetlands and other jurisdictional features from project implementation to less than significant levels. If avoidance is not feasible, then individual implementing projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP covered species. Vernal pools and other seasonal ponding depressions will also need to be evaluated for the presence of listed fairy shrimp.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

Comment D-4:

Department Concerns

This is a programmatic DEIR. The use of a Program Environmental Impact Report for this project is warranted. Subsection "c" of Section 15168 provides that activities subsequent to the PEIR must be examined to determine whether additional environmental documents must be prepared. Section 15168(c)(1) states that if a later project has effects that were not examined in the PEIR, a new initial study would have to be completed, leading to a subsequent CEQA document. The DEIR states that future projects would be subject to environmental review and the Department concurs.

The California Environmental Quality Act (CEQA) discusses program EIRs in section 15168 of the CEQA statute. Among the advantages of a program EIR are that it ensures consideration of cumulative impacts that may not be covered in individual projects and allows the Lead Agency to consider broad policy alternatives and program-wide mitigation measures. For example, regarding impacts to jurisdictional waters the document could state that impacts will be mitigated on or off-site at a minimum 3:1 ratio. This DEIR includes mitigation measures that require compliance with the resource protection policies of the MSHCP, including surveys and jurisdictional delineations. However, these measures do not provide specific impact analyses or specific mitigation measures. An assessment of cumulative impacts of future actions in this DEIR is problematic because of the nature and complexity of the project(s).

A crucial factor in the Department's permitting of the plan components will be implementation of a monitoring program to track projects' impacts and mitigation to ensure that mitigation occurs on the project as a whole and not just on the project components.

1. The project applicants establish a mitigation and monitoring plan to track projects and their mitigation and include this in the Final Environmental Impact Report (FEIR);
  2. The project applicants prepare a final mitigation report to assess whether the project has mitigated the cumulative as well as individual impacts of the project phases;
  3. The final mitigation report should include an analysis of impacts to jurisdictional state waters and mitigation measures to offset those impacts;
  4. Each project document submitted in the future, as per CEQA, contain a discussion of previously approved projects, project impacts and mitigation measures;
  5. Each document submitted in the future, as per CEQA, should include a range of mitigation measures and not defer project impact analysis and mitigation to the Department or the United States Fish and Wildlife Service.
- 
6. A discuss of the adjacent Downtown Perris Specific Plan to be included in the FEIR;
  7. The project applicants obtain a Lake or Streambed Alteration Agreement from the Department for future projects involving State jurisdictional waters.

**Response to Comment D-4:**

The mitigation and monitoring plan requested in CDFG Concern 1 is included as Section 11 of the FEIR.

CDFG Concerns 2 through 5 are applicable to the implementing development and infrastructure projects and not applicable to the proposed PVCC Specific Plan. As discussed throughout the DEIR and in Responses to Comments D-2 and in Comment D-4, the PVCC DEIR provides a programmatic level analysis of the PVCC Specific Plan. Since future implementing projects are unknown at this time, the level of detail that CDFG is requesting is not applicable. Future implementing development and infrastructure projects will be subject to project-based CEQA review and biological surveys as required by the MSHCP and by mitigation measures **MM Bio 1** through **MM Bio 6**.

CDFG Concern 6 is not applicable since the Downtown Perris Specific Plan is located more than two miles away from the proposed Project.

CDFG Concern 7 has already been addressed in the DEIR; please refer to Response to Comment D-3.

**Comment D-5:**

**We recommend that the DEIR be revised to address the Department's concerns and that any revisions concerning the DEIR be included in the FEIR. Comments regarding future projects should be acknowledged in the FEIR. We appreciate the opportunity to comment on the referenced DEIR. If you should have any questions pertaining to these comments, please contact Robin Maloney-Rames at (909) 980-3818.**

**Response to Comment D-5:**

Revision to the DEIR is not necessary as the CDFG's concerns have been already addressed in the DEIR or are not applicable because the CEQA document for the proposed project is a programmatic DEIR. Since future implementing development and infrastructure projects are unknown at this time, the level of detail that CDFG is requesting is not applicable. As stated throughout the DEIR and future implementing development and infrastructure projects will be subject to project-level CEQA review and biological surveys as required by the MSHCP and by mitigation measures **MM Bio 1** through **MM Bio 6**.

**Response to Comment Letter E**  
**California Department of Transportation**  
**Dated September 15, 2011**

**Comment E-1:**

We have completed our review of the Perris Valley Commerce Center Draft Environmental Impact Report (DEIR). The proposed Project comprises 3,500 gross acres and is bounded to the north by March Air Reserve Base, to the south by Placentia Street, to the west by I-215, and to the east by Perris Valley Storm Drain. A significant portion, approximately 2,925 acres, is designated for the development Light Industrial, Commercial, and Business Park/Professional Office uses. This type of development is associated with high volumes of truck traffic which significantly contributes to congestion on the Interstate 215 (I-215) and the associated interchanges along the Project boundary.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Perris due to the Project's direct impact to State facilities it is also subject to the policies and regulations that govern the SHS.

**Response to Comment E-1:**

The comment accurately summarizes the proposed Project description, except the stated acreage of 2,925 acres also includes the General Industrial land use designation.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment E-2:**

We have the following comments:

**General**

1. Please provide two hard copies of the Traffic Impact Analysis section and related appendix for review.

---

**Response to Comment E-2:**

The City provided the Department of Transportation (Caltrans) with a CD at the start of the 45-day public review period that includes the DEIR and technical appendices in PDF format. Please refer to Section 4.10 of the DEIR and Appendix F on the CD for the evaluation of project-related traffic impacts.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment E-3:**  
**Hydrology**

1. Section 4.7 Hydrology and Water Quality, Related Regulation, State, p4.7-8: The project construction activities are regulated under construction General Permit (Order No. 2009-

---

0009-DWQ), where the development and implementation of Storm Water Pollution Prevention Plan (SWPPPs) are needed. A project-specific Water Quality Management Plan (WQMP) is required under other NPDES permit.

2. Section 4.7 Hydrology and Water Quality, Related Regulations, Regional, p4.7-11: The project is regulated under Riverside County Flood Control and Water Conservation District NPDES permit (Order No. R8-2010-0033, NPDES No. CAS 618033), where project-specific Water Quality Management Plan (WQMP) is needed. Please included this permit info, and further elaborate the permit requirements that impact the project.
- 

**Response to Comment E-3:**

1. The requirement for the preparation and implementation of SWPPPs and WQMPs for implementing projects is discussed on page 4.7-8 of the DEIR in Section 4.7, Hydrology and Water Quality, which states:

The main compliance requirement of the NPDES permits is the development and implementation of Storm Water Pollution Prevention Plan (SWPPPs) and project-specific Water Quality Management Plans (WQMPs). The purpose of a SWPPP and project-specific WQMP is to identify potential on-site pollutants, and identify and implement appropriate stormwater pollution prevention measures to reduce or eliminate discharge of pollutants to surface water from stormwater and non-stormwater discharges during construction and operation of implementing development projects, specifically. Stormwater best management practices (BMPs) to be implemented during construction and grading, as well as post-construction BMPs, will be outlined in the SWPPPs and WQMPs prepared for implementing development projects. Examples of BMPs include detention basins for capture and containment of sediments; use of silt fencing, sandbags, or straw bales to control runoff; and identification of emergency procedures in the case of hazardous materials spills. The project proponent will be required to obtain a construction NPDES permit, prior to site disturbance.

Therefore, the proponents of the implementing development and infrastructure projects within the PVCC project area will develop and implement a project-specific SWPPPs and WQMPs as required by the NPDES requirements in effect at the time such projects are proposed..

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

2. As requested by Caltrans, the following language will be added to page 4.7-8 of the DEIR (following the third full paragraph, to expand and clarify the NPDES permit program:

As part of Phase II of the NPDES permit program, the SWRCB adopted a General Permit for small municipal separate storm sewer systems (MS4s). The applicable MS4 Permit for the Project is Order No. R8-2010-0033, NPDES No. CAS 618033 adopted by the Santa Ana RWQCB on January 29, 2010. RCFC&WCD is the designated Principal Permittee; the City, along with the other cities in the watershed, is a Co-Permittee.

The main objectives of the Phase II regulations are to reduce the amount of pollutants being discharged to the maximum practical extent and protect the quality of the receiving waters. In order to meet this requirement, permittees are required to prepare a Storm Water Management Program to address the following six minimum control measures:

1. Public education and outreach;
2. Public participation/involvement;
3. Illicit discharge detection and elimination;
4. Construction site storm water runoff control for sites greater than one acre;
5. Post-construction storm water management in new development and redevelopment; and
6. Pollution prevention/good housekeeping for municipal operations.

These control measures are typically addressed through the implementation of Best Management Practices (BMPs) which will be identified and developed in the SWPPPs and WQMPs prepared for the implementing development and infrastructure projects.

No new environmental issues have been raised by this comment and no additional mitigation in the DEIR is required. No further response is necessary.

**Comment E-4:**

Thank you for providing us this opportunity to review the Perris Valley Commerce Center DEIR and for your consideration of these and future comments. These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this proposal is revised in any way, please forward appropriate information to this Office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact me at (909) 383-4557 for assistance

**Response to Comment E-4:**

Comment acknowledged. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**RESPONSE TO COMMENTS**  
**REGIONAL AND LOCAL AGENCIES**

**Response to Comment Letter F  
Riverside County Fire Department  
Dated August 11, 2011**

**Comment F-1**

Ms. Sbardellati:

Below are comments and concerns of RCFD as it relates to the above referenced Project per a recently received Notice from your office.

The Project poses significant (and cumulative) impacts to existing fire and emergency services and should be mitigated for to ensure satisfactory service levels will remain for all phases of the Project, including full build-out.

**Response to Comment F-1**

The City, as lead agency, disagrees with the commenter's assertion that development per the PVCC poses significant and cumulative impacts to existing fire and emergency services. As indicated in the Initial Study (DEIR Appendix A), existing fire and emergency services were determined to have less than significant impacts for the project. The North Perris Fire Station #90 is located at 333 Placentia Avenue, adjacent to the proposed Project site boundary to the south and the Perris Fire Station #1 is located approximately 4 miles south of the Specific Plan area. Both are expected to serve the proposed Project. Additionally, future implementing development projects within the PVCC Specific Plan will comply with Ordinance Number 1182 which establishes a developer impact fee to mitigate the cost of public facilities needed to serve new development. RCFD will receive a portion of the development impact fees to offset the impact of developing new facilities to support fire services.

With regard to the fire and emergency services, individual implementing development projects within the PVCC Specific Plan will be required to annex to the North Perris Public Safety Community Facilities District (CFD) and will pay an annual special tax for public safety (i.e. fire and police) services. The requirement to annex to the North Perris Public Safety CFD will be imposed on the implementing development projects as a condition of approval during the entitlement process.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

**Comment F-2**

*Station Facility Improvements:*

Actual infrastructure improvements alone, especially roadway improvements, should not compromise fire & EMS response times (except during construction as addressed later). Parcel improvements by individual applicants/developers, and their related traffic and other environmental impacts, will compromise response. To mitigate, RCFD recommends applicant participation in a mitigation fee program (ex. Development Impact Fees) and/or a Development Agreement (DA) to mitigate for proportional impacts by contributing funding toward facility and equipment improvements.

**Response to Comment F-2**

As stated in Response to Comment F-1, Ordinance Number 1182 establishes a developer impact fee to mitigate the cost of public facilities needed to serve new development. RCFD will receive a portion of the development impact fees to offset the impact of developing new facilities to support fire services.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment F-3**

*Operational/Personnel Funding:*

Similar to facility improvements, the development of individual parcels should be mitigated for to ensure adequate operational considerations are provided for, principally funding for the cost of personnel. This may be mitigated for through City tax revenue (ex. Structural Fire Tax), other mitigation fee programs and/or a DA.

**Response to Comment F-3**

As stated in Response to Comment F-1, the Initial Study (DEIR Appendix A, p.16) determined that existing fire and emergency services for the proposed Project had less than significant impacts. Also as discussed in the Response to Comment F-1, individual implementing development projects will be required to annex to the North Perris Public Safety CFD and will pay an annual special tax for public safety (i.e. fire and police) services.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required.

**Comment F-4**

*Construction Mitigation:*

For major infrastructure improvement projects, RCFD should be consulted early in the process to ensure for adequate access, water, etc. during construction, ideally at the preliminary site plan review stage.

**Response to Comment F-4**

As part of the City's standard process for infrastructure projects that would entail roadway modifications or potential land closures, the City Planning Department or City Engineer coordinates with RCFD to ensure that adequate emergency access and emergency response would be maintained during construction. The City Planning Department also coordinates with RCFD during the approval for projects within the city to ensure that new developments provide adequate emergency access to and from a site. During site-specific construction activities roadway access within the surrounding area may be temporarily limited; however, any closures of roadways would be coordinated with the City, RCFD, and Riverside County Sheriff's Department (RCSD) to ensure that adequate emergency access or emergency response would be maintained.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment F-5***Traffic Impacts*

As "Level of Service" declines for roadway functionality, the average speed for emergency response units also declines, shrinking the 7 minute response area for any given station and generally compromising service. RCFD recommends that all traffic impact analysis (TIA), Project-wide and for individual projects within its bounds, consider impacts to emergency services.

**Response to Comment F-5**

Future implementing development projects within the PVCC area would be reviewed by the City Planning Department and City Engineering Department (in conjunction with RCFD as appropriate) on a project-by-project basis to ensure adequate emergency access and response times are not significantly impacted by the future development.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment F-6***General:*

RCFD encourages awareness and adherence to all applicable laws, ordinances and resolutions (LORS) specific to fire and EMS services for all stages of the Project, including planning, construction and occupancy.

**Response to Comment F-6**

As stated in Response to Comment F-5, future implementing development projects within the proposed PVCC area would be reviewed on a project-by-project basis by City Planning and Engineering personnel. Part of the staff review is to confirm that adherence to the applicable laws, ordinances, and resolutions.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment F-7**

Comments specific to mitigation measures for impacts of particular concern to RCFD:

*Fire Protection Services:*

RCFD recommends that the City ensure sufficient mechanisms exist to secure facility and operational mitigation funding prior to building permit issuance. Mitigation language from a recent City of Perris Downtown SP should be considered as it pertains to these funding concerns:

Prior to building permit issuance, the City of Perris and Riverside County Fire Department shall review fire service and equipment needs to determine whether additional personnel or equipment would be required to adequately serve the additional increase in development to the area. If it is determined that additional staffing and/or equipment is needed, funding for the additional personnel or equipment shall be committed prior to the issuance of building permits within the Plan area.

**Response to Comment F-7**

As stated in Responses to Comments F-1 and Comment F-3, implementing development projects within the PVCC will be conditioned to annex to the North Perris Public Safety CFD and pay special taxes. These special tax proceeds help finance public safety and services, including fire services. Therefore, the recommend mitigation is not necessary or applicable.

Additionally, as stated in Responses to Comment F-5 and Comment F-6, future implementing development projects within the proposed Project area would be reviewed on a project-by-project basis. Therefore, future implementing development projects are subject to development review by the City as well as compliance with all applicable laws, ordinances, and resolutions.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment F-8**

*Water:*

RCFD believes impacts have been adequately identified and mitigated for.

**Response to Comment F-8**

It will be added to the record that RCFD reviewed the Project and found water impacts to be adequately identified and mitigated for; and therefore acceptable to RCFD.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Comment F-9**

*Hazardous Materials:*

RCFD believes impacts have been adequately identified and mitigated for.

**Response to Comment F-9**

It will be added to the record that RCFD reviewed the Project and found hazardous materials impacts to be adequately identified and mitigated for; and therefore acceptable to RCFD.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Comment F-10**

Existing Station Response Information:

The nearest existing fire stations that would respond to an incident within seven minutes<sup>1</sup> (in accordance with policy set forth for the “urban” land use category in the RCFD 1986 Fire & EMS Master Plan) are (in order of closest on scene):

- Fire Station #90 (N. Perris); 333 Placentia Ave.; Perris, CA 92571
- Fire Station #59 (Mead Valley); 21510 Pinewood Street; Perris, CA 92570
- Fire Station #91 (College Park); 16110 Laselle Street; Moreno Valley 92553
- Fire Station #2 (Sunnymead); 24935 Hemlock; Moreno Valley, CA 92557
  
- Fire Station #65 (Kennedy Park); 15111 Indian Ave.; Moreno Valley, CA 92551
- Fire Station #1 (Perris); 210 West San Jacinto Ave.; Perris, CA 92570

All of the above RCO stations are staffed full-time, 24 hours/7 days a week, with a minimum three person crew operating “Type-1” paramedic structural fire fighting apparatus.

Current minimum staffing levels of three persons per responding unit presently meet existing demands. As with any additional construction within a response area, a cumulative increase in requests for service will add to the Department’s ability to provide adequate service.

If I can be of further assistance, please contact me at 951.940.6308 or [ben.johnson@fire.ca.gov](mailto:ben.johnson@fire.ca.gov) .

**Response to Comment F-10**

Comment noted. No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Response to Comment Letter G**  
**Southern California Association of Governments**  
**Dated August 12, 2011**

**Comment G-1:**

Thank you for submitting the **Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan [SCAG No. I20110067]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act (CEQA) Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act Guidelines, Sections 15125 and/or 15206. The proposed project is the adoption of the Perris Valley Commerce Center Specific Plan and related infrastructure plans, which slightly modify the existing General Plan land use designations and sets forth a list of permitted uses, infrastructure plans, and guidelines for architectural design and landscaping and administrative procedures for development within the Specific Plan boundaries.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that may be applicable to your project. The RTP and Compass Growth Visioning Principles can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please send a copy of the Final Environmental Impact Report (FEIR) ONLY to SCAG's main office in Los Angeles for our review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895. Thank you.

**Response to Comment G-1:**

Comment acknowledged. The SCAG Regional Comprehensive Plan and Regional Transportation Plan adopted by SCAG were analyzed for the proposed project regarding consistency and regional significance (Section 4.8 *Land Use and Planning* of the DEIR, p. 4.8-8 and pp.4.8-45 through 55).

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-2:**

**PROJECT LOCATION**

The Perris Valley Commerce Center (PVCC) Specific Plan area encompasses approximately 3,500 gross acres within Riverside County, California. The project site is located east of Interstate 215, west of Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB), and north of Placentia Street. The surrounding area includes the City of Moreno Valley to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east.

The project site includes both developed and undeveloped land. The areas surrounding the project site have been reshaped by the regions past growth and gradual urbanization, while the project site encompasses a patchwork of residential, commercial and industrial development interspersed with agricultural fields and vacant land.

---

**Response to Comment G-2:**

The comment accurately summarizes the proposed project location. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-3:**

**PROJECT DESCRIPTION**

The proposed project includes the adoption of the Perris Valley Commerce Center and infrastructure plans. The project area covers approximately 5.23 square miles of the northern part of the City of Perris. The PVCC would slightly modify existing Perris General Plan land use designations, and set forth a list of permitted uses, guidelines for landscape and architectural design, infrastructure plans and administration procedures.

Generally, the PVCC land use designations correspond with the current Perris General Plan land use designations with the following exceptions. The Community Commercial (CC) and Neighborhood Commercial (NC) have been combined into one designation – Commercial (C). Business Park (BP) and Professional Office (PO) have been combined to form one designation – Business/Professional Office (BPO). Public/Semi-Public/Utilities (P) and Park, Recreational, and Natural Open Space (OS) have been combined to Public (P).

The infrastructure plan proposed as part of the project include analysis of storm drains, stormwater quality and water and sewer facilities. As part of the infrastructure plans, an updated Perris Valley Master Drainage Plan (PVMDP) will be needed in order to meet the development goals of the PVCC. The drainage systems that will be developed in conjunction with the PVCC will consist of two basic components: storm drains and detention basins. The drainage system will capture surface runoff from properties in the area and convey it into proposed storm drains and detention basins before continuing to Perris Valley Storm Channel (PVSC). The Master Plan basins are designed to dewater within 48 hours to 72 hours after rainfall events.

The modifications to the existing PVMDP are described below:

**Line D (From the PVSC to the upstream end of the facility, approximately 2,000 feet west of Indian Avenue on Nance Street).** Line D will consist of concrete line trapezoidal channel, an underground reinforced concrete box and an underground reinforced concrete pipe.

**Line E (From the PVSC to the proposed Line E Detention Basin).** Line E will consist of a concrete lined trapezoidal channel, an underground reinforced concrete box, and an underground reinforced concrete pipe.

**Line E Detention Basin.** This basin or basins will be located in the vicinity of the intersection of

the Ramona Expressway and Interstate 215. The basin(s) will reduce peak flows and allow the majority of the downstream facility to be constructed in the street right-of-way. Requires a surface area of approximately 9.5 acres with an approximate depth of 20 feet. The Line E Detention Basin(s) will be designed to handle a 100-year storm event.

**Line F (From the Line E Detention Basin to the Line F Detention Basin).** Line F will consist of an underground reinforced concrete pipe from Line E Detention Basin to the Line F Detention Basin.

**Line F Detention Basin.** Located in the vicinity of Markham Street and Interstate 215 and will reduce peak flows and allow a majority of downstream facilities to be constructed within the right-of-way. Requires a surface area of approximately 8 acres with an approximate depth of 20 feet and will be designed to handle a 100-year storm event. Line F Detention Basin may serve as a dual use facility, recreational park and flood control basin.

**Line H from PVSC to the proposed Line H Detention Basin.** Line H is proposed to be an underground reinforced concrete box in Placentia Avenue.

**Line H Detention Basin.** This basin will be located approximately 1,000 feet west of Indian Avenue and south of Walnut Street with a surface area of approximate 15.5 acres and 20 feet deep. This basin will reduce peak flows and will be design with a holding capacity to accommodate the 100-year storm event.

The proposed project also includes the following land use applications:

**Specific Plan No. 08-10-0007** include a land use plan, designation of planning areas, development standards, and design and landscaping guidelines associated with the development of PVCC.

**General Plan Amendment No. 08-10-0008** proposes to amend the Land Use Element of the City of Perris General Plan to designate the properties within the project area as Specific Plan (SP).

**Change of Zone 08-10-0009** proposes to change the designated zoning of the properties within the project area to SP.

### **Response to Comment G-3:**

The comment accurately summarizes the proposed project description. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

### **Comment G-4:**

#### **CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN**

##### **Regional Growth Forecasts**

The Draft Environmental Impact Report (DEIR) should reflect the most recently adopted SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

##### **Adopted SCAG Regionwide Forecasts<sup>1</sup>**

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

**Adopted Gateway Cities WRCOG Subregion Forecasts<sup>1</sup>**

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

**Adopted City of Perris Forecasts<sup>1</sup>**

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

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

**SCAG Staff Comments:**

Page 4.8-45 indicates that the DEIR population, household and employment analyses were based on 2008 RTP Regional Growth Forecasts.

**Response to Comment G-4:**

Comment acknowledged. It will be added to the record that SCAG reviewed and concluded that the proposed project analysis were based off of the 2008 RTP Regional Growth Forecasts; therefore, acceptable to the SCAG. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-5:**

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

**Regional Transportation Plan Goals:**

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

**SCAG Staff Comments:**

Where applicable, SCAG staff finds that the proposed project generally meets consistency with Regional Transportation Plan Goals. RTP Goals G3 is not applicable in that the proposed project does not include transportation improvements. RTP G7 is also not applicable in that the proposed project is not a transportation project.

The proposed project generally meets consistency with RTP G1. Mobility pertains to the speed at which one may travel and the delay, or difference between the actual travel time and travel time that would be experienced if a person traveled at the legal speed limit. Per page 4.1-8 the proposed project is expected to result in improved mobility and access through the area by utilizing existing and future transportation infrastructure that will improve accessibility and mobility, specifically the Ramona Expressway Station that will be located in very close proximity to the PVCC area that will provide alternative means of travel for the PVCC employees living in the region.

SCAG staff finds that the proposed project generally meets consistency with RTP G2. Future developments within the PVCC area will result in road improvements that will improve upon the safety and will benefit all persons in the region who will utilize the roads.

The proposed project is consistent with RTP G3. The Perris DTSP provides strategies to improve transit service and enhances opportunities for linkages with public transit and the Metrolink Station (anticipated to begin operations in 2013). The project supports regional transportation and improves pedestrian activity within Downtown a connector to regional transit.

With regard to RTP G4, the proposed project at least partially meets consistency. Productivity is a system efficiency measure that reflects the degree to which the transportation system performs during peak demand conditions. The proposed project would result in additional traffic through the corridor and increase in travel speeds that may impact the community, but also supports goals of improving or maintaining a Level of Service of D or better during peak traffic hours and improving roadways within the service area, as needed.

The proposed project is at least partially consistent with RTP G5. Per page 4.2-34, some development within the proposed project area in the short-term construction and in the long-term full build out could exceed South Coast Air Quality Management District thresholds for three criteria pollutants after mitigation measures have been applied. As stated on page 4.2-52 – 4.2-56, several mitigation measures for short term construction and long-term emissions associated with the operations of development projects will be implemented to minimize significant adverse impacts, but will not improve air quality. However, the proposed PVCC will also result in the reduction of average number of daily trips generated by planned development within the area. Also, per page 4.2-55 MM Air 19 and MM Air 20, future development projects and applicable plans will include the installation of energy-efficient street lighting and implement an increase in building energy efficiency and reduce indoor water use.

With regard to RTP G6, the proposed project meets consistency. The proposed project is located within an area that is already served by existing roadways, highways and public transportation.

#### **Response to Comment G-5:**

Comment acknowledged. It will be added to the record that SCAG reviewed and concluded that the proposed project generally meets the consistency with the RTP Goals; therefore, acceptable to the SCAG. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

#### **Comment G-6:**

##### **COMPASS GROWTH VISIONING**

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

##### ***Principle 1: Improve mobility for all residents.***

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

##### **SCAG Staff Comments:**

SCAG staff finds that the proposed project meets consistency with Principle 1.

The proposed project meets consistency with GV P1.1. As mentioned previously, the proposed

project is located in an area with developed transportation infrastructure and existing uses.

With regard to GV P1.2, the proposed project meets consistency as its mixed-use nature would introduce housing near existing jobs and would also generate new jobs as well with the inclusion of a Business Park/Professional Office land use designation in the proposed project. (Page 1.0-2)

The proposed project meets consistency with GV P1.3. The proposed project will be located near a future Metrolink Station. Plans also for a pedestrian trail system linking the community to the Metrolink Station and bus stations are proposed in the PVCC project area.

The proposed project meets consistency with GV P1.4. Mentioned on page 4.10-21 the proposed project, "will include roadway improvements which include sidewalks, and bike racks and is located near existing bus routes" to incorporate multiple travel modes.

**Response to Comment G-6:**

Comment acknowledged. It will be added to the record that SCAG reviewed and concluded that the proposed project meets consistency with Principle 1 of the Compass Growth Visioning effort; therefore, acceptable to the SCAG. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-7:**

***Principle 2: Foster livability in all communities.***

**GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*

**GV P2.2** *Promote developments, which provide a mix of uses.*

**GV P2.3** *Promote "people scaled," walkable communities.*

**GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

**SCAG Staff Comments:**

SCAG staff finds that the proposed project meets consistency with Principle 2.

SCAG staff finds that the proposed project is consistent with GV P2.1, as the proposed project plans to redevelop and develop vacant and underutilized sites with a variety of uses and intensities.

With regard to GV P2.2, the proposed project would encourage a mixture of uses including industrial, business park/professional office, commercial, public/open space and residential uses. (Page 1.0-2)

The proposed project meets consistency with GV P2.3. Page 5.2-70 describes how the proposed project identifies specific road improvements to enhance the environment for pedestrians. (Page 4.10-21)

With regard to GV P2.4, the proposed project meets consistency. Page 4.8-52 describes how the proposed project is preserving the existing residential single-family neighborhood located within the project site.

---

**Response to Comment G-7:**

Comment acknowledged. It will be added to the record that SCAG reviewed and concluded that the proposed project meets consistency with Principle 2 of the Compass Growth Visioning effort; therefore, acceptable to the SCAG. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-8:**

**Principle 3: Enable prosperity for all people.**

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

**SCAG Staff Comments:**

SCAG staff is not able to assess Principle 3 based on the information provided in the DEIR.

**Response to Comment G-8:**

Principle 3 of the Compass Growth Visioning effort was analyzed for the proposed project regarding consistency in Section 4.8 *Land Use and Planning* of the DEIR (pp. 4.8-52 through 54) as followed:

<i>Principle 3:</i>	<i>Enable prosperity for all people.</i>	<i>Statement of Consistency, Non-Consistency or Not Applicable</i>
<i>GV P3.1</i>	<i>Provide, in each community, a variety of housing types to meet the housing needs of all income levels.</i>	The PVCC does not propose any new housing for this area. <b>Therefore, this goal is not applicable to this project.</b>
<i>GV P3.2</i>	<i>Support educational opportunities that promote balanced growth.</i>	The PVCC does not propose any educational opportunities for this area. <b>Therefore, this goal is not applicable to this project.</b>
<i>GV P3.3</i>	<i>Ensure environmental justice regardless of race, ethnicity or income class.</i>	The PVCC proposes a redistribution of these land uses but does not propose any additional development that is not anticipated within the General Plan. The proposed project is consistent with the City of Perris GP land use designations. No new residential development is proposed in the project area by the proposed project.  In order to protect existing residential development from the impacts of the proposed project, the proposed PVCC Residential Buffer Standards and Guidelines (Section 4.2.8 of the PVCC Specific Plan) requires a 50' setback for non-residential developments abutting existing residential property lines, reduced hours of operations when necessary due to proximity to residential uses and the projection of all lighting away from residential areas. Additionally, future

<i>Principle 3:</i>	<i>Enable prosperity for all people.</i>	<i>Statement of Consistency, Non-Consistency or Not Applicable</i>
		implementing development projects are required to screen operations from view through landscape or wall screening, to provide sound walls and depending upon proposed implementing development uses, to prepare an Air Quality and/or Health Risk Assessment Study to determine project viability when located adjacent to residences. <b>Therefore, the proposed project complies with this goal.</b>
<i>GV P3.4</i>	<i>Support local and state fiscal policies that encourage balanced growth.</i>	The PVCC proposes a redistribution of these land uses but does not propose any additional development that is not anticipated within the General Plan. The proposed project is consistent with the City of Perris GP land use designations. No new residential development is proposed in the project area by the proposed project. The PVCC shall support local and state fiscal policies that encourage balanced growth. <b>Therefore, the proposed project complies with this goal.</b>
<i>GV P3.5</i>	<i>Encourage civic engagement.</i>	The PVCC proposes a redistribution of these land uses but does not propose any additional development that is not anticipated within the General Plan. The proposed project is consistent with the City of Perris GP land use designations. The public was involved in the Perris GP development and adoption process through the use of workshops and public hearings. The PVCC also encouraged early and active communication amongst the community through stakeholder meetings with property owners affected by land use changes, involvement of stakeholders through the planning and development stage of the PVCC and active follow up with stakeholders. <b>Therefore, the proposed project complies with this goal.</b>

The analysis in the DEIR concluded that GV P3.1 and GV P3.2 were not applicable to the project, and that the project complies with GV P3.3, GV P3.4, and GV P3.5. Therefore, the proposed project is consistent with Principle 3 of the Compass Growth Visioning effort.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-9:**

**Principle 4: Promote sustainability for future generations.**

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

**SCAG Staff Comments:**

Where applicable, SCAG staff finds that the project is in partially consistent and partially not consistent with Principle 4.

The proposed project is not consistent with GV P4.1. PVCC guides the conversion of farmland uses into urban uses and permanently removes the farmland designation through proposed land use changes.

The proposed project meets consistency with GV P4.2, as it is located within the City of Perris and located near an urban area. (Page 4.8-54)

The proposed project generally meets consistency with GV P4.3 and meets consistency with GV P4.4. The proposed project would impact overall air quality, but implement mitigations measures that would include energy efficient building development and reduce indoor water use that would therefore reduce waste and air pollution. (Page 4.2-55)

---

**Response to Comment G-9:**

Principle 4 of the Compass Growth Visioning effort was analyzed for the proposed project regarding consistency in Section 4.8 *Land Use and Planning* of the DEIR (pp. 4.8-54 and 55).

The commenter y is incorrect in stating that the proposed project is not consistent with GV P4.1. As stated in Section 4.8 *Land Use and Planning* of the DEIR on p. 4.8-54, "Although there are existing agricultural uses within the project area, the City of Perris GP does not contain any agricultural or open space land use designations in the proposed project area and consistent with the City of Perris GP land use designations. Therefore, this goal is not applicable to this project.

As stated in Section 4.1 *Agricultural Resources* of the DEIR on p. 4.1-5, "The 1991 General Plan Land Use Element eliminated the "agricultural" land use designation. Accordingly, the EIR prepared in conjunction with the 1991 General Plan identified conversion of agricultural land as a significant cumulative impact. Findings and facts indicating that certain social and economic factors outweighed the cumulative impacts associated with conversion of agricultural land to non-agricultural use and a Statement of Overriding Considerations was adopted." Therefore, GV P4.1 goal is not applicable to the proposed project.

It will be added to the record that SCAG reviewed and concluded that the proposed project meets consistency with GV P4.2, GV P4.3, and GV P4.4 of the Compass Growth Visioning effort; therefore,

acceptable to the SCAG. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-10:**

**CONCLUSION**

Where applicable, the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here:  
[http://www.scag.ca.gov/igr/documents/SCAG\\_IGRMMRP\\_2008.pdf](http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf)

---

**Response to Comment G-10:**

Comment acknowledged. It will be added to the record that SCAG reviewed and concluded that the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and with Compass Growth Visioning Principles; therefore, acceptable to the SCAG.

Further, as indicated in DEIR Section 4.8 *Land Use and Planning*, with implementation of mitigation measures, the proposed project would be consistent with SCAG's relevant goals and principles. No further mitigation measures are required. In accordance with *CEQA Guidelines* Section 15091 (Findings), when making findings, the City would be required to also adopt a program for reporting on or monitoring the changes which it has either required in the project or made a condition of approval to avoid or substantially lessen significant environmental effects. This would occur as part of the project approval process.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment G-11:**

When a project is of statewide, regional, or area wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21081.7, and CEQA Guidelines Section 15097 (g).

---

**Response to Comment G-11:**

Comment acknowledged. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Response to Comment Letter H  
Riverside County Sheriff Department  
Dated August 19, 2011**

**Comment H-1:**

The Riverside County Sheriff's Department has been asked to provide input regarding the proposed Perris Valley Commerce Center (PVCC). This proposed project includes the adoption of the PVCC Specific Plan and related Infrastructure plans. The PVCC would slightly modify the existing General Plan land use designations and sets forth a list of permitted uses, infrastructure plans, guidelines for architectural design and landscaping, and administrative procedures for development within the Specific Plan. The project is designed to guide future development and allows for some rezoning of some residential areas to industrial areas. The project will also allow future heavy industrial businesses near March Air Reserve Base.

---

**Response to Comment H-1:**

The comment accurately summarizes the proposed project description. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment H-2:**

The Riverside County Sheriff's Department considers several factors when determining the impact development may have upon law enforcement. These factors include the impact on traffic, population density, the nature of the business, and whether the development may create a nuisance.

---

**Response to Comment H-2:**

Comment acknowledged. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment H-3:**

This project may significantly impact the demand for law enforcement service within the city. The change in population density as well as the addition of the commercial and heavy industrial businesses will most likely increase the demand for law enforcement services. This project encompasses 3,500 acres. Currently there is a lot of vacant or undeveloped land within the project area, which has a very minimal impact on law enforcement services. As these areas are developed, the demand for law enforcement service can be impacted based on the type of development.

---

**Response to Comment H-3:**

The Initial Study (DEIR Appendix A, p. 17) determined that police protection for the proposed project had less than significant impacts. Ordinance Number 1182 establishes a developer impact fee to mitigate the cost of public facilities needed to serve a new development. The Riverside County Sheriff's Department will

receive a portion of the development impact fees to offset the impact of developing new facilities to support police protection.

Additionally, implementing development projects within the PVCC Specific Plan will be required to annex to the North Perris Public Safety Community Facilities District (CFD) and pay a special tax for the provision of public safety (i.e. police and fire) services. These special tax proceeds help finance public safety services, including police protection. Therefore, no new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment H-4:**

**This project allows for the creation of water basins, residential, commercial, and industrial businesses. Each smaller development project within this overall plan should be evaluated to determine the potential impact it may have on law enforcement services. For example, development that allows for heavy industrial or “Big Box” commercial businesses will most likely have a significant impact on traffic, and traffic enforcement, based on the commercial trucks used with these businesses. Additionally commercial businesses, such as shopping centers generate additional traffic and usually an increase in crime and calls for law enforcement services.**

**If there is any further information required, please do not hesitate to contact me at (951) 210-1026.**

**Response to Comment H-4:**

Future implementing development projects within the proposed PVCC would be reviewed on a project-by-project basis by the City Planning Department in consultation with the Sheriff's office to determine adequate police protection is not significantly impacted by the future implementing development projects.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Response to Comment Letter I  
City of Moreno Valley  
Dated August 31, 2011**

**Comment I-1**

Proposed land uses within the Specific Plan do not appear to provide immediate impacts upon the City of Moreno Valley; however the redistribution of commercial land and additional commercial land uses proposed for the corner of Perris Boulevard and Harley Knox Boulevard and adjacent to the 215 freeway may provide future traffic impacts for both Perris Boulevard and Harley Knox Boulevard/Oleander Avenue into Moreno Valley.

**Response to Comment I-1**

As discussed in Section 4.10 (Transportation and Traffic) of the DEIR, the Perris Valley Commerce Center Specific Plan (PVCC) is located within the boundaries of the North Perris Road and Bridge Benefit District (NPRBBD) (DEIR, p. 4.10-13). The facilities selected for inclusion within the NPRRB, which includes Expressway, Arterial, and Secondary Arterial classifications of roadways in addition to bridges) were identified as needed to provide acceptable levels of service in connection with development planned by the PVCC (DEIR, p. 4.10-13).

Implementing development projects will be required to pay the one time NPRBBD fee to the City prior to recordation of a final tract or parcel map, or prior to the issuance of a building permit. However, it is important to note that payment of the NPRBBD fee in no way relieves the subdivider, developer or an applicant for a building permit for an implementing development project from the requirements imposed under other provisions or ordinances of the City of Perris to dedicate and improve roads as a condition of approval of a tentative map or building permit. (DEIR, p. 4.10-13) Payment into the NPRRD will help to mitigate traffic-related impacts.

In addition to participation in the NPRBBD, the DEIR incorporates mitigation measures to further reduce PVCC-related transportation and traffic impacts (DEIR, pp. 4.10-21). Mitigation measure **MM Trans 1** requires future implementing development projects to construct on-site roadway improvements to conform to the general alignments and right-of-way section (except where the improvements have been previously constructed) (DEIR, p. 4.10-21). **MM Trans 7** requires project-level traffic impact studies for implementing development projects in order to identify roadway improvements to be constructed in conjunction with said implementing development project (DEIR, p. 4.10-22). **MM Trans 8** requires that any mitigation measures identified by traffic impact studies prepared pursuant to **MM Trans 7** be reviewed in the context of conformance with the NPRRB (DEIR, p. 4.10-22). Through participation in the NPRRB and adherence to the mitigation measures identified in the DEIR, potential impacts to transportation and traffic, except for impacts related to Interstate 215, will be less than significant.

No new environmental issues have been raised by this comment and no additional mitigation measures or modification of the DEIR is required.

**Comment I-2**

**Please allow City of Moreno Valley Transportation staff the opportunity to review and comment on all subsequent traffic studies for individual projects within the proposed Specific Plan.**

**Response to Comment I-2**

Applications for development projects within the City of Perris are routinely transmitted to the City of Moreno Valley and other interested agencies as part of the development review process. This practice will continue as is for implementing development projects within the PVCC.

No new environmental issues have been raised by this comment and no additional mitigation measures and no additional modification of the Draft EIR are required.

**Comment I-3**

**It is suggested that the Specific Plan be conditioned such that each portion of the Plan (individual sections of development) shall address water quality in accordance with the current NPDES regulations and Construction Permit enacted/imposed at the time that particular site is rough graded.**

**Response to Comment I-3**

As discussed in Section 4.7 (Hydrology and Water Quality) of the DEIR, the State Water Resources Control Board administers the National Pollutant Discharge (NPDES) permit program regulating stormwater from construction activities for projects greater than one acre in size. This is known as the General Permit for Storm Water Discharges Associated with Construction Activities, Order No. 99-08-DWQ, NPDES No. CAS000002. The main compliance requirement of the NPDES permits is the development and implementation of Storm Water Pollution Prevention Plan (SWPPPs) and project-specific Water Quality Management Plans (WQMPs). The purpose of a SWPPP and project-specific WQMP is to identify potential on-site pollutants, and identify and implement appropriate stormwater pollution prevention measures to reduce or eliminate discharge of pollutants to surface water from stormwater and non-stormwater discharges during construction and operation of implementing development projects, specifically. Stormwater best management practices (BMPs) to be implemented during construction and grading, as well as post-construction BMPs, will be outlined in the SWPPPs and WQMPs prepared for implementing development projects. Examples of BMPs include detention basins for capture and containment of sediments; use of silt fencing, sandbags, or straw bales to control runoff; and identification of emergency procedures in the case of hazardous materials spills. The project proponent will be required to obtain a construction NPDES permit, prior to site disturbance. After implementation of NPDES permit requirements and required implementing development project-specific WQMP, all potential impacts with respect to hydrology and water quality are reduced to a level that is less than significant. (DEIR, p. 4.7-8) Because compliance with current NPDES regulations and Construction Permit are regulatory requirements it is neither necessary nor appropriate to include this as a mitigation measure.

No new environmental issues have been raised by this comment and no modification of the Draft EIR is required.

**Comment I-4**

It is suggested that the proposed dual-use detention basins also include water quality features to treat the 85th percentile storm flows, creating regional facilities for pollution control.

**Response to Comment I-4**

Potential regional water quality opportunities for the basins will be evaluated at such time the basins are constructed. The current Municipal Permit allows for regional water quality treatment opportunities. How potential water quality features would affect the flood control and recreational features of the basins would be considered as part of the overall feasibility analysis.

**Comment I-5**

We look forward for the opportunity to review the Final EIR and Responses to Comments for the project when they become available. Please include the City of Moreno Valley on any future mailing lists regarding final documents and future notification of meetings/public hearings associated with the project.

Should you have any questions or concerns, please contact Mark Gross, Senior Planner at (951) 413-3215.

**Response to Comment I-5**

Comment noted. No new environmental issues have been raised by this comment and no modification of the Draft EIR is required.

**Response to Letter J**  
**March Joint Powers Authority (MJPA)**  
**Dated September 2, 2011**

**Comment J-1**

The March Joint Powers Authority (JPA) appreciates the opportunity to comment on the Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan dated July 2011. Based on review of the Draft EIR, the March JPA has the following comments:

**Response to Comment J-1**

Comment noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Comment J-2**

- 1) Please revise Section 1.0, Executive Summary, to include the March JPA as being identified to the north of the project site. The March JPA has jurisdiction over properties located at the terminus of Western Way. Please incorporate this revision throughout the EIR as necessary.

**Response to Comment J-2**

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, reference to the MJPA will be added to the following paragraphs from Section 1.0 Executive Summary of the DEIR (pp. 1.0-1 and 1.0-2) as follows:

The proposed PVCC project site is located over approximately 3,500 gross acres within the City of Perris, in Riverside County, California (**Figure 1.0-1, Regional Map**). The project site is located east of Interstate 215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB) and March Joint Powers Authority (MJPA), and north of Placentia Street. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east (**Figure 1.0-2, Aerial Photograph**).

[...]

Surrounding land uses, as shown in **Table 1.0-A, Existing (2009) Land Uses**, include the following:

- North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction  
**South:** Industrial, residential and vacant land  
**East:** PVSC, residential and vacant land  
**West:** Vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction

**Figure 1.0-2, Aerial Photograph**

[...]

The terrain within the project site is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near MARB and MJPA, an 87-foot difference in elevation over a distance of 3.5 miles.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 3.0 Project Description of the DEIR (pages 3.0-1, 3.0-2, 3.0-5) will be modified as follows:

The proposed Perris Valley Commerce Center Specific Plan (PVCC) project site is located on approximately 3,500 gross acres within the City of Perris, in Riverside County, California (**Figure 3.0-1, Regional Map**). The project site is located east of Interstate 215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB) and March Joint Powers Authority (MJPA), and north of Placentia Street. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east. (**Figure 3.0-2, Aerial Photograph**)

[...]

Surrounding land uses, as shown in **Table 3.0-A, Existing (2009) Land Uses**, include the following:

- North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction
- South:** Industrial, residential and vacant land
- East:** Perris Valley Storm Channel, residential and vacant land
- West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction

[...]

The terrain within the project site is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near March Air Reserve Base and MJPA, an 87-foot difference in elevation over a distance of 3.5 miles.

[...]

**Figure 3.0-2, Aerial Photograph**

Immediately north of the City of Perris is the MARB and MJPA. After conversion of the March Air Force Base to an Air Reserve Base in 1996, surplus lands were sold to commercial and industrial ventures, and the balance of lands not required for military purposes acquired by the March Joint Powers Authority. Since then, the entire area surrounding the base has been in transition. The quick pace of development of these areas has increased the desire to efficiently manage and coordinate the changing community. To facilitate this change, the City of Perris has designated more than five square miles and over 3,500 acres in the northwestern portion of the City to be developed under the guidance of a master development plan known as the PVCC Specific Plan. This plan will include revised General Plan land use designations and infrastructure plans to support new development within this area.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.1 Agriculture of the DEIR (page 4.1-1) will be modified as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses. The project site comprises approximately 3,500 gross acres within the city of Perris. The site is located adjacent to the east side of Interstate-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Avenue.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the city of Moreno Valley, MJPA, and MARB to the north; the community of Mead Valley, an unincorporated area of Riverside County, to the west; and more developed areas of the city of Perris to the south and east.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.2 Air Quality of the DEIR (pages 4.2-3, 4.2-32) will be modified as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) is located over approximately 3,500 gross acres within the City of Perris, Riverside County. The project site is located east of Interstate-215, west of the Perris Valley Storm Channel (PVSC), south of March Air Reserve Base and March Joint Powers Authority, and north of Placentia Street. At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, March Joint Powers Authority, and March Air Reserve Base to the north, the community of Mead Valley, an unincorporated area of

Riverside County to the west, and more developed areas of the City of Perris to the south and east.

Surrounding land uses include the following:

**North:** Vacant land, March Air Reserve Base, March Joint Powers Authority, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction.

[...]

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, March Joint Powers Authority, and March Air Reserve Base to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east.

Surrounding land uses include the following:

**North:** Vacant land, March Air Reserve Base, March Joint Powers Authority, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate-215 and an existing rail line within Riverside County jurisdiction.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.3 Biological Resources of the DEIR (pages 4.3-1, 4.3-27) will be modified as follows:

At this time, a large portion of the proposed PVCC project area is undeveloped land currently used for agriculture. The other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, March Joint Powers Authority, and March Air Reserve Base to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east.

[...]

Wildlife corridors are features whose primary function is to connect at least two significant wildlife habitat areas. These corridors may help to reduce or moderate some of the adverse effects of habitat fragmentation by facilitating dispersal of individuals between substantive

patches of remaining habitat, allowing for both long-term genetic interchange and individuals to re-colonize habitat patches from which populations have been locally extirpated. The PVCC area is not adjacent to any MSHCP-identified cores or linkages, and bounded by Interstate 215 to the west, March Air Reserve Base, March Joint Powers Authority, and Oleander Avenue to the north, the Perris Valley Storm Channel to the east, and Placentia Avenue to the south. Surrounding existing and approved development limits the long-term suitability of the project site for the movement of native resident or migratory wildlife species. There are no water features on the project site that support fish species. Therefore, although the proposed project will interfere with the movement of wildlife species across the project site, the potential impact will be less than significant. Additionally, there are no known wildlife nursery sites on or near the project site. Therefore, the proposed project will not directly or indirectly impact or impede the use of any recognized wildlife nursery sites and the potential **impact is less than significant**. Furthermore, implementation of mitigation measures **MM Bio 1, MM Bio 2, MM Bio 5, and MM Bio 6**, will further reduce this impact.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.4 Cultural Resources of the DEIR (pages 4.4-1, 4.4-2) will be modified as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) consists of approximately 3,500 acres located in the North Perris area of western Riverside County. The site is bordered generally by I-215 to the west, March Air Reserve Base, March Joint Powers Authority, and Oleander Avenue to the north, the Perris Valley Storm Channel (PVSC) to the east, and Placentia Avenue to the south. The surrounding area includes the city of Moreno Valley, March Joint Powers Authority, and March Air Reserve Base to the north, the unincorporated community of Mead Valley to the west, and more developed areas of the City of Perris to the south and east.

[...]

The project site includes both developed and undeveloped land. Native features in the vicinity have been reshaped by the region's past growth and gradual urbanization, while the project site encompasses a patchwork of residential, commercial and industrial development interspersed with agricultural fields and vacant land. The terrain within the PVCC is relatively level. Elevations range from 1,435 feet above mean sea level (MSL) at the southeastern corner near the PVSC to 1,522 feet MSL at the northwestern corner near March Air Reserve Base and March Joint Powers Authority, an 87-foot difference in elevation over a distance of 3.5 miles.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.6 Hazards and Hazardous Materials of the DEIR (pages 4.6-2, 4.6-3) will be modified as follows:

The PVCC project area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses. The PVCC site comprises

approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of I-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing development including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. Val Verde High School is located at 972 Morgan Street, between Nevada Road and Webster Avenue. The surrounding area includes the city of Moreno Valley, MJPA, and MARB to the north; the unincorporated community of Mead Valley west of Interstate 215; and more developed areas of the City of Perris to the south and east.

There is one airport located within proximity to the PVCC boundaries, MARB. In the 1990s, the federal government ceased or reduced military operations at several military bases throughout the United States. The bases were “realigned” for civilian use and/or military reserve uses. Subsequent to the base realignment process in 1996, March Air Force Base (MAFB) became MARB, and portions of the former MAFB were reserved for use as a commercial airport. ~~The March Joint Powers Authority (MJPA)~~ is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned MAFB, including conversion and operation of the commercial airport, March ~~Global~~Inland Port. The four individual public entities that cooperatively formed the MJPA are the cities of Perris, Moreno Valley and Riverside, and the County of Riverside. The MJPA Commission includes members of the Riverside County Board of Supervisors and members of the Perris, Moreno Valley and Riverside City Councils.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.8 Land Use & Planning of the DEIR (page 4.8-2) will be modified as follows:

The proposed Perris Valley Commerce Center Specific Plan (PVCC) is located within the northern area of the city of Perris. The PVCC project area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial and business park uses. The project site comprises approximately 3,500 gross acres within the city of Perris. The site is located adjacent to the east side of Interstate 215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Avenue.

[...]

The surrounding area includes vacant land, March Air Reserve Base, MJPA, and industrial uses within the jurisdiction of the City of Moreno Valley to the north of the project site; industrial, residential and vacant land to the south of the project site; residential, vacant land

and the PVSC to the east; and vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction to the west of the project site.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.9 Noise of the DEIR (pages 4.9-2, 4.9-15, 4.9-31) will be modified as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commerce, industrial and business park uses. The project site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of Interstate 215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street.

At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. Other portions contain some existing developments including warehouse/distribution facilities, neighborhood commercial, smaller-scale industrial facilities, a rural residential community, and a mobile home subdivision. The surrounding area includes the City of Moreno Valley, MJPA, and March Air Reserve Base to the north; the unincorporated community of Mead Valley to the west; and more developed areas of the City of Perris to the south and east.

[...]

The 2005 MARB Air Installation Compatible Use Zone (AICUZ) Study provides noise contours produced by aircraft operations at MARB, based upon the Day-Night Average A-weighted Sound Level (DNL) metric used by the United States Air Force (USAF) and Community Noise Equivalent Level (CNEL) used by the State of California. It also provides the information necessary to maximize beneficial use of the land surrounding MARB, including MJPA, while minimizing the potential for degradation of the health and safety of the affected public. The basic objective of the AICUZ program is to achieve compatible uses of public and private lands in the vicinity of military airfields by controlling incompatible development through local actions. The MARB AICUZ provides compatible use guidelines for land use areas around the base which is provided to assist local communities in future planning and zoning activities.

[...]

Noise impacts fall into two broad categories with respect to all types of projects and City of Perris standards: noise impacts from the project and noise impacts to the project. The first category is the noise created by the uses or traffic associated with the project. The second category of noise impacts is noise created offsite that may cause unacceptable levels of noise within buildings or outdoor areas on the project site. The offsite sources of noise that have the potential to generate the noise impact to individual implementing projects within the

PVCC project site are traffic-generated noise and March Air Reserve Base and land uses associated with MJPA.

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraphs from Section 4.10 Transportation and Traffic of the DEIR (pp. 4.10-1 and 4.10-2,) will be modified as follows:

The Perris Valley Commerce Center Specific Plan (PVCC) area and its surroundings are in transition from agricultural land uses to a mix of commercial, industrial and business park uses. The area has access to a multi-directional freeway system via Interstate 215 that traverses north and south along the western boundary of the project area, as shown on **Figure 4.10-1, Vicinity Map**. The project site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of Interstate 215, adjacent to the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB), March Joint Powers Authority (MJPA), and Riverside County Flood Control District Channel, and north of Placentia Street, as shown in **Figure 4.10-2, Project Boundary**.

[...]

Existing land uses surrounding the project site include the following:

**North:** Vacant land, MARB, MJPA, and industrial uses within Moreno Valley jurisdiction

**South:** Industrial, residential and vacant land

**East:** Perris Valley Storm Channel, residential and vacant land

**West:** Vacant property, industrial uses, Interstate 215 and an existing rail line within Riverside County jurisdiction

To clarify that the March JPA (MJPA) has jurisdiction over properties north of the PVCC, the following paragraph from Section 4.11 Utilities and Service Systems of the DEIR (page 4.11-3) will be modified as follows:

The PVCC consists of approximately 3,500 gross acres located in the north Perris area of western Riverside County (**Figure 3.0-1, Regional Map**). The site is bordered generally by I-215 to the west, MARB, MJPA, and Harley Knox Boulevard to the north, the PVSC to the east, and Placentia Avenue to the south. At this time, a large portion of the proposed PVCC project area is undeveloped land currently used for agriculture. Other portions contain existing development including warehouse/distribution facilities, neighborhood and community commercial, small-scale industrial facilities, a rural residential neighborhood, and a mobile home park. The surrounding area includes the City of Moreno Valley, MJPA, and MARB to the north, the unincorporated community of Mead Valley to the west, and more developed areas of Perris to the south and east.

The clarifications identified above do not constitute significant new information. No new environmental issues have been raised by this comment.

**Comment J-3**

- 2) Please revise Figure 1.0-2 to identify the boundaries of March Air Reserve Base and the March Joint Powers Authority located to the north of the project site.

**Response to Comment J-3**

Figure 1.0-2 on page 1.0-7 of the DEIR will be modified to clarify the boundaries of both MJPA and MARB, located immediately north of the project site.

The modification of Figure 1.0-2 does not constitute significant new information. No new environmental issues have been raised by this comment.

**Comment J-4**

- 3) Please revise Section 3.0, Project Description, to include the March JPA as being identified to the north of the project site. The March JPA has jurisdiction over properties located at the terminus of Western Way. Please incorporate this revision throughout the EIR as necessary.

**Response to Comment J-4**

To clarify the MJPA jurisdiction, references to MJPA have been added throughout the DEIR as indicated in the Response to Comment J-1.

The clarifications made to the DEIR in Responses to Comment J-4 and Comment J-1 above do not constitute significant new information. No new environmental issues have been raised by this comment.

**Comment J-5**

- 4) Please revise Figure 3.0-2 to identify the boundaries of March Air Reserve Base and the March Joint Powers Authority located to the north of the project site.

**Response to Comment J-5**

Figure 3.0-2 on page 3.0-4 of the DEIR will be modified to reflect the boundaries of both MJPA and MARB, located immediately north of the project site.

The modification of Figure 3.0-2 does not constitute significant new information. No new environmental issues have been raised by this comment.

**Comment J-6**

- 5) Please revise Section 4.6 to correctly identify the “March Inland Port” as the designation assigned to the March JPA civilian airport, not “March Global Port”.

**Response to Comment J-6**

To clarify MJPA jurisdiction and correct the name of the civilian airport, the following paragraphs from Section 4.6 Hazards and Hazardous Materials of the DEIR (pages 4.6-3, 4.6-10) will be modified as follows:

There is one airport located within proximity to the PVCC boundaries, MARB. In the 1990s, the federal government ceased or reduced military operations at several military bases throughout the United States. The bases were “realigned” for civilian use and/or military reserve uses. Subsequent to the base realignment process in 1996, March Air Force Base (MAFB) became MARB, and portions of the former MAFB were reserved for use as a commercial airport. ~~The March Joint Powers Authority (MJPA~~ is a public entity created for the purpose of addressing the use, reuse, and joint use of realigned MAFB, including conversion and operation of the commercial airport, March ~~Global~~Inland Port Airport Authority. The four individual public entities that cooperatively formed the MJPA are the cities of Perris, Moreno Valley and Riverside, and the County of Riverside. The MJPA Commission includes members of the Riverside County Board of Supervisors and members of the Perris, Moreno Valley and Riverside City Councils.

[...]

The PVCC Guidelines include an “avigation easement” requirement with regards to MARB, which states that, “Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the land owner shall convey an avigation easement to March Air Reserve Base/March ~~Global~~Inland Port Airport Authority through the Airport Land Use Commission (ALUC)...” and “provide and disclose a ‘Notice of Airport in Vicinity’ to building tenants.”

The clarifications identified above do not constitute significant new information. No new environmental issues have been raised by this comment.

#### **Comment J-7**

- 6) Recommend revising Section 4.6 to add that MARB has F-16 aircraft operated by the National Guard. These aircraft are proposed for replacement with F-15 aircraft, which is currently under NEPA review.**

#### **Response to Comment J-7**

The following paragraph from Section 4.6 Hazards and Hazardous Materials of the DEIR (page 4.6-3) will be modified to amplify the discussion regarding the military aircraft fleet at MARB as follows:

The 2005 update of the MARB Air Installation Compatibility Use Zone (AICUZ) Study summarized current and forecast aircraft activity at MARB. The AICUZ study states that there are 40,813 annual current military and civilian aircraft operations, with a total of 69,600 military, civilian and other aircraft operations forecast for MARB. Each arrival (landing) and departure (takeoff) is counted as a separate operation and closed pattern operations in which the aircraft conducts a “touch-and-go” landing (or a low approach and departure) are counted as two operations. Military aircraft based at MARB include KC-10, KC-135, C-141, ~~and C-17~~, and F-16 aircraft. Moreover, F-16 aircraft, currently operated by the United States National Guard, are anticipated to be replaced by F-15 aircraft, the replacement of which is under review pursuant to the National Environmental Policy Act. Transient military aircraft operations, consisting of a variety of aircraft, include aircraft arriving and departing MARB,

operations by aircraft traveling through the area, and training operations conducted by aircraft based at other locations. Military-related civil operations include contract cargo flights for delivery of aircraft parts and maintenance supplies and contract passenger flights

This amplification regarding aircraft at MARB does not constitute significant new information. No new environmental issues have been raised by this comment.

**Comment J-8**

**7) Please revise Section 4.6 to correctly identify the “March Air Reserve Base/March Inland Port Airport Authority” as the agencies that land owners will convey an aviation easement.**

**Response to Comment J-8**

The following paragraph and mitigation measure from Section 4.6 Hazards and Hazardous Materials of the DEIR (pages 4.6-10, 4.6-19) will be modified as follows:

The PVCC Guidelines include an “aviation easement” requirement with regards to MARB, which states that, “Prior to recordation of a final map, issuance of building permits, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the land owner shall convey an aviation easement to March Air Reserve Base/March ~~Global~~Inland Port Airport Authority through the Airport Land Use Commission (ALUC)...” and “provide and disclose a ‘Notice of Airport in Vicinity’ to building tenants.”

[...]

**MM Haz 2:** Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an aviation easement to the MARB/March Inland Port Airport Authority.

The minor revisions identified above do not constitute significant new information. No new environmental issues have been raised by this comment.

*Remainder of page intentionally blank*

**Comment J-9**

8) The March JPA worked closely with the City of Perris to coordinate the provisions of the JLUS. When the March Joint Powers Commission approved the JLUS on December 15, 2010, the representatives from the member jurisdictions agreed to incorporate the provisions of the JLUS into their future planning documents. We appreciate that the City has included many of the provisions and compatibility criteria of the Draft Joint Land Use Study in the PVCC Specific Plan. However, the Airport Overlay Zones identified in Figure 2.0-1 of the SP are based on the 2005 AICUZ, which is not fully consistent with the Compatibility Map set forth in the Draft JLUS. MJPA encourages the City of Perris to incorporate the draft compatibility zones into the Specific Plan at this time to ensure consistency with the JLUS when adopted by ALUC. The expanded compatibility zones include additional land use criteria outside of the APZ's that should be addressed in the Specific Plan. MJPA staff would be more than willing to assist the City of Perris in identifying the expanded compatibility zones and criteria to include in the PVCC Specific Plan.

**Response to Comment J-9**

The City is aware of the Draft JLUS and will amend the PVCC Specific Plan as needed when the JLUS is adopted. No revision to the DEIR is required and no new environmental issues have been raised by this comment.

**Comment J-10**

9) Please verify that Figure 4.10-4 of the EIR is consistent with the adopted NPRBBB Facilities report, as it appears that Western Way is not listed as a facility eligible for funding. The March JPA would like to ensure that funding mechanisms are in place to ensure future build out of this roadway to Secondary Collector standard from the terminus of Western Way at the City boundary to Harley Knox Boulevard.

**Response to Comment J-10**

The existing **Figure 4.10-4** on page 4.10-14 of the DEIR is not consistent with the final *Analysis Report for the North Perris Road and Bridge Benefit District*, dated June 12, 2008 (the *NPRBBB Report*). Figure 4.10-4 on page 4.10-14 of the DEIR misidentified Western Way as a NPRBBB facility. This figure will be modified to be consistent with Exhibit L, NPRBBB Facility Map, contained in the *NPRBBB Report*.

However, **Figure 3.0-1, Circulation Plan**, on page 3.0-2 of the PVCC Specific Plan and Exhibit CE-4, City of Perris Existing Roadway Network, on page 12 of the City of Perris General Plan 2030 Circulation Element identifies Western Way's designation as a Secondary Arterial with a 94-foot right-of-way. PVCC will designate Western Way, from Harley Knox Boulevard to the north boundary of PVCC as a truck route, in addition to its designation as Secondary Arterial, as discussed on page 4.10-15 of the DEIR. Moreover, as an identified roadway for improvement under the City of Perris General Plan 2030, the City is responsible to ensure that potential revenue sources are identified and programmed to provide for a balanced financing plan. Specifically, appendices E and F of the City of Perris General Plan 2030 Circulation Element discuss existing funding sources and potential funding sources, respectively. While the existing Figure 4.10-4 misidentified Western Way as a NPRBBB facility, the ultimate designation is consistent with that contained in the

Circulation Element, which also provides a funding program to carry out identified roadway improvements. The Transportation/Traffic analysis is not materially affected, as the misidentification applied only to **Figure 4.10-4** of the DEIR.

The DEIR includes mitigation measures that will be applied to implementing development projects within the PVCC that requires: (i) construction of on-site roadway improvements to the general alignments and right-of-way sections in the PVCC Circulation Plan unless said improvements have been previously constructed (**MM Trans 1**, DEIR, p. 4.10-21) and (ii) preparation of project-level traffic impact studies that identify specific impacts and needed roadway improvements (**MM Trans 7**, DEIR, p. 4.10-21). As part of the development review process for the implementing development projects, the City Planning Department and City Engineering Department will identify what transportation facilities will be needed and will impose conditions of project approval to make sure such facilities will be constructed. Therefore, as Western Way is programmed to be improved to a Secondary Arterial under the General Plan, it is expected that it will be constructed on a need basis.

The revision of Figure 4.10-4 does not constitute significant new information or change the significance findings of the DEIR. No new environmental issues have been raised by this comment.

**Comment J-11**

Again, the March JPA appreciates the opportunity comment on the Draft EIR, and if you should have any questions in regards to these comments please feel free to contact me at (951) 656-7000.

**Response to Comment J-11**

Comment noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Figure 4.10-4**

**Response to Comment Letter K  
Eastern Municipal Water District (EMWD)  
Dated September 6, 2011**

**Comment K-1**

Eastern Municipal Water District (EMWD) thanks you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The proposed project includes the adoption of the PVCC Specific Plan and related infrastructure plans. The PVCC would slightly modify the existing General Plan land use designations (GPA 08-10-0008) and sets forth a list of permitted uses, infrastructure plans, guidelines for architectural design and landscaping and administrative procedures for development within the Specific Plan (SP 08-10-0007). Zone Change 08-10-0009 will establish Specific Plan zoning for properties within the designated area. Generally, the PVCC land use designations correspond with the City of Perris General Plan land use designations. Proposed land uses are Light and General Industrial, Business Park/Professional Office, Commercial, Public/Open Space and Residential (existing). The infrastructure plan includes storm drains, storm water detention basins, and water and sewer facilities. An updated Perris Valley Master Drainage Plan will be needed in order to meet the development goals of the PVCC. EMWD offers the following comments.

**Response to Comment K-1**

Comment noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Comment K-2**

Regarding Section 4.11 of the DEIR, Utilities and Service Systems, EMWD would like to point out that completed Water, Wastewater and Recycled Water Master Plans have identified backbone facilities based on current land use. EMWD requests that PVCC compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD New Business Department for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD New Business Department to develop a Plan of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities. EMWD also requests the enclosed DEIR pages 4.11-7 and 12 be revised per the attachments. Also see the attached information re EMWD New Development processes.

**Response to Comment K-2**

The Perris Valley Commerce Center (PVCC) Specific Plan is a master development plan initiated by the City of Perris (City) to guide development of over 3,500 acres in the northwestern portion of the City (DEIR, p.

3.0-5). The PVCC Specific Plan includes revised General Plan land use designations, infrastructure plans, and design guidelines, to support new development within the specific plan boundaries (DEIR, p. 3.0-5). Because there are no specific uses or implementing development projects proposed as part of the PVCC, the DEIR presents a programmatic level analysis (DEIR, p. 3.0-7). Development within the PVCC will occur over time and the proponents of implementing development projects will consult with EMWD's New Business Department and, if necessary, prepare a POS to detail water, wastewater, and recycled water requirements to serve such implementing development project.

No new environmental issues have been raised by this comment and no modification of the DEIR is required.

#### **Comment K-3**

**Again, EMWD appreciates the opportunity to comment on this project. The attached DEIR pages that include EMWD comments are hereby made a part of this comment letter. Please forward the Final Environmental Impact Report to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact me at 951 928-3777, Ext. 4455, or Karen Hackett at Ext. 4462.**

#### **Response to Comment K-3**

Responses to the referenced DEIR pages with EMWD comments are included below. As required by Section 15088 of the State *CEQA Guidelines*, the City will provide a written response to EMWD at least 10 days prior to certifying the PVCC EIR.

No new environmental issues have been raised by this comment and no modification of the DEIR is required.

#### **Comment K-4**

**9/2/2011 - Comment by EMWD, New Business Development Department:**

**Subject: Section 4.11, Water Infrastructure (Page 368)**

**Delete the last sentence of the first paragraph, and replace with the following:**

***EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.***

#### **Response to Comment K-4**

As discussed in the Response to Comment K-3, because the PVCC Specific Plan is a master plan for development of over 3,500 acres in the northwestern portion of the City and does not propose any specific development or use (DEIR, pp. 3.0-5 and 3.0-7), the appropriate time for consulting EMWD and preparing a POS is when specific implementing development projects are proposed. Therefore, the following paragraph from Section 4.11 Utilities and Service Systems of the DEIR (page 4.11-7) will be modified as follows:

Water Infrastructure

In 2010, EMWD's potable water system consisted of 2,421 miles of transmission and distribution pipeline, 77 water storage tanks, and a maximum storage capacity of 193 million gallons with 133,810 active domestic accounts and 146 active agriculture and irrigations accounts (CAFR, p. 79). Moreover, EMWD operates 84 pumping plants, 18 active domestic wells with a production capacity of 32,843 AFY, 7 active desalter wells, 2 desalter treatment plants with a combined capacity of 8 million gallons per day, and 2 filtration treatment plants with a combined capacity of 32 million gallons per day (CAFR, p. 79). According to the *Perris Valley Commerce Center Specific Plan*, EMWD provides service to the PVCC project site through its system of existing pipelines, ranging in size from 8 to 42 inches in diameter, within the 1,627-foot and 1,705-foot pressure zones. A list of waterlines within the project area as of October 2008 is provided in **Table 4.11-B**. ~~Although EMWD has no conceptual plans for expansion of these waterlines, they will assess demand as growth occurs and upgrades are designed as part of implementing development projects in order to meet future demands of the PVCC project area. EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the PVCC, the proponents of such implementing development projects will coordinate with EMWD to determine if a Plan of Service (POS) is required prior to final design of any water, wastewater, and/or recycled water facilities.~~

No new environmental issues have been raised by this comment and the textual changes to the DEIR clarify the need for coordination with EMWD does not constitute significant new information.

**Comment K-5**

9/2/2011 - Comment by EMWD, New Business Development Department:

**Subject: Section 4.11, Wastewater (Page 373)**

**Add the following:**

*EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.*

**Response to Comment K-5**

As discussed in the Response to Comment K-3, because the PVCC Specific Plan is a master plan for development of over 3,500 acres in the northwestern portion of the City and does not propose any specific development or use (DEIR, pp. 3.0-5 and 3.0-7), the appropriate time for consulting EMWD and preparing a

POS is when specific implementing development projects are proposed. Nonetheless, the following paragraph will be added to Section 4.11 Utilities and Service Systems of the DEIR (page 4.11-12) as follows:

EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the PVCC, the proponents of such implementing development projects will coordinate with EMWD to determine if a POS is required prior to final design of any water, wastewater, and/or recycled water facilities.

No new environmental issues have been raised by this comment and the textual changes to the DEIR clarify the need for coordination with EMWD does not constitute significant new information.

#### **Comment K-6**

**9/2/2011 - Comment by EMWD, New Business Development Department:**

**Subject: Section 4.11, Recycled Water (Page 373)**

**Delete the last sentence of the second paragraph, and replace with the following:**

***EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.***

#### **Response to Comment K-6**

As discussed in the Response to Comment K-3, because the PVCC Specific Plan is a master plan for development of over 3,500 acres in the northwestern portion of the City and does not propose any specific development or use (DEIR, pp. 3.0-5 and 3.0-7), the appropriate time for consulting EMWD and preparing a POS is when specific implementing development projects are proposed. Therefore the following paragraph from Section 4.11 Utilities and Service Systems of the DEIR (page 4.11-12) will be modified as follows:

The PVCC project site is located within EMWD's Recycled Water Service area, served by the Moreno Valley RWRf; recycled water sourced from this facility is utilized for agricultural purposes within the project area. Currently, new development in the area must connect to the potable water system to provide for irrigation needs, until enough recycled capacity is available. ~~Additionally, the lack of transmission lines prohibits the ability to adequately phase out the usage of potable water for irrigation purposes throughout the specific plan area.~~ EMWD has completed water, wastewater, and recycled water master plans that have identified backbone facilities based on current land use. As part of the development plan review process for implementing development projects within the PVCC, the proponents of

such implementing development projects will coordinate with EMWD to determine if a Plan of Service (POS) is required prior to final design of any water, wastewater, and/or recycled water facilities.

No new environmental issues have been raised by this comment and the textual changes to the DEIR clarify the need for coordination with EMWD does not constitute significant new information.

**Comment K-7**

**Will the subject project require service from Eastern Municipal Water District (EMWD) for water, sewer or recycled water?**

**Response to Comment K-7**

As stated on page 4.11-3 of the DEIR, “The PVCC will be served by Eastern Municipal Water District (EMWD).” This statement includes water, sewer, and recycled water services. As discussed in the Responses to Comment K-5, Comment K-6, and Comment K-7, as part of the development review process for implementing development projects, the proponents of such implementing development projects will coordinate with EMWD at the time such projects are proposed.

Section 4.11 Utilities and Service Systems of the DEIR, evaluates the PVCC’s impact on water and sewer, which includes recycled water. The DEIR analysis determines, based in part on the Water Supply Assessment prepared by EMWD, that the project will result in a less than significant impact on water and sewer services provided by EMWD.

No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Comment K-8**

**EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineer for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.**

**Response to Comment K-8**

This comment, which discusses EMWD’s process for assessing project-specific infrastructure needs and does not comment on the EIR or on any environmental issue, is noted. However, as discussed in the Response to Comment K-3, the PVCC Specific Plan is a master plan for development of over 3,500 acres in the northwestern portion of the City and does not propose any specific development or use (DEIR, pp. 3.0-5 and

3.0-7). Therefore, the appropriate time for consulting EMWD and preparing a POS is when specific implementing development projects are proposed. As discussed in the Responses to Comment K-5, Comment K-6, and Comment K-7, part of the development review process for implementing development projects requires the proponents of such implementing development projects to coordinate with EMWD at the time such projects are proposed. Any arrangements regarding establishing a Work Order with EMWD will be made by the proponents of the implementing development projects.

No new environmental issues have been raised by this comment and no modification of the DEIR is required.

#### **Comment K-9**

**In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays.**

#### **Response to Comment K-9**

This comment, which discusses EMWD's goal use of recycled water for landscaped areas and does not comment on the EIR or on any environmental issue, is noted. As discussed in Section 4.11 Utilities and Service Systems on pages 4.11-6 and 4.11-7 of the DEIR:

##### Recycled Water

Recycled water is extensively used in EMWD's service area to meet non-potable demands, and the supply of recycled water will continue to increase with EMWD's population size (UWMP, p. 53). To offset municipal demand, recycled water is used to irrigate landscapes and for industrial purposes (Project WSA, p. 13). The majority of EMWD's agricultural customers also use recycled water. EMWD operates and maintains four regional water reclamation facilities. These facilities treat water collected in EMWD's wastewater system for use as recycled non-potable water. In 2010, EMWD treated 46,500 AF and sold 28,300 AF, or 61 percent (UWMP, Table 3.11). EMWD has sold up to 32,500 AF annually of recycled water to retail and wholesale customers throughout its service area, the majority of which is used for agricultural irrigation (UWMP, p. 56). The four regional water reclamation facilities that EMWD currently operates are all either in the process of expansion or have an expansion planned in the near future (UWMP, p. 53). In addition to treatment facilities, EMWD has several recycled water storage ponds throughout its service area, which allows EMWD to sell more than the recycled water produced by its treatment plants during the peak demand months of June through September (UWMP, p. 56). Recycled water production and sales reduce the demand for imported water and provide a sustainable supply to EMWD (UWMP, p. 31).

As discussed in Section 4.11 Utilities and Service Systems on pages 4.11-36 and 4.11-37 of the DEIR:

##### **Recycled Water**

EMWD is dedicated to expanding and maximizing the use of recycled water produced at four regional water reclamation facilities, which collect and treat wastewater from

throughout the EMWD service area. EMWD policy recognizes recycled water as the preferred source of supply for all non-potable water demands, including irrigation of recreation areas, greenbelts, open space common areas, commercial landscaping, and supply for aesthetics impoundment or other water features (Project WSA, p. 21). Based on the UWMP, the amount of reclaimed water generated within the EMWD service area in 2010 totaled 46,500 AF and a total of 28,300 AF was sold (UWMP, Table 3.11). Recycled water usage potential within the EMWD service area is anticipated to increase to 86,000 AFY by 2035 (UWMP, Table 3.14).

The supply of recycled water will continue to grow with EMWD's population growth. The four regional water reclamation facilities that EMWD is currently operating are all either in the process of expansion or have an expansion planned in the near future (Project WSA, p. 13). Due to an increase in treatment plant flow from population growth and after filling all recycled water storage ponds, EMWD has remaining surplus recycled water. Currently the use of recycled water is limited by the amount available to serve during peak demands and with livestream discharge occurring in off-peak periods. EMWD has developed plans to eliminate discharge and use all of the recycled water available within the service area and to offset demand of existing potable customers including retrofit of potable water landscape customers and indirect potable recharge (Project WSA, p. 13). However, approximately 208 acre feet of recycled water was delivered to the Elsinore Valley Municipal Water District under an existing sales agreement and approximately 16,261 AF of recycled water was discharged into Temescal Creek at Wasson Canyon. Recycled water supplies are not subject to climatic variability and EMWD predicts that these sources will remain stable and reliable components of EMWD's water supplies under any future conditions.

EMWD also treats raw water imported from MWD at a microfiltration plant located in Perris and is constructing another microfiltration plant in Hemet. This allows EMWD to utilize additional MWD supplies that could not otherwise be utilized. Additionally, the San Jacinto Valley Regional Water Reclamation Facility (RWRF) is being expanded to provide tertiary treatment so that the water can be used for far more than secondary treated water and the Perris RWRF is being expanded to have a capacity of 30 million gallons per day.

According to EMWD policy, the proposed project will be conditions to construct a recycled water system physically separated from the potable water system (Project WSA, p. 21). The proposed project includes installation of facilities to utilize recycled water for all non-potable water demands that will be built to EMWD's recycled water standards. However, the water supply assessment assumes that recycled water will not be delivered to the project site. If and when recycled water is delivered, the project's water demand will be less than the projected water demand.

Further, as discussed in Section 4.11 Utilities and Service Systems on page 4.11-41 of the DEIR:

Further, with respect to recycled water, the proposed project is near existing and proposed recycled water lines, and recycled water may be available for the project. Landscape areas in the project area will be designed to use recycled water to the greatest extent possible. In fact,

per EMWD policy, the project will be conditioned to construct a recycled water system physically separated from the potable water system. The system will need to be constructed to recycled water standards. The project may also be conditioned to construct off-site recycled water facilities. EMWD will make a final determination on requirements for recycled water use and facilities during the design phase of the proposed project. (Project WSA, p. 21)

Thus, the DEIR acknowledges the importance of recycled water and its role with EMWD's water supply.

With regard to EMWD's review of the use of recycled water for specific development or infrastructure projects, discussed in the Response to Comment K-3, the PVCC Specific Plan does not propose any specific development or use (DEIR, pp. 3.0-5 and 3.0-7). Therefore, the appropriate time for consulting EMWD regarding the use of recycled water is when specific implementing development projects are proposed as discussed in the Responses to Comment K-5, Comment K-6, and Comment K-7.

No new environmental issues have been raised by this comment and no modification of the DEIR is required.

#### **Comment K-10**

**In order to set up a Due Diligence meeting we need:**

- 1- A completed Due Diligence questionnaire**
  - 2- Your proposed agenda for the due-diligence meeting**
  - 3- Location Map**
  - 4- Proposed development plan layout if available (hard copy and JPEG format)**
- 

#### **Response to Comment K-10**

This comment, which provides direction on how to set up a Due Diligence meeting and does not comment on the EIR or on any environmental issue, is noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

#### **Comment K-11**

**I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at [http://www.emwd.org/new\\_biz/new-biz-dev.html](http://www.emwd.org/new_biz/new-biz-dev.html).**

**If at any point in time there are questions or concerns, please do not hesitate to contact me.**

---

#### **Response to Comment K-11**

Comment noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

**Response to Comment Letter L**  
**South Coast Air Quality Management District**  
**Dated September 6, 2011**

**Comment L-1:**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document.

In the project description, the lead agency proposes the adoption of the proposed Perris Valley Specific Plan (PVCC Specific Plan), which would serve as a master development plan for 5.3 square miles and over 3,500 acres within the northern part of the City of Perris. The proposed project also includes changes to the original Perris General Plan EIR (Perris GP EIR, October 2004) land use designations and acreage, creates a list of permitted uses, guidelines for landscape and architectural design, infrastructure plans, and administrative procedures. Proposed land uses include 357 acres of business park/professional office uses; 309 acres of commercial uses; 408 acres of general industrial uses; and 1,836 acres of light industrial uses. The proposed project would also generate approximately *half a million* daily vehicle trips<sup>1</sup> including a substantial number of trucks.

---

<sup>1</sup> Draft EIR, Page 4.10-17.

**Response to Comment L-1:**

The comment accurately summarizes the proposed Project description, except the proposed land uses also include 249 acres of public/semi-public facility, 340 acres of other land uses (right-of-way, basins, and etc.), 22 acres of multi-family residential, and 63 acres of single family residential (DEIR, Section 1.0 *Executive Summary*, p. 1.0-3). Although the Project proposes changes to the existing General Plan land use designations, the proposed PVCC is a master plan that redistributes planned land uses within the Project area without changing the total amount of property that is planned for future development and retains consistency with the General Plan (DEIR, p. 4.2-32).

The comment is also correct in stating that the proposed Project would generate approximately half a million daily vehicle trips (DEIR, p. 4.2-32); however, these are not new trips unanticipated by the City's General Plan. The existing City of Perris General Plan land uses within the specific plan boundary are expected to generate approximately 549,453 daily trip-ends during a typical weekday (DEIR, p. 4.2-32). This represents a *reduction* of 50,182 daily trip-ends or approximately 9.1 percent from the City of Perris General Plan land use designations for the Project area.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment L-2:**

Given the potentially significant air quality impacts that are driven by the high vehicular emissions, AQMD staff recommends that the lead agency include a more robust analysis of cumulative impacts in the Final EIR. Further, as the proposed land uses are dedicated primarily to industrial land uses, such as warehousing/distribution centers, the lead agency should revisit its estimate of the number of trucks projected to serve the site. Due to the substantial increase in truck traffic proposed by this project, the lead agency should also provide additional analysis demonstrating that the project will not significantly impact sensitive receptors during operation, and that it will not cause a significant greenhouse gas impact. Lastly, the project should evaluate additional mitigation

measures to further reduce any significant air quality and greenhouse gas impacts in the Final EIR. Detailed comments regarding these issues are attached to this letter.

**Response to Comment L-2:**

As stated in Response to Comment L-1, the proposed Project represents a redistribution of planned land uses within the Project area without changing the total amount of property that is planned for future development. Because property within the PVCC boundaries is owned by many different property owners, the PVCC Specific Plan is a master plan to guide development of the northwestern portion of the City. As such, the PVCC Specific Plan does not propose any specific uses or individual implementing development projects; thus, the Project was analyzed with a “programmatic” approach (DEIR, p. 3.0-7) and the DEIR is considered a programmatic document, as defined in Section 15168 of the State *CEQA Guidelines*. When a programmatic EIR is prepared, later activities, which for the proposed Project would consist of implementing development and infrastructure projects, must be examined to determine whether an additional environmental document is required.<sup>1</sup> As part of the City’s normal development review process, implementing development and infrastructure projects will be evaluated for compliance with CEQA. It is anticipated that future implementing development and infrastructure projects will be preparing subsequent EIRs, mitigated negative declarations, and in some limited cases, negative declarations. Due to the absence of specific development proposals, the PVCC DEIR provides a sufficiently robust level of analysis and disclosure for the City Planning Commission and City Council to make an informed decision regarding the Project.

Regarding the request for additional analysis, please refer to Response to Comment L-4.

Regarding the request to evaluate additional mitigation measures, please refer to Response to Comment L-7.

**Comment L-3:**

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The AQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

---

<sup>1</sup> State CEQA Guidelines, Section 15168(c)

**Response to Comment L-3:**

The City of Perris is fully complying with the requirements of Section 21092.5 the Public Resources Code and will be preparing written responses to environmental comments provided to the City during the 45-day public review period. In compliance with CEQA, all public agencies will be provided written responses to their comments 10-days prior to certification of the Final EIR. In addition, both the Planning Commission and City Council will have the “Comments and Responses” section of the Final EIR for their review and consideration prior to taking any action on the Final EIR.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

**Comment L-4:****1) Cumulative Air Quality and Health Risk Impacts**

The Draft EIR includes a brief discussion of the recent development in the project area, including the individual health risk impacts of several recent goods movement projects (Table 1). In previous comment letters<sup>2</sup> AQMD staff has noted the large increase in warehouse uses and associated trucking emissions that have been proposed within the area. AQMD staff has consistently requested that the cumulative effect of these proposed projects be addressed prior to project approval. To our knowledge, the lead agency has not yet completed an analysis of this kind, yet concludes that sensitive receptors will not be significantly impacted by the cumulative effect of these projects. Given the air quality impacts experienced by other communities located in the SCAQMD that have similarly high proportions of warehousing land uses, this result is questionable. This specific plan would seem to be the perfect opportunity to address the potentially significant cumulative health risk impacts that may be associated with the proposed land use changes.

**Table 1**

<b>Name</b>	<b>Cancer Risk (per million)</b>	<b>Size (MSF)</b>	<b>EIR Date</b>
Perris Ridge Commerce Center I	4.6	1.91	April 2007 Final
Oleander Industrial Park	180	1.2	September 2008 Final
Rider Distribution Center	32.6	0.6	April 2009 Final
Markham Business Center	2.1	1.75	June 2009 Final
Oakmont II	6.4	1.60	December 2009 Final
Perris Ridge Commerce Center II	3	2.0	December 2009 Final
Nuevo Business Park Phase II	19	2.0	December 2009 Final
South Perris Industrial	7.4	7.4	May 2010 Final
Rados Distribution Center	2.1	1.2	July 2011 Final

*MSF – Million Square Feet*

As noted in the PVCC Draft EIR, the lead agency has relied on the previously certified general plan or on future analyses to address cumulative air quality impacts in the PVCC Draft EIR.<sup>3</sup> Since the projects included in previous general plan documents and other projects like those in the following table were not included in the PVCC Draft EIR, it is not clear that all past, present and probable future projects have been considered.

Therefore, the AQMD staff recommends that the Cumulative Impact Analysis be revised to include any projects from the general plan documents, the projects listed in the table above and any other applicable project in the Final EIR. This analysis should include a cumulative health risk assessment that evaluates the impacts to sensitive receptors from trucking activities on and near the project sites, and from associated trucking activities at nearby support services that will cater to this new business.

<sup>2</sup> Final EIR South Perris Industrial Project (June 24, 2010); Draft EIR Perris Downtown Specific Plan (August 12, 2011); Final EIR Rados Distribution Center (September 10, 2010)

<sup>3</sup> City of Perris General Plan 2030 (Perris GP) and City of Perris General Plan 2030 Draft Environmental Impact Report (Perris GP EIR).

**Response to Comment L-4:**

As stated in Response to Comment L-1, the proposed Project represents a redistribution of planned land uses within the Project area without changing the total amount of property that is planned for future development and does not propose any specific uses or individual implementing development projects (DEIR, p. 3.0-5). Therefore, the Project was analyzed with a “programmatic” approach (DEIR, p. 3.0-7) and the DEIR is considered a programmatic document, as defined in Section 15168 of the State *CEQA Guidelines*. As previously discussed in Response to Comment L-2, when a programmatic EIR is prepared, later activities, which for the proposed Project consists of implementing development and infrastructure projects, must be examined to determine whether an additional environmental document is required.<sup>2</sup> This evaluation takes place as part of the City’s normal development review process.

Because at the programmatic level, there are no specific implementing development projects proposed or truck trip data available, a meaningful analysis of health risk impacts cannot be performed at this stage of master planning. Therefore, the DEIR concluded that any such analysis would be, at best, speculative (DEIR, p. 4.2-49) and did not discuss the issue further as allowed per Section 15145 of the State *CEQA Guidelines*. Thus, the DEIR’s conclusions related to the Project exposing sensitive receptors to substantial pollutant concentrations were based on the health risks from previously evaluated industrial projects within the PVCC vicinity (DEIR Table 4.2-M) and the determination from the General Plan EIR. However, implementation of mitigation measure **MM Air 15** specifically requires a health risk assessment to identify project-specific impacts resulting from the use of diesel trucks from potential implementing development projects based on the number and truck trips.

The commenter’s recommendation that the cumulative impact analysis be revised to include any projects from the general plan documents, the projects listed in the Table 1 above, and any other applicable projects into the Final EIR is not necessary. This is because on page 4.2-39 in Section 4.2 – *Air Quality* of the DEIR it states, “the emissions generated by the overall PVCC area and some individual development projects within the PVCC will exceed the SCAQMD’s recommended thresholds of significance. Therefore, the cumulative impact will also be significant.” Since it was concluded that the cumulative impacts will be significant, adding more projects to the cumulative impact analysis will only result in the same conclusion, that cumulative impacts are significant. Therefore, no new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required.

Additionally, there is no methodology to quantify the cumulative areawide or localized health risks from multiple facilities. This is because the SCAQMD’s recommended thresholds of significance (utilized by the City of Perris to evaluate air quality impacts of proposed projects) apply to individual development projects and are meant to evaluate the incremental increase in emissions from a proposed source. These thresholds do not apply to the emissions generated by a group of related or cumulative projects. Therefore, a community wide HRA would not be required for this project. Furthermore, the City uses the SCAQMD’s recommended methodology to evaluate cumulative impacts, which is to conclude that an impact that is considered to be significant on a project-specific basis would also cause a significant cumulative impact.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

---

<sup>2</sup> State CEQA Guidelines, Section 15168(c)

**Comment L-5:**

**2) Truck Trips**

In the URBEMIS model analysis, the lead agency utilized the default EMFAC fleet mix to determine the proportion of vehicles serving the project that will be trucks. For example, the proportion of heavy-heavy duty trucks assumed for this project is only 1.7%. This assumption should be revisited given the high proportion of warehousing land uses that are being proposed by the project. The lead agency may choose to use other trip generation studies to validate its choice of trucking percentage such as the Fontana Truck Trip Study, or the Appendix to the CalEEMod User Guide.

**Response to Comment L-5:**

Refer to Responses to Comments L-1 and L-4. The proposed Project represents only a redistribution of the City of Perris General Plan land uses designations and is therefore consistent. Additionally, the DEIR is a programmatic document with no specific uses or individual implementing development projects; future development within the PVCC will be subject to project-specific CEQA review. Therefore, utilizing the default EMFAC fleet mix to determine the proportion of vehicles serving the Project is an acceptable level of analysis for this Project. Further, the DEIR concluded that even with mitigation implementation of the PVCC Specific Plan will result in a significant air quality impact; changing the assumptions used in the air quality analysis would not change the significance conclusion of the DEIR.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment L-6:**

**3) Greenhouse Gas Impacts**

The lead agency concludes that the project will not have a significant impact on greenhouse gas impacts (page 4.2-41 of the Draft EIR). However the lead agency did not present a quantified existing baseline of GHG emissions, nor a potential project increment. Therefore, the lead agency has not demonstrated that the 681,878 MT of CO<sub>2</sub>e emissions predicted for this project present a less than significant impact. These emissions have also not been quantitatively compared against any relevant threshold, including SCAQMD's recommended industrial source threshold of 10,000 MT, or the reductions required by AB 32. AQMD staff recommends that the lead agency provide a more robust analysis of potential GHG impacts and demonstrate why this potentially substantial increase in GHG emissions over existing land uses is not significant.

**Response to Comment L-6:**

The City of Perris concluded on page 4.2-41 in Section 4.2 – *Air Quality* of the DEIR that, “It is not anticipated that a single specific plan project, even one this size, would have a measurable effect on global climate conditions. Therefore, the City of Perris is determining that the contribution of PVCC-related CO<sub>2</sub> emissions to the state-wide CO<sub>2</sub> emissions would not be considered cumulatively considerable.” The industrial source threshold of 10,000 MT is applicable to individual projects and is not applicable to a master plan such as the PVCC.

However, to lessen the Project's contribution of GHG emissions from both construction and operation, mitigation measures, **MM Air 19** through **MM Air 21** will be implemented (DEIR, p. 4.2-55).

Additionally, as stated in Response to Comment L-1, existing City of Perris General Plan land uses within the PVCC boundary are expected to generate approximately 549,453 daily trip-ends during a typical weekday (DEIR, p. 4.2-32). The proposed project land uses are expected to generate approximately 499,271 daily trip-ends during a typical weekday; therefore, the proposed project represents a *reduction* of 50,182 daily trip-ends or approximately 9.1 percent from the City of Perris General Plan land use designations (DEIR, p.4.2-32.). The redistribution of the City of Perris General Plan land uses designations resulted in less daily trip-ends during a typical weekday which therefore results in a less than significant greenhouse gas impact.

Lastly, as stated in Response to Comment L-4, the DEIR is a programmatic document with future developments unknown. Future development will be subject to project-based CEQA review, which includes evaluation of greenhouse gas impacts. Nonetheless, the DEIR includes nine mitigation measures (**MM Air 1** through **MM Air 9**) to reduce potential impacts to air quality during construction activities within the PVCC and 12 mitigation measures (**MM Air 10** through **MM Air 21**) to reduce potential air quality impacts during operation of future implementing development projects within the PVCC (DEIR, pp. 4.2-52 through 4.2-55).

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

**Comment L-7:**

**4) Mitigation Measures**

The Draft EIR relies on two potential mitigation measures to reduce potentially significant impacts from siting these industrial/warehousing land uses adjacent to sensitive receptors such as homes. This includes setbacks specified by the California Air Resources Board, or inclusion of high efficiency filtration in HVAC systems if setbacks are found to be infeasible. The lead agency then concludes that sensitive receptors would not be subject to significant levels of air pollution. As noted in comment #1 above, the lead agency has not provided the substantial evidence needed to demonstrate that unmitigated health risks are less than significant. Further, the lead agency has not demonstrated that enhanced filtration in HVAC systems would provide the necessary protection to reduce any potentially significant impacts to a less than significant level. For example, filtration has greatly diminished to no effect when doors or windows are left open, and has zero efficiency for outdoor exposures. Filters also typically do not provide any protection against non-particulate pollution (i.e., gases), and have long term maintenance costs that may not be feasible for all projects.

The lead agency should consider additional mitigation measures including:

- Limit the projects to only use newer truck fleets (similar to the proposed construction mitigation measures for the offroad fleet), such as 2007 or 2010 trucks, or alternative fueled trucks.
  - At a minimum, truck fleets operating within the specific plan area should be required to apply for funding (from ARB or AQMD) to upgrade their fleets, and if awarded should be required to use those funds to upgrade their fleets.
- Projects should also be limited to the number of trucks specified in the EIR.
- Individual projects included inside the specific plan area that have a high volume of trucks should also become SmartWay partners to reduce fuel use and emissions.
- Trucker support services (such as mechanics, restaurants, etc.) should also be encouraged within the specific plan area.

**Response to Comment L-7:**

The proposed Project has implemented twenty-one air quality mitigation measures (DEIR, pp. 4.2-52 through 4.2-55); however, the additional recommended mitigation measures have been evaluated. The feasibility and applicability of each are described below.

The recommended measure requiring operation of newer trucks to/from the site during Project operations is infeasible. The PVCC Specific Plan provides a master plan for development of the northwestern portion of the City, as such there are no implementing development projects proposed at this time; thus, that is, there are no specific uses or known tenants for the PVCC. Additionally, the PVCC Specific Plan area will be developed by many different developers. Future tenants of these developments are unknown, as are the vendors of future tenants, and it is also unknown if these future tenants would have any control over the fleet

of trucks servicing the business. had no control of the truck fleet or could not afford the cost of such upgrades for their own fleet.

Lastly, existing regulations require the phase in of 2010-compliant trucks beginning in 2015 through 2023 depending on the age of the engine under the CARB Truck and Bus Regulation<sup>3</sup> (amended December 17, 2010). Due to cost and the associated decreased marketability of the Project to future developers, mandatory implementation of this measure is infeasible. Nonetheless, the Project is requiring that all tenants apply for funding to retrofit their trucks, as modified below in MM Air 13. This modification of MM Air 13 also satisfies SCAQMD's recommendation.

**MM Air 13:** In order to promote alternative fuels, and help support “clean” truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to SCAQMD's Carl Moyer Program, or other state programs that restrict operations to “clean” trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year will be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website (<http://www.aqmd.gov>). Tenants will be required to use those funds, if awarded.

As stated in Response to Comment L-4 and above, the DEIR is a programmatic document with future developments unknown. Future developments that would violate any air quality impacts to the public will be subject to project-based CEQA review by implementing mitigation measures **MM Air 1**, **MM Air 10**, and **MM Air 15** (DEIR, pp. 4.2-52, and 4.2-55). Therefore, it is not necessary to include Project wide mitigation measures that would limit the number of trucks specified in the DEIR or require future projects with high volume of trucks to become a SmartWay partner when this can be done on a future project-based CEQA review level.

Lastly, the proposed PVCC Specific Plan project includes land use designations that allow for trucker support services; therefore, these services do not need to be required in the proposed project. The PVCC Specific Plan allows vehicle-related routine service and maintenance under Commercial, Light Industrial, and General Industrial land use designations (Perris Valley Commerce Center Specific Plan, Section 2.0 *Land Use Plan*, p. 2.0-6). Also, food and food service is allowable under Commercial, Business Park/Professional Office, Light Industrial, and General Industrial land use designations (Perris Valley Commerce Center Specific Plan, Section 2.0 *Land Use Plan*, p. 2.0-5). Future market needs will determine the quantity and location of these trucker support services without the City of Perris needing to address this in the PVCC Specific Plan.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

---

<sup>3</sup> <http://www.arb.ca.gov/regact/2010/truckbus10/truckbusappd.pdf>

**Response to Comment Letter M**  
**Riverside County Airport Land Use Commission**  
**Dated September 8, 2011**

**Comment M-1:**

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a Notice of Availability of the Perris Valley Commerce Center Specific Plan and Environmental Impact Report. The Perris Valley Commerce Center Specific Plan was reviewed by ALUC as ALUC Case No. ZAP1063MA09. At its March 11, 2010 public hearing, ALUC determined that the project was consistent with applicable airport land use compatibility planning documents, subject to conditions. (See attached letter dated March 25, 2010.)

Although not specified in that letter, it was understood by all parties that a revised version of the Specific Plan incorporating revisions recommended by ALUC staff would be provided upon completion of those revisions at the staff level. We are happy to report that the document now online at the City's website (as referenced in the notice) largely incorporates the requested revisions. However, we would request that the following additional corrections to the Specific Plan document be made:

**Substantive Corrections:**

On page 1.0-7, in the subsection addressing residential uses, there is reference to an area at the northwest corner of Redlands Boulevard and Markham Street as being designated R-6,000, but this is not reflected on Figure 2.0-1, nor is it discussed in Section 2.1. If this is an area that is proposed for a change to an Industrial designation through this Specific Plan, this should be indicated.

On page 2.0-3, we appreciate the correction to the maximum number of people per acre in the Accident Potential Zones, but, for clarity, the references should indicate that the 25 person per acre and 50 person per acre levels are maximum limits. In other words, the sentences should state, "Non-residential development will be limited to those uses that have *not more than 25 persons per acre...*," for APZ I and "Non-residential development will be limited to those uses that have *not more than 50 persons per acre...*" for APZ II. Additionally, the reference to hotels and motels in the discussion of APZ II should be deleted.

On pages 3.0-27 and 3.0-28, there are references to Line E and Line H detention basins. These basins shall be designed to remain totally dry between rainfalls, and vegetation used for landscaping shall not be of a type that would provide food or cover for bird species that would be incompatible with operations at March Air Reserve Base.

---

On page 12.0-3, in the row relating to restrictions on maximum habitable floors allowed, the row states that “none” are allowed in the Airport Influence Area, and that restrictions are “n/a” in the Clear Zone. This needs to be reversed. Being in the Airport Influence Area does not itself restrict the number of habitable floors allowed, so this should be “n/a,” while no habitable floors are allowed in the Clear Zone, so that cell should state “none.”

On page 12.0-6, there is a reference to 1,535 feet above mean sea level as the “established airfield elevation” for March Air Reserve Base. While this is true, for the purposes of determining height restrictions, the relevant fact is the elevation of the runway at the point where the runway is closest to the building site. In almost all cases within the City of Perris, that closest point would be at the southerly terminus of the runway, where the elevation is 1,488 feet above mean sea level.

On page 12.0-7, in the second paragraph discussing the Conical Surface, in line 8, there is a reference to the elevation of the runway at its nearest point to the specific plan as being 1,688 feet above mean sea level. This is incorrect. The elevation of the runway at that point is 1,488 feet above mean sea level.

Additional Corrections:

### Section 3

On page 3.0-30, there is a reference to the “PVRWRF” as being able to meet immediate needs, but the meaning of the acronym is not specified.

### Section 4

On page 4.0-1, the last sentence in the paragraph introducing Section 4.1 has a singular subject (“summary”) and a plural predicate (“are”). I would suggest that the sentence be revised to state as follows: “The project-wide standards are outlined in summary form in Table 4.0-1.”

### Section 12

#### Page 12.0-1

In the introductory paragraph of the Airport Overlay Zone section, on line 3, delete the word “extend” and substitute the word “extending.”

In the paragraph describing Accident Potential Zone II, on line 4, insert the word “that” following the word “uses.”

#### Page 12.0-5

We are happy that the Specific Plan now includes a reference to the emptying of water retention facilities and water quality basins within 48 hours of a rainfall event, but this statement should be in a separate paragraph, rather than being included with the list of prohibited uses.

Thank you for the opportunity to provide comments. If you have any questions, please contact the undersigned at (951) 955-0982.

**Response to Comment M-1:**

The receipt of this comment, which requests revisions to the PVCC Specific Plan document, is acknowledged. Since no environmental issues have been raised by this comment and no modification of the DEIR or further response is required.

**Response to Comment Letter N**  
**Riverside County Flood Control and Water Conservation District**  
**Dated September 8, 2011**

**Comment N-1:**

This letter is written in response to the Notice of Availability of a Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan. The proposed project encompasses approximately 3,500 acres and is roughly bounded by Interstate 215 to the west, the Perris Valley Storm Drain to the east, March Air Reserve Base to the north and Placentia Avenue to the south. Various land uses are proposed including Light and General Industrial, Business Park/Professional Office, Commercial, Public/Open Space and some existing residential.

The project proposes several changes to the adopted Perris Valley Master Drainage Plan (MDP) within the project boundaries. While the District has not reviewed the changes in detail, the drainage concept proposed in the specific plan appears to offer an equivalent level of protection as the current plan and is acceptable to the District.

If you have any questions please feel free to contact me at 951.955.1345.

**Response to Comment N-1:**

The comment accurately summarizes the proposed project description. It will be added to the record that the District reviewed the proposed drainage concept and found it to be at an equivalent level of protection as the current plan and is therefore acceptable to the District.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**Response to Comment Letter N**  
**Riverside County Flood Control and Water Conservation District**  
**Dated September 8, 2011**

**Comment N-1:**

This letter is written in response to the Notice of Availability of a Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan. The proposed project encompasses approximately 3,500 acres and is roughly bounded by Interstate 215 to the west, the Perris Valley Storm Drain to the east, March Air Reserve Base to the north and Placentia Avenue to the south. Various land uses are proposed including Light and General Industrial, Business Park/Professional Office, Commercial, Public/Open Space and some existing residential.

The project proposes several changes to the adopted Perris Valley Master Drainage Plan (MDP) within the project boundaries. While the District has not reviewed the changes in detail, the drainage concept proposed in the specific plan appears to offer an equivalent level of protection as the current plan and is acceptable to the District.

If you have any questions please feel free to contact me at 951.955.1345.

**Response to Comment N-1:**

The comment accurately summarizes the proposed project description. It will be added to the record that the District reviewed the proposed drainage concept and found it to be at an equivalent level of protection as the current plan and is therefore acceptable to the District.

No new environmental issues have been raised by this comment; thus, no further analysis is warranted and no modification of the DEIR is required.

**RESPONSE TO COMMENTS**  
**NATIVE AMERICAN TRIBES**

**Response to Comment Letter O  
Pechanga Indian Reservation  
Dated September 6, 2011**

**Comment O-1:**

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project in a timely manner and as required by law. Please incorporate these comments into the record of approval for this Project as well.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing appropriate mitigation for the cultural resources that may be discovered during implementing developments within this Specific Plan Project. While the Tribe is not opposed to this Project, we are very concerned that the City lacks guidelines and procedures for adequate implementation of the necessary tribal consultation process for future projects. The Tribe also notes that the Specific Plan fails to adopt appropriate and protective mitigation measures for known and unknown cultural resources, under both the letter and the spirit of CEQA. Further, the City's interpretation of the Human Remains/MLD Process under California law is incorrect and should be revised to accord with actual State law.

---

**Response to Comment O-1:**

This comment, which requests that the Tribe be notified throughout the environmental and project approval process, is acknowledged. The remainder of the comment summarizes the more detailed comments included in the letter. These comments are addressed further in the following responses to comments.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-2:**

**THE CITY OF PERRIS MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS**

It has been the intent of the Federal Government<sup>1</sup> and the State of California<sup>2</sup> that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Perris consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

The Tribe appreciates the one consultation meeting that occurred on January 26, 2011 with the City on this Project. However, as the Tribe has repeatedly informed the City in the past, it considers the consultation process to be just that – an ongoing process rather than a onetime meeting. Moreover, it appears that our information and concerns for this Project were once again ignored as the City has “passed the buck” on the tribal consultation process to the developer/applicant for future implementing projects. According to the DEIR, “The City determined that proponents and architects for properties that are vacant, undeveloped or considered to be sensitive for cultural resources by the City of Perris Planning Division will be encouraged to contact the local Native American tribes (as identified by the California NAHC and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the subject site.” In addition to potentially being contrary to law, the Tribe believes that this is an unfair burden to be placed upon the developer/applicant which further ignores the sovereignty of a tribal government. Additionally, this minimizes the importance of the government-to-government relationship that the State and Federal governments encouraged between Lead Agencies and Tribal Governments. Finally, it leaves the determination of areas “sensitive for cultural resources” to the City, who we maintain is not the appropriate arbiter of whether a given area is culturally sensitive. Tribes are the keepers of their cultural knowledge and must be included in the determination of whether a given area is culturally sensitive.

---

<sup>1</sup>See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

<sup>2</sup>See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

---

**Response to Comment O-2:**

It is the City's typical practice to proactively solicit comments from Native American Tribes along with other agencies as part of the City's project review process, regardless of whether any given project is subject to the provisions of Senate Bill (SB) 18. The PVCC Specific Plan is a master development plan intended to guide the development of over 3,500 acres in the northwestern portion of the City (DEIR, p. 3.0-5). The PVCC proposes changes in the land use designations from the Perris General Plan and the establishment of infrastructure plans; however, specific land uses and projects are not known at this time (DEIR, p. 3.0-7). Therefore, development within the PVCC project area will be undertaken by multiple proponents of implementing development and infrastructure projects, for which applications will be submitted to and

reviewed by the City. Since mitigation measure **MM Cultural 1**<sup>1</sup> requires the proponents of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City Planning Division to prepare a Phase I Cultural Resources Study for such project (DEIR, pp. 4.4-14 and 4.4-15), the City believes it is appropriate and necessary for the project proponents and professional archaeologists to contact the local Native American Tribes to obtain input regarding the potential for Native American resources to occur at the implementing development project sites. Mitigation measure **MM Cultural 1** does not specifically preclude the City and Tribes from participating in a consultation process; rather, it will provide an additional opportunity for the Native American Tribes to provide their cultural knowledge and input regarding the sensitivity of specific sites for cultural resources.

*Remainder of page intentionally blank*

---

<sup>1</sup> Mitigation measure **MM Cultural 1** will be revised in the FEIR as discussed in the Response to Comment O-11.

**Comment O-3:**

**PECHANGA CULTURAL AFFILIATION TO PROJECT AREA**

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the

---

Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area.

D. L. True, C. W. Meighan, and Harvey Crew<sup>3</sup> stated that the California archaeologist is blessed "with the fact that the nineteenth-century Indians of the state were direct descendents of many of the Indians recovered archaeologically, living lives not unlike those of their ancestors." Similarly, the Tribe knows that their ancestors lived in this land and that the Luiseño peoples still live in their traditional lands. The Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Many anthropologists and historians who have presented boundaries of the Luiseño traditional territory have included the Project area in their descriptions (Drucker 1937; Heiser and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond with what was communicated to the Pechanga people by our elders. While we agree that anthropological and linguistic theories as well as historic accounts are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

Luiseño history begins with the creation of all things at *'éxva Teméeku* (EXH-vah Teh-MEH-koo). Modern-day Temecula derives its etymology from this physical place, where the Murrieta and Temecula Creeks converge to form the Santa Margarita River, which flows onto the Pacific Ocean. This is where our Origin Story and ancestral songs say *Túukumit* (TOO-koo-mit, Father Night Sky) and *Tamáayawut* (Ta-MAI-yah-whoot, Mother Day Earth) created the world. Their children were known as the first people or *Káamalam* (KAH-mah-lam) and were all creatures, including trees, rocks, fog, mammals and birds.

The last of the *Káamalam* born was *Wuyóot* (We-YOUT). He was innately gifted with *ayélkwish* (ah-YELL-kwish) or knowledge, and he learned how to make the first food, *tóovish* (TOH-vish, white clay), to feed the *Káamalam*. *Wuyóot* eventually became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*.

---

<sup>3</sup> D. L. True, C. W. Meighan, and Harvey Crew. Archaeological Investigations at Molpa, San Diego County, California, *University of California Press* 1974 Vol. 11, 1-176

Many traditions and stories are passed from generation to generation by songs. Three songs, called *Monivol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). Another song recounts the travels of eagle, as he searches for a place where there was no death. His travels begin at Temecula, flying north to San Bernardino, to the east, south, and west through Julian, Cuyamaca, and Palomar, and returning to Temecula (DuBois 1908). His path most likely passed over the current Project.

In addition, Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to Temecula, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. The Project area is located within the northern portion of this culturally affiliated territory. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

*Tóota yixélval* (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red, black and white-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few miles of the Project. Additionally, according to historian Constance DuBois:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Multiple *tóota yixélval* have been recorded within a one to one and one-half (1-1 ½)-mile radius of the Project. This culturally sensitive area is connected to a larger network of extensively used habitation, ceremonial and subsistence areas that extends for many miles in every direction. The Tribe is aware of both place names and villages in the area. In fact, there are several place names and village complexes located to the north of the Project, including one

---

of the densest Luiseño village complexes known as *Qaxáalku*. The etymology of the Spanish word Cajalco derives from the Luiseño word for “place of quail.” The suffix “ku” is considered a more archaic form of the suffix “anga,” which means place of (as in Pechanga...place of dripping water). Throughout the region containing *Qaxáalku* there are still quail but almost as important are the *kukúulam*, or burrowing owl, that once lived there in large amounts. The areas separated by low-lying bedrock boulders provide an ideal habitat for the owls. J.P. Harrington’s/Pechanga informant Celestine Ahuayo relates: “*the (that type of) area was known as kukúulam pomki, which means where the ground owl houses.*” *Kukúul*/burrowing owl is important for the Luiseño because of his status in our Creation Story. Father Boscana wrote of the burrowing owl’s role in the Story: ‘*It was determined by (the lower animals) that Father Wuyóot should received his death by means of poison. Kukúulmal (the small burrowing owl) perceived this and immediately gave the information to Wuyóot.*’ Eventually, *Wuyóot* did succumb to poison but the burrowing owl gained a distinction in our Luiseño songs as a good messenger. The *Payómkawichum* (Luiseño people) would have revered the area where this “good apostle” lived by living there as well.

Within the *Qaxáalku* complex, there are at least seven (7) recorded *tóota yixélval*. As well as numerous bedrock mortars and slicks, there are four (4) ancestral quartz quarries. Quartz points were important to the Pechanga People because it is taught that *Suukat* (deer), who gave his life for the starving People in our Creation Story, could only be taken by a point made of quartz.

As indicated above, the Pechanga Tribe has gathered historic and ethnohistoric research, oral traditions, songs, stories and other information in order to accurately determine where their ancestors lived, worked and died. Our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as the City of Perris and its sphere of influence are ancestors of the present-day Luiseño people, and as such, Pechanga is culturally affiliated to this geographic area.

The Tribe welcomes the opportunity to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

---

<sup>4</sup> Cultural Resources Technical Report, North Perris Industrial Specific Plan, City of Perris, Riverside County, California. Prepared by CRM Tech for Keith Gardner, Albert A. Webb Associates. October 18, 2007.

<sup>5</sup> Ibid, page 7.

**Response to Comment O-3:**

This comment, which summarizes the Pechanga Tribe's cultural affiliation to the project area, is noted. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-4:****INCONSISTENCIES WITHIN THE ARCHAEOLOGICAL STUDY**

The Tribe believes that the ethnographic information as presented in the 2007 archaeological study<sup>4</sup> is contradictory and inaccurate. In the Cultural Setting, subsection Ethnohistoric Context<sup>5</sup>, the report authors decisively state "The Perris Valley has long been a part of the homeland of the Luiseño Indians, a Takic-speaking people whose territory extended from present-day Riverside to Escondido and Oceanside."<sup>6</sup> However, on page 13, they contradict their previous statement and say that "Most of the ethnohistoric literature reviewed...confirm that the Perris area lies in the traditional territory of the Luiseño Indians, while other sources...claim that the Cahuilla or the Gabrielino occupied the area...This uncertainty suggests that none of the Native American groups had established a prominent presence or undisputed control over the Perris area..."<sup>7</sup> In one section the Luiseño have long-standing territory rights; however, in the following section, it is unsure. This confusion seems to be a result of the archaeologist not understanding the available ethnohistoric literature.

Many anthropologists and historians who have proposed boundaries of the Luiseño traditional territory have included the Project area in their descriptions. With the exception of Smith and Freers, these boundaries were determined from information provided to the ethnographers by Luiseño consultants and was confirmed through multiple factors including language, village locations, oral tradition, personal beliefs, etc. Smith and Freers made their determination utilizing known rock art sources however their boundaries are surprisingly similar to these earlier ethnographies. The Tribe argues that there is ample evidence that supports continuous Luiseño occupancy over other tribal groups such as the Cahuilla or Gabrieleno.

---

<sup>4</sup> Cultural Resources Technical Report, North Perris Industrial Specific Plan, City of Perris, Riverside County, California. Prepared by CRM Tech for Keith Gardner, Albert A. Webb Associates. October 18, 2007.

<sup>5</sup> Ibid, page 7.

---

<sup>6</sup> Ibid, page 7.

<sup>7</sup> Ibid, page 13.

---

It is fairly common knowledge that ethnographers often change their tribal territory boundaries for each new study or publication based upon who their informants are/were. In the instance of this study, the authors quote Strong 1929 and Bean 1978 as references for the Project having Cahuilla and Gabrielino influences. However, it is important to note that Bean's earlier studies<sup>8</sup> show that the Project area is clearly within Luiseño territory. Further, Bean's 1978 study, although much revised, shows that the entire area west of the San Jacinto Mountains is lacking Cahuilla place names, demonstrating a lack of support for Bean's revision.<sup>9</sup> All the Cahuilla locations which exhibit names on his map are in the Cabazon Valley, east of the Santa Rosa Mountains and east of Palomar Mountain. The places named in the northwest region of Cahuilla territory, which the Luiseño believe to be their territory, share the same locational names. It should be noted that both of Bean's maps created in 1972 are clearly adapted from Kroeber, who places the Project site squarely within Luiseño territory.<sup>10</sup> Further, Bean uses informants that are nearly a half-century younger than, for instance, Kroeber's informants who would be assumed to have had more accurate knowledge of the territories.

---

CRM Tech may have been confused by some of the ethnographic evidence that suggests the Cahuilla moved into the areas adjacent to, and by association in to, the Project area after European contact, thereby making the assumption that Perris Valley was somehow fluid in territorial relationships. For example, Kroeber's 1907 article "Shoshonean Dialects of California" includes information on territory boundaries for each of the southern California Uto-Aztecan languages. With information provided by consultants, BIA agents, and historic accounts, he determined the Cahuilla moved into the San Bernardino area during the 1840s-1850s.

"San Bernardino Valley has been attributed both to the Cahuilla and the Serrano. The Indians now living in the valley are mainly Serranos, and the statements of Indians in other parts of Southern California also give this fruitful region to the Serrano as part of their original habitat. ...Dr. John R. Swanton of the Bureau of American Ethnology has kindly furnished the information, supplied him by a Serrano school girl named Morengo, on the authority of her uncle, that her people formerly occupied San Bernardino valley and San Gorgonio pass to a point eastward just beyond Banning, but not the San Jacinto mountains. ...Statements made by the Yuman Mohave strengthen the probability that San Bernardino belonged to the Serrano. San Bernardino and Colton, they say, belonged to the Hanyuveche, the Serrano. The Hakwiche or Cahuilla were not there. The San Bernardino mountains as far east as north or northeast of Indio belonged to the Serrano and not to the Cahuilla. The San Jacinto mountains were Cahuilla."<sup>11</sup>

---

<sup>8</sup> Bean, Lowell J., and Katherine S. Saubel. *Temalpakh (from the Earth): Cahuilla Indian Knowledge and Usage of Plants*. Malki Museum Press, Banning, California, 1972

And

Bean, Lowell J. *Mukat's People: The Cahuilla Indians of Southern California*. University of California Press, Berkeley, 1972

<sup>9</sup> Bean 1978, p. 576

<sup>10</sup> Kroeber 1925.

<sup>11</sup> Kroeber 1907, p. 132-133.

Kroeber also proposes the Cahuilla were “brought by the Franciscans to the San Bernardino mission station attached to mission San Gabriel, and this fact may be responsible for the statements assigning this region [San Bernardino and points west] to the Cahuilla.”<sup>12</sup> Strong concurs with Kroeber’s statement and verified the information with one of his Mountain Cahuilla consultants, Alec Arguello, who stated he had lived in the San Timoteo pass.

“five Mountain Cahuilla clans under the leadership of Juan Antonio, a well known captain, were brought to the district in about the year 1846. They settled first at the village of pulatana near Jurupa (Riverside), and later moved to sahatapa in the San Timoteo canyon near El Casco. They remained there until some time in the decade between 1850 and 1860 when the group was nearly exterminated by a smallpox epidemic.”<sup>13</sup>

Barrows, writing in the mid-1890’s, recorded the following information about the Cahuilla in the San Bernardino vicinity:

---

“[Cahuilla] villages in the San Bernadino and San Jose valleys were broken up thirty years or so ago, and, although they still come to the vicinity of Redlands and Riverside in search of work, their camps in these places are no longer permanent homes. They were driven from the San Timoteo canyon in the forties by the ravages of small-pox, and the first reservation to be met now, as one rides eastward through the pass where they once held sway, is below Banning, at Potrero...”<sup>14</sup>

Strong agreed with this statement in principle. He concludes the “occurrence of Cahuilla in the San Bernardino region as an historic intrusion, and eliminate them from the problem of original ownership in the territory under discussion.”<sup>15</sup> On Strong’s Luiseño territory map, he wrote the following comment in the area just above the northern boundary, “probably Gabrielino, though occupied by Mountain Cahuilla in Mexican period.”<sup>16</sup> In Bean’s study on the Wanakik (Pass Cahuilla), he found that the earliest definitive date of a Cahuilla presence in San Bernardino is 1820.<sup>17</sup> Two of the primary ethnographers who studied Cahuilla believe the movement of the Cahuilla into San Bernardino occurred in the mid-1800s. Therefore, it is a logical conclusion that if the Cahuilla had not moved into the San Bernardino area until historic times, they would not have been in the Project area before that because it is much farther west and the theory that the Project area was Cahuilla territory prior to the Luiseño presence fails.

Additionally, the Tribe would like to reinforce its position that archaeological and cultural studies should be conducted for future projects that are proposed within the Specific Plan boundaries. According to the archaeological study, prehistoric resources were identified during the drive-by reconnaissance: “...a bedrock outcrop with groups of boulders containing multiple grinding surfaces, was observed in an open field on the eastern edge of the planning area...while the outcrop was not inspected intensively, it did appear to be in good condition from a distance.” [Emphasis added.] The Tribe is highly concerned that there are other cultural resources that were not identified as an intensive level survey was not conducted for the Project. Further, as we have stated in our previous comments for this Project,

---

<sup>11</sup> Kroeber 1907, p. 132-133.

<sup>12</sup> Kroeber 1907, p. 133.

<sup>13</sup> Strong 1929, p. 7.

<sup>14</sup> Barrows, David P. *The Ethno-botany of the Coahuilla Indians of Southern California*. University of Chicago Press, Chicago, 1900, p. 32-33.

<sup>15</sup> Strong 1929, p. 7.

<sup>16</sup> Strong 1929, p. 275.

<sup>17</sup> Bean, Lowell. The Wanakik Cahuilla. *The Masterkey* 34(3):111-119.

“...there are many areas in which limited or no development has occurred. The potential for discovery of previously unknown resources-including human remains, in areas that have been only moderately disturbed or not at all, is high. The Tribe would also like to point out that this includes monitoring of soils after historic structures have been removed. Archaeological records prove that European settlers often constructed buildings on top of Native American resources and full cultural sites have been identified under historic structures. These structures obviously were not built with current building codes in mind and

---

usually minimal surface disturbances occurred at the time of building. Therefore, the Tribe is requesting to consult with and participate in projects that will impact previously undisturbed soils as described above.”

---

**Response to Comment O-4:**

The commenter is incorrect in stating that the Cultural Resources Technical Report (DEIR, Appendix D.1) is contradictory and inaccurate. There are no substantial inconsistencies between the different sections of the report, or between the DEIR’s interpretation of the material and the position of the Pechanga Tribe as expressed in Comment O-4. The appearance of inconsistency seems to result from a sentence that could have been worded more precisely.

The sentence in question, regarding the ethnohistorical background of the Perris Valley area, states when quoted in **full**:

Most of the ethnohistorical literature reviewed during this study (e.g., Kroeber 1925; Heizer and Whipple 1971) confirms that the Perris area lies in the traditional territory of the Luiseño Indians, while other sources (e.g., Strong 1929; Bean 1978) claim that the Cahuilla or the Gabrielino occupied the area *at the time of European contact*. (DEIR, Appendix D.1, p. 13; emphasis added)

Perhaps it would have been more accurate to say that the Cahuilla or Gabrielino presence in the area occurred *after European contact* instead of *at the time of European contact*. However, there is nothing in the DEIR to indicate that the Perris Valley area is not within traditional Luiseño territory, and the Cahuilla or Gabrielino migration into the area was really the result of long established and respected tribal territory boundaries becoming blurred by European influence that fundamentally disrupted the normal order of the Native American society.

With regards to the commenter’s request that future projects within the PVCC Specific Plan boundaries conduct archaeological and cultural studies, as discussed in the Response to Comment O-3, above, **MM Cultural 1<sup>2</sup>** requires that future implementing development and infrastructure projects proposed on sites that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division prepare a Phase I Cultural Resources Study (DEIR, pp. 4.4-1 and 4.4-15). However, as also discussed in the Response to Comment O-3, there are no specific implementing development or infrastructure projects proposed at this time; thus the DEIR evaluated the PVCC Specific Plan at a

---

<sup>2</sup> Mitigation measure **MM Cultural 1** will be revised in the FEIR as discussed in the Response to Comment O-11.

programmatic level (DEIR, p. 3.0-7) and is considered a programmatic document, as defined in Section 15168 of the State *CEQA Guidelines*. Under the programmatic EIR approach, future implementing development projects or phases may require additional, project-specific environmental analysis. Since future projects are unknown at this time, the level of detail that the Pechanga Tribe is requesting is not applicable at this point in the CEQA process. Applications for implementing development projects would be submitted to the City over time as market conditions warrant. Additionally, mitigation measure **MM Cultural 1**<sup>3</sup> would further require that the Phase I Cultural Resources Study be completed no more than three years prior to the submittal of the application for the development project, or the start of construction of an implementing infrastructure project (DEIR, pp. 4.4-14 and 4.4-15). Therefore, with implementation of mitigation measure **MM Cultural 1** and mitigation measure **MM Cultural 2**, which requires monitoring for a specific project if such project's Phase I Cultural Resources Study determines it is necessary and sets forth the how any found artifacts will be handled; potential impacts to cultural resources would be reduced to less than significant levels.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

---

<sup>3</sup> Mitigation measure **MM Cultural 1** will be revised in the FEIR as discussed in the Response to Comment O-11.

**Comment O-5:**

**INACCURACIES WITHIN THE DEIR AND  
SUGGESTED MITIGATION MEASURE REVISIONS**

The proposed Specific Plan area is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

The Tribe understands that some of the proposed Specific Plan area has already been developed with existing buildings or has been disturbed greatly by past development. However, as indicated in the DEIR, a large majority is still vacant, agricultural lands or will be in-fill projects. Because it was often the practice to build upon existing Native American habitations, we are concerned that there may be cultural remains located subsurface – under existing building and under plowed lands. For this reason, the Tribe requests that we be noticed on **all** future implementing projects that are located within the Specific Plan area in order to review our documentation and, if available, provide proprietary cultural information directly to the City Project Planner for development review purposes. This includes all proposed projects, not only those that fall under SB18.

*Tribal Consultation Minimized*

The Tribe has received and reviewed the 2011 Draft Environmental Impact Report (DEIR) and is very disconcerted that the City of Perris is not taking responsibility, as a Lead Agency and designated local government, to consult directly with local Luiseño tribes, including Pechanga, for future implementing projects. According to the language provided in the DEIR Chapter 1 mitigation measure matrix, “The proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for native American resources to occur at the project site (Page 1.0-26).” The Tribe believes that this places an undue burden on the developer/applicant and/or the archaeological consultant.

Further, in most cases, sovereign tribal governments prefer to consult directly with a Lead Agency as they do not want to share their often highly sensitive cultural information with a non-governmental entity that is not bound by confidentiality. Mandating that the tribes speak with the developer/cultural consultant in order to develop avoidance/preservation measures does

not allow the tribes to work directly with the City and within the CEQA process to develop adequate techniques to preserve their dwindling cultural resources. By requiring the tribe to speak with the developer/consultant and not making themselves available (excepting state-mandated SB18 consultations we hope), the City is evading discussions with tribal representatives, disrespecting sensitive cultural concerns, circumventing the CEQA process, eviscerating the City's responsibilities as a Lead Agency under CEQA and ignoring tribal governmental sovereignty.

The Pechanga Tribe requests that the City of Perris reevaluate their policy of tribal consultation and comply not only with the direct requirements of state law, but further respect the sovereign nature of local tribes as does every other governmental jurisdiction surrounding the City.

---

*SP EIR Relies on Outdated Information*

The SP DEIR is premised on the assumption that there are only 16 prehistoric archaeological sites located within the Specific Plan limits (see EIR page 4.4-9). The DEIR also states, "...the area's level of sensitivity for potential 'historical resources' appears to range from low to high, depending on the location. (page 4.4-10)" The Tribe contests that there are/were more cultural sites but that most of them have been destroyed due to poor project planning, lack of archaeological and tribal monitoring, unauthorized looting or collecting or simply they have not been recorded yet. The 2007 CRM Tech study stated that 60% of lands located within the Specific Plan had never been systematically surveyed for cultural resources. Since so much of the land has never been surveyed, the sensitivity of lands within the SP is much greater than indicated in the EIR.

---

**Response to Comment O-5:**

Refer to Responses to Comments O-2, O-4, and O-11. In Section 4.4 *Cultural Resources* of the DEIR (p. 4.4-9), the Eastern Information Center record search concluded that since 1974 at least 27 cultural resource surveys have been completed within or partially within the project site. As a result of the previous surveys, 16 historical/archaeological sites have been discovered within the boundaries of the PVCC project site and recorded into the California Historical Resource Information System.

Additionally, the Native American Heritage Commission (NAHC) conducted a records search of its Sacred Lands File for the project area (August 2009) in response to the Notice of Preparation issued for the proposed PVCC Specific Plan project. The NAHC Sacred Lands File search did not indicate the presence of Native American cultural resources within a 0.5 mile radius of the project area. However, the NAHC recommended consultation with local tribes. A request for consultation was sent to the Tribes in 2009 and again on April 12, 2010 and consultation occurred with the Pechanga Tribe and Soboba Band of Luiseño Indians on January 26, 2011. The Tribes indicated knowledge of sites within the project area; however, specific information was not made available to the City for inclusion in the DEIR.

The commenter is correct in stating that 60 percent of the lands located within the project boundary have never been systematically surveyed for cultural resources. However, the commenter is incorrect in stating that the sensitivity of lands within the project boundary is much greater than indicated in the DEIR. It states in

Section 4.4 *Cultural Resources* of the DEIR (p. 4.4-10) that most of the land has not been surveyed and appears to be moderate to high in sensitivity for resources:

The remainder of the project site, consisting mostly of agricultural fields, undeveloped land, and older residential neighborhoods, appears to be moderate to high in sensitivity for historical/archaeological resources. These areas have not been disturbed extensively nor surveyed adequately over the past few decades, and some of the built environment features on these properties, such as buildings, structures, or objects, may have reached the 50-year age threshold to be considered potential “historical resources.” In addition, subsurface archaeological deposits from both the prehistoric and the historic periods may be present in agricultural fields as well as vacant lots. Without an intensive level, up-to-date field survey, it is impossible to determine the presence or absence of potential “historical resources” on these properties.

Additionally, as stated in the DEIR (DEIR, p. 3.0-7) and Response to Comment O-4, there are no specific implementing development projects proposed or known (DEIR, p. 3.0-7) at this time; thus, the level of detail that the Pechanga Tribe is requesting is not applicable at this point in the CEQA process. Additionally, to perform intensive level field surveys of the entire approximately 3,600 acre PVCC Specific Plan area is not feasible as the City does not own or have permission to access the majority of property within the PVCC Specific Plan boundaries. Further, intensive field surveys of the entire project area are not necessary for a programmatic-DEIR, which is why the DEIR incorporates mitigation measure **MM Cultural 1**<sup>4</sup> that requires a Phase I Cultural Resources Study be completed no more than three years prior to the submittal of the application for an implementing development project, or the start of construction of an implementing infrastructure project on sites that are vacant, undeveloped, or considered by the City Planning Division to be sensitive for cultural resources (DEIR, pp. 4.4-14 and 4.4-15). The DEIR also incorporates mitigation measure **MM Cultural 2**, which requires monitoring by a professional archaeologist if the Phase I Cultural Resources Study prepared under **MM Cultural 1** determines monitoring is necessary. **MM Cultural 2** also provides for the handling of any artifacts that may be discovered, and requires preparation of a report of findings and an itemized inventory of any recovered artifacts. With the implementation of **MM Cultural 1** and **MM Cultural 2**, potential impacts to cultural resources are reduced to less than significant levels.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

---

<sup>4</sup> Mitigation measure **MM Cultural 1** will be revised in the FEIR as discussed in the Response to Comment O-11.

**Comment O-6:**

To explain further, the Tribe would also like to point out, as we have on other projects, that there may be a dearth of recorded sites in the City's jurisdiction for a number of reasons. First, there was a long standing practice by early non-Indian settlers of removing surface artifacts thus removing clear, surface indications of the presence of cultural resources. Second, much of the construction in the City was done prior to CEQA, and as such, there were no archaeological or tribal monitors available to identify sites and there were further no recordation requirements of archaeological resources before current state law was implemented. Third and finally, we have seen on several projects in the City post-CEQA the failure to require even an archaeological monitor (i.e., the Whirlpool project) or a final monitoring report when an archaeologist is present (which is then filed with the EIC), thus if there were resources there are no records. All of these issues indicate that the EIR relies on faulty data for its conclusions and as such, is simply insufficient.

**Response to Comment O-6:**

The City does not agree with the commenter's assertion that the EIR is insufficient. Prior construction or actions associated with other projects in the City are not germane to the PVCC project. As discussed in the Responses to Comment O-4 and Comment O-5, the DEIR presents a programmatic level evaluation of impacts associated with implementation of the PVCC Specific Plan and incorporates mitigation measures that requires site-specific analysis for implementing development and infrastructure projects located on sites that are vacant, undeveloped, or considered by the City Planning Division to be sensitive for cultural resources (**MM Cultural 1**), and provides for monitoring by a professional archaeologist and the handling, reporting, and inventorying of any found artifacts (**MM Cultural 2**) (DEIR, pp. 4.4-14 through 4.4-16).

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-7:**

A final consideration that we must note is that "disturbance" does not mean that there are no subsurface resources. As the Tribe has offered on prior occasions, it can describe situations where resources were discovered upwards of 20 feet below the surface; where cultural resources have been located in the plow zone even when agricultural activity has been present for years; and most recently, where a highly significant, intact cultural deposit dating back 10,000 plus years was uncovered under a school site which had been used for over 50 years. Based on these real-world experiences, the City must acknowledge, as does the General Plan's Conservation Element, that disturbance does not equal the absence of cultural resources.

---

**Response to Comment O-7:**

Refer to Response to Comment O-12.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-8:**

An EIR should provide both the public and the decision-makers with enough information to comment accordingly and make the correct decision in approving or denying a project. The conclusion in Section 4.4 “Additional potential impacts upon archaeological resources will be less than significant...” is simply incorrect and based upon incomplete data. This is an assumptive statement that cannot be backed up with fact. Because over half of the Project area has not been surveyed, the City cannot make the determination that archaeological and cultural resources will not be impacted. Unfortunately, this EIR simply cannot provide either the public or the Planning Commission (and ultimately the City Council) with enough information to determine the level of impacts to cultural resources because of the inadequate and inaccurate data.

---

**Response to Comment O-8:**

Refer to Responses to Comments O-4 and O-5.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-9:**

As we have on so many other occasions, we welcome the chance to meet, on a government-to-government basis with the City and show the wealth of information the Tribe has collected, which will only serve to ensure the City is making the right decisions when it comes to preservation and protection of invaluable and irreplaceable cultural resources.

---

**Response to Comment O-9:**

Comment acknowledged. As stated previously, the City has already met with the Pechanga Tribe regarding this project and the proponents of future development projects within the PVCC Specific Plan area are encouraged to do so as part of the Phase I Cultural Resources Study process. No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

**Comment O-10:**

*Mitigation Measures Inaccurate and Lacking Adequate Provisions*

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Pechanga Band is not opposed to this Project. The Tribe’s primary concerns stem from any future implementing project’s proposed impacts to Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources that may exist both on the surface or subsurface, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

---

**Response to Comment O-10:**

Comment acknowledged. Refer to the following Responses to Comments regarding specific comments to the DEIR mitigation measures.

No new environmental issues have been raised by this comment and no additional mitigation or modification of the DEIR is required. No further response is necessary.

*Remainder of page intentionally blank*

**Comment O-11:**

Based on our review of the SP and its DEIR, it is the Tribe's position that the proffered mitigation measures are inadequate as drafted and in some instances, legally incorrect. As such, we suggest revising the mitigation measures to ensure the City has proper means in place to adequately and appropriately protect cultural resources in addition to maintaining consistency with State law. Suggested changes to the mitigation measures are as follows (strike-through indicates deletions and underlines are additions):

*MM Cultural-1 Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division and as identified during early consultation with local*

---

*Tribes, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archaeologist shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:*

- 1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.*
- 2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.*
- 3. Field survey of the implementing development or infrastructure project site.*

*~~The City shall proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for native American resources to occur at the project site.~~*

*Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for archaeological and historic resources shall be considered in the following order of preference:*

- 1. Avoidance.*
- 2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.*
- 3. Relocation of the structure.*
- 4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.*

*Avoidance is the preferred treatment for known and unknown significant prehistoric and historical archaeological sites, and sites containing Native*

---

*American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites shall be placed within permanent conservation easements or dedicated open space areas. Native American human remains shall be treated in accordance with the Most Likely Descendant process as required by California Public Resources Code §5097.98.*

*The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.*

---

**Response to Comment O-11:**

In response to this comment, mitigation measure **MM Cultural 1** in the DEIR (DEIR, pp. 4.4-14 and 4.4-15) will be revised in the FEIR, as follows:

**MM Cultural 1:** Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist<sup>5</sup> shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:

1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.
2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.

---

<sup>5</sup> For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior's standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

3. Field survey of the implementing development or infrastructure project site.

The proponents of the subject implementing development projects and the professional archaeologists ~~shall~~ ~~are~~ also ~~encouraged to~~ contact the local Native American tribes (as identified by the California NAHC and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the project site.

Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference:

1. Avoidance.
2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.
3. Relocation of the structure.
4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.

Avoidance is the preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas.

The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.

The sensitivity of the PVCC Specific Plan area has previously been evaluated in the EIR for the City of Perris General Plan and further evaluated in the DEIR. As such, the City is aware of the sensitivity of the Specific Plan area. Because of previous development and the potential for redevelopment of the project area, not every implementing development or infrastructure project will be subject to a site-specific Phase I Cultural Resources Study and not every implementing development project or infrastructure project will require consultation with Native American groups. The City will determine on a case-by-case basis the need to for any given implementing development or infrastructure project to have Phase I Cultural Resources Study prepared. As such, the City will not require early consultation with Native American tribes for every implementing development or infrastructure project within the PVCC Specific Plan area.

It is the practice of the City of Perris to have project proponents hire the professional archaeologists to prepare the cultural resources surveys for development projects. As such, the City believes that it is important for the project proponent and the professional archaeologist for a given implementing development project to contact the local Native American tribes directly in order to obtain the necessary input regarding the potential for Native American resources to occur at any given subject development site. This is the most efficient way for the project archaeologist to evaluate the sensitivity of an implementing development of infrastructure project site and the potential impacts of that specific implementing development or infrastructure project.

With regard to the treatment of Native American Remains, the revised mitigation measure **MM Cultural-6**<sup>6</sup> (see Response to Comment O-14) is consistent with California Public Resources Code Section 5097.98. All implementing development or infrastructure projects would be subject to this mitigation measure and there is no need to reference this code in mitigation measure **MM Cultural 1**.

No new environmental issues have been raised by this comment and no additional mitigation is required. No further response is necessary.

*Remainder of page intentionally blank*

---

<sup>6</sup> Mitigation measure **MM Cultural 4** is being revised and renumbered to **MM Cultural 6** in the FEIR as discussed in the Response to Comment O-14.

**Comment O-12:**

Additionally, the Tribe has requested in the past and will continue to request that Native American monitoring be required in conjunction with archaeological monitoring. Archaeologists are not trained to identify and interpret tribal resources as tribal representatives are and often items that would be discarded as insignificant by archaeologists are very important to the tribes. Further, as we have offered on other occasions to the City, our monitors have identified resources missed by archaeologists and we have many other examples from other tribes. Tribal monitors are *vital* components to cultural resource protection. Tribes are the keepers of their cultural heritage and knowledge – not lead agencies or archaeologists. To rely solely on archaeologists is not only disrespectful to the cultural sensitivity and sovereignty of the City's tribal neighbors, but contrary to the spirit and intent of CEQA. Therefore, the Tribe requests the following changes to Cul 2:

*MM Cultural-2 If the Phase I Cultural Resources Study required under MM Cultural-1 determines that monitoring during construction by a professional archaeologist is needed for the implementing development project, the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.*

*The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The*

---

*archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.*

*Tribal monitor(s) from the Pechanga Band of Luiseño Indians shall be required on-site during all ground disturbing activities. Prior to grading permit issuance, the applicant shall retain a qualified tribal monitor from the Pechanga Band of Luiseño Mission Indians. A copy of the fully executed agreement for monitoring and treatment of cultural resources between the applicant and the Pechanga Band of Luiseño Mission Indians shall be submitted to the City. The Native American monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.*

*Prior to the initiation of grading activities, a pre-grade meeting between the archaeologist, the Native American tribal representative(s), and the excavation and grading contractor shall take place to discuss appropriate grading and ground disturbing methods within and around those archaeologically and culturally sensitive areas within the project.*

---

*In the event cultural resources are discovered, depending on the nature of the artifacts, the handling will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered and a tribal monitor is not already present on the site, the Pechanga Band of Luiseño Indians shall be contacted and a tribal monitor of Luiseño descent shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling pursuant to state law (see MM Cultural 4 below). The remainder of the Native American artifact assemblage will be prepared in a manner for curation and, unless the landowner/applicant enters in to a different arrangement with the Pechanga Tribe, the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time and the project proponent shall be responsible for the costs of curation.*

*Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal*

---

*placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.*

*Once ground-altering activities have ceased or the professional archaeologist, in consultation with the tribal monitor, determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.*

*A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the final report shall also be filed with the Eastern Information Center (EIC) and the Pechanga Tribe.*

---

#### **Response to Comment O-12:**

In response to this comment, mitigation measure **MM Cultural 2** in the DEIR (DEIR, pp. 4.4-15 and 4.4-16) will be revised in the FEIR, as follows:

**MM Cultural 2:** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by a professional archaeologist is needed for the implementing development project; the project proponent shall retain a professional

archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities<sup>7</sup> at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.

The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.

~~Depending on the nature of the artifacts,~~ In the event that cultural resources are discovered at the development site, the handling of the discovered resources will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find shall stop, the project developer and project archaeologist shall notify the City of Perris Planning Division, the Pechanga Band of Luiseño Indians and the Soboba Band of Mission Indians, and a Native American observer of Luiseño descent shall be asked retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling (see **MM Cultural 46, below**). ~~The remainder of the~~ Native American artifacts assemblage that cannot be avoided or relocated at the project site will be prepared in a manner for curation and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time.

Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.

---

<sup>7</sup> For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.

Once ground-altering activities have ceased or the professional archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Eastern Information Center (EIC).

In response to this comment, a new mitigation measure, **MM Cultural 3** will be included in the FEIR, as follows:

**MM Cultural 3** If the Phase I Cultural Resources Study required under **MM Cultural 1** determines that monitoring during construction by both a professional archaeologist and a Native American representative is needed for the implementing development project, the project proponent shall retain a professional archaeologist and a Native American representative of Luiseño descent prior to the issuance of grading permits. The professional archaeologist and Native American observer shall be required on site during all initial ground-altering activities. The Native American observer shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow the evaluation of cultural resources with the project archaeologist. The evaluation and treatment provisions of mitigation measure **MM Cultural 2** shall apply to this measure.

The mitigation measure identified in the DEIR as **MM Cultural 3** will be renumbered as **MM Cultural 5**, in the FEIR.

The City of Perris understands the Pechanga Tribe's desire to have Native American monitoring required in conjunction with all archaeological monitoring. However, the City does not believe that this is necessary for most projects within the City. The likelihood of Native American resources being discovered at every development site within Perris is considered to be very low. There are however, some areas of the City that are more sensitive than others. As such, the City will require monitoring by both a professional archaeologist and a Native American representative for the sites with a high likelihood of Native American resource discoveries. This will be determined by the cultural resource reports prepared for individual implementing development sites as reviewed by the City's cultural resources consultant. The PVCC Specific Plan area is not considered by the City to be highly sensitive for Native American resources, so Native American representatives will not be required for all implementing development projects within the Specific Plan area.

In the event of either mitigation measure, **MM Cultural 2** or (new) **MM Cultural 3**, it is the project archaeologist that is the "archaeologist of record" and, as such, is responsible for the overall evaluation and treatment of all cultural resources that are not human remains. As such, the City recognizes that all other people working at the site to locate and evaluate cultural resources are working under the direction of the project archaeologist and these people do not have the same authority as the project archaeologist. Mitigation

measures, **MM Cultural 2** and **MM Cultural 3** do, however, require the cooperation of the project archaeologist with Native American representatives.

As stated in mitigation measure, **MM Cultural 1**, the City's preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains is avoidance. The next preferred treatment is relocation at the project site. In cases where neither of these options is feasible, the City wants the Native American resources to be curated at an accredited facility approved by the City. The City does not want the proposed proponents of implementing development projects making other arrangements with the Pechanga Tribe or any other Native American group.

No new environmental issues have been raised by this comment and no further response is necessary.

**Comment O-13:**

In addition to the above suggestions, the Tribe is concerned that there are not adequate protections in the proposed mitigation measures for inadvertent finds. The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). As such, adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506a.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Specific Plan area, it is not unreasonable to expect to find vestiges of that presence, especially subsurface. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Given the sensitivity of the area, inadvertent discoveries are foreseeable impacts and thus need to be appropriately mitigated for within the confines of the Project. The identification of surface resources during an archaeological survey should not be the sole determining factor in deciding whether mitigation measures for inadvertent discoveries are required. The cultural significance of the area should play a large part in determining whether specifications concerning unanticipated discoveries should be included. There are no inadvertent finds mitigation measures proposed in the DEIR. Therefore, the Tribe recommends the inclusion of the following:

---

MM Cultural 1a: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the project applicant, the project archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the project applicant and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Perris.

---

**Response to Comment O-13:**

The general provisions of the commenter's recommended mitigation measure MM Cultural 1a have been incorporated into mitigation measure **MM Cultural 2** in the FEIR. As stated in the Response to Comment O-12, the City's preferred treatment for known and discovered significant prehistoric and historical archaeological sites, and sites containing Native American human remains is avoidance. The next preferred treatment is relocation at the project site. In cases where neither of these options is feasible, the City wants the Native American resources to be curated at an accredited facility approved by the City. As such, specific consideration by the City of Perris Planning Manager or Planning Commission/City Council regarding the significance or mitigation of site-specific Native American resources is not warranted.

In response to this comment, a new mitigation measure, **MM Cultural 4** will be included in the FEIR, as follows:

**MM Cultural 4** In the event that cultural resources are discovered at a development site that is not monitored by a professional archaeologist, all activities in the immediate vicinity of the find shall stop, the project developer shall notify the City of Perris Planning Division, and the project developer shall retain a professional archaeologist to analyze the find for identification as prehistoric and historical archaeological resources. The evaluation and treatment provisions of mitigation measure **MM Cultural 2** shall apply to this measure.

The mitigation measure identified in the DEIR as **MM Cultural 4** will be renumbered to be **MM Cultural 6** in the FEIR.

No new environmental issues have been raised by this comment and no further response is necessary.

**Comment O-14:**

Secondly, the included mitigation measure for human remains is both inadequate and inaccurate and, in fact, conflicts with state law. As such, the measure must be changed to reflect state law correctly. First and foremost, construction crews are not skilled in the identification of human remains and certainly cannot be knowledgeable in the identification of cremated human remains.

*~~MM Cultural 4 In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors project Archaeologist and/or tribal monitor shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the City of Perris Planning Division immediately and retain a professional archaeologist to assess the find Riverside County Coroner. In accordance with the California Health and Safety Code, the City of Perris will contact the County Coroner's office within 24 hours and the coroner will be permitted to examine the remains.~~*

*~~If the coroner determines that the remains are of Native American origin, the coroner will report must notify to the Native American Heritage Commission within 24 hours and the Commission will identify the "Most Likely Descendent" (MLD) immediately. Despite the affiliation of any Native American observers at the site, the Commission's identification of the MLD will stand. The disposition of the remains will be determined by in consultation between with the City of Perris the project proponent and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.~~*

*~~If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.~~*

---

*~~Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.~~*

*~~The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders.~~*

The Tribe is very concerned that the City has begun legislating itself into the MLD process. The law maintains that the final disposition of human remains is between the land owner and the MLD – nowhere is the City (or other lead agency) involved. Despite the City's prior argument that this is "an added layer of protection for tribes," we do not agree. The City cannot insert itself into state law, unless the parties who have rights under the law so agree. As such, it is not only highly inappropriate on an ethical level to provide the City a role as arbiter regarding the disposition of human remains, it is also legally incorrect. In fact, the state already considered the best process and provided that if the land owner and MLD cannot agree on disposition, that tribes can request the NAHC to mediate the dispute. California already addressed this process and expressly did not include lead agencies in the process. We urge the City to reconsider this new policy as it clearly conflicts with state law and further, allows the City to improperly legislate itself into a process that the California State legislature already debated and codified into law.

**Response to Comment O-14:**

In response to the comment, mitigation measure, **MM Cultural 4** in the DEIR (DEIR, 4.4-17) will be revised in the FEIR, as follows:

**MM Cultural 4 6:** In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division ~~immediately and retain a professional archaeologist to assess the find. In accordance with the California Health and Safety Code, the City of Perris will contact the County Coroner's office within 24 hours and the coroner will be permitted to examine the remains.~~

If the coroner determines that the remains are of Native American origin, the coroner will ~~report to~~ notify the NAHC and the Commission will identify the "Most Likely Descendent" (MLD).<sup>8</sup> Despite the affiliation of any Native American ~~observers~~ representatives at the site, the Commission's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of the 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 their 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 with the City of Perris, the project proponent, and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.

If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.

Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.

The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).

---

<sup>8</sup> The "Most Likely Descendent" ("MLD") is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner's office. In the case of the City of Perris, the Native American Heritage Commission may identify any Luiseño descendent, but generally names the Soboba or Pechanga bands of Mission Indians (both Luiseño populations) and alternates between the two groups. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

The revised mitigation measure does not include the time standards identified in the Comment O-14, because the reporting time standards for the County Coroner and the Native American Heritage Commission are required under California Public Resources Code Sections 5097.98 and 7050.5. Compliance with these time standards is the responsibility of the Riverside County Coroner and the Native American Heritage Commission, and is beyond the implementation and monitoring authority of the City of Perris. As the lead agency for the proposed project as well as future projects within the PVCC Specific Plan Area, it is the City's right to be included in the process of disposition determination. This will allow the City to ensure the considerations of the MLD are taken into consideration by the project proponent.

No new environmental issues have been raised by this comment and no additional mitigation is required. No further response is necessary.

**Comment O-15:**

**REQUESTED TRIBAL INVOLVEMENT**

The Tribe requests to continue to be involved and participate with the City of Perris in assuring that an adequate environmental document is completed, and to develop appropriate mitigation that will ensure preservation of sensitive cultural resources. In addition, given the sensitivity of the Specific Plan area, it is the position of the Pechanga Tribe that Pechanga tribal monitors must be required for all ground-disturbing activities conducted in connection with future implementing projects which include archaeological surveys and excavations.

---

**Response to Comment O-15:**

Refer to Response to Comment O-11 and O-12.

No new environmental issues have been raised by this comment and no additional mitigation is required. No further response is necessary.

**Comment O-16:**

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in any associated regulatory processes and provide comment on issues pertaining to those regulatory processes and Project approval.

---

**Response to Comment O-16:**

Comment acknowledged. No new environmental issues have been raised by this comment and no additional mitigation is required. No further response is necessary.

**Comment O-17:**

The Pechanga Tribe looks forward to working together with the City of Perris in protecting the invaluable Pechanga cultural resources found in the Project area. We urge the City to stand by its assertion of respecting other cultural and being sensitive to diversity. In fact, we request that the City meet with the Tribe at our Cultural Department so that we can share all the resources we have gathered in the more than 35 years of our professional monitoring and cultural resource protection efforts.

---

**Response to Comment O-17:**

As stated in Section 4.4 *Cultural Resources* of the DEIR (DEIR, p. 4.4-6), City staff met with members of the Pechanga Tribe on January 26, 2011 to discuss potential concerns, in accordance with SB 18 California Tribal Consultation Guidelines. As a result of the meeting, mitigation has been included as stated in Section 4.4 *Cultural Resources* of the DEIR (DEIR, pp. 4.4-14 through 4.4-17). Additionally, per the recommendation of the Pechanga Tribe, mitigation language in the DEIR will be revised in the FEIR as stated above.

No new environmental issues have been raised by this comment and no additional mitigation is required. No further response is necessary.

**RESPONSE TO COMMENTS**  
**OTHER INTERESTED PARTIES**

**Response to Comment Letter P  
Southwest Land Consultants (SWC)  
Dated July 27, 2011**

**Comment P-1**

My name is Sean Harrison. My firm Southwest Land Consultants represent the developer of property in City of Perris, East of the I-215, North of the Ramona Expressway, South of Markham Street, and West of Webster Ave. Attached to this correspondence, you will find a conceptual exhibit of the site plan for our light industrial distribution center that we are in the process of presenting to the City of Perris.

We are aware that the property we intend to develop the facility on is within the boundary of the Perris Valley Commerce Center Specific Plan. After reviewing the Specific Plan, we understand that we will have to justify a change to the land use for the subject property to the City and its staff.

The proximity to March Joint Air Force Base, the I-215 Corridor and the Mid County Parkway provide a lot of opportunity for the current development. The current proposed land use of Community Commercial for a significant portion of the property will have some marketing problems due to many of the intended end users having already made location decisions to the North and South of the area. The Business Professional designation does offer some compatible land use opportunities but will limit the scale in which those uses can be allowed. It would be important to note that the market for business office space in the region will not see occupancy until the end of the realistic lifespan of a normal city general plan. We also believe that coordinating with the City Engineering Department will confirm that the property currently designated to be Detention Basin, will be developable.

Our current market studies and experience in the development industry lead us to believe that we can provide the City an appropriate end user in an expedient fashion. This group of end users will benefit the City and its citizens with both employment opportunities and tax revenue generation. As with all development, there will also be infrastructure improvements that will also lead to further development in the area.















In the next few weeks, our development team will be presenting to the City our reasons and the supporting information for this request. We look forward to the opportunity of working with the City Staff to achieve a land use change that will benefit all parties involved.

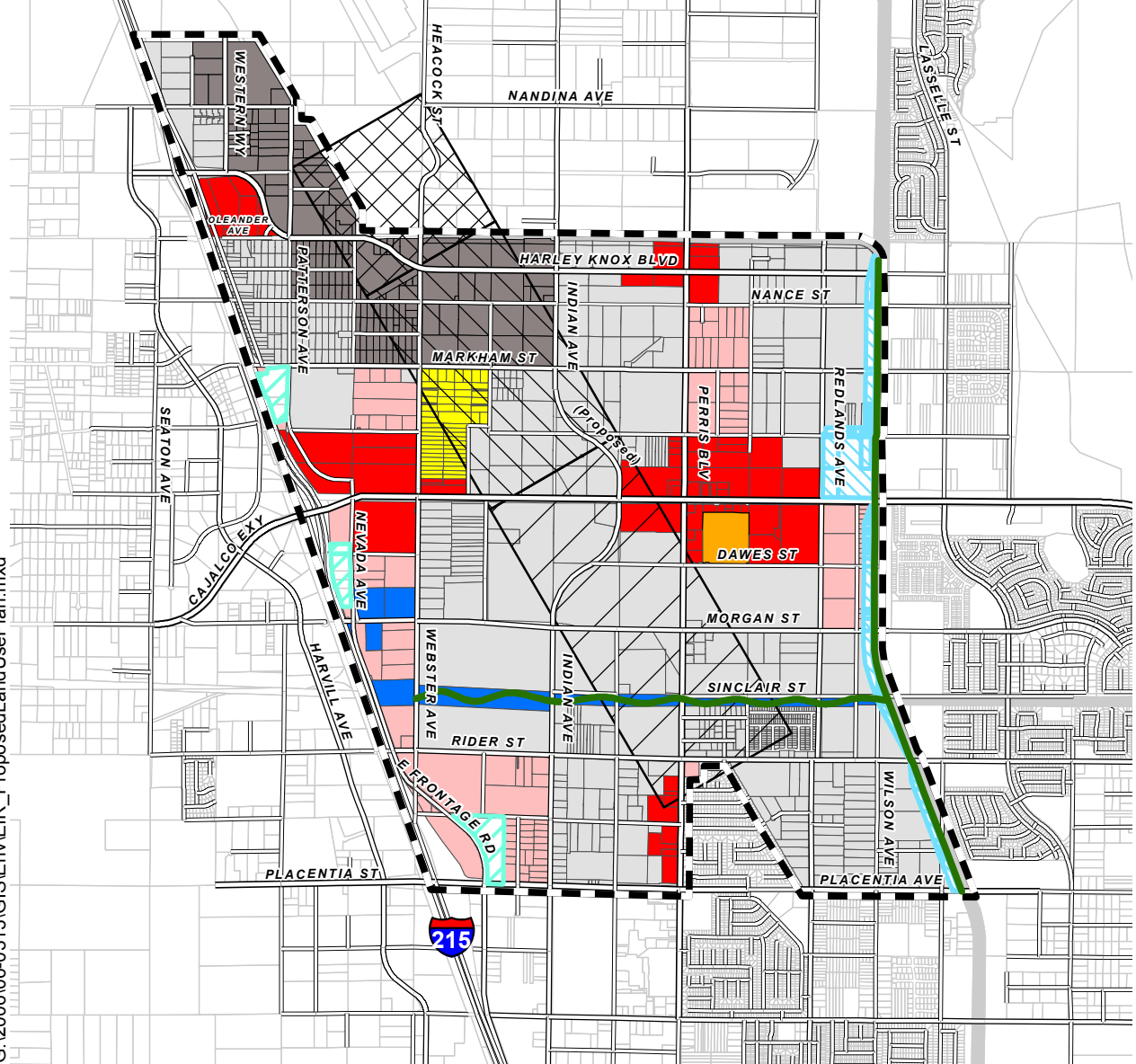
**Response to Comment P-1**

This comment, which requests a change in the land use proposed by the Perris Valley Commerce Center Specific Plan and does not raise any environmental issue, is acknowledged.

The City has agreed to certain land use change requests and as a result **Figure 1.0-4, Proposed Land Use Plan, Figure, 3.0-4, Proposed Land Use Plan, and Figure 4.8-4, PVCC Proposed Land Use Map** in the DEIR will be revised as shown in attached **Figure 1.0-4**.

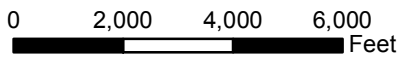
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 1.0-4  
 Proposed Land  
 Use Plan**

**Response to Comment Letter Q**  
**Joseph T. Flanagan**  
**Dated August 26, 2011**

Comment Q-1

On October 14, 2008 I (Joseph Flanagan) participated in a meeting with Brad Eckhardt and Sabrina Chavez regarding a city proposed land zoning use change in conjunction with the Perris Valley Commerce Center Specific Plan. At the October 14, 2008 meeting, a proposed change in the zoning from the current L1 to PO was discussed. I voiced my concern. After that meeting, I received a letter on December 15, 2008 stating that after considering my comments it was proposed that my property be designated BPO. It was quite a surprise to get a letter dated July 20, 2011, from the Perris Planning Division designating my property as a Potential Basin Area.

When I purchased the property in 1984, I paid a premium because it was freeway frontage and I planned on developing a retail equipment sales business. For the last 27 years, I have made a living, supplied local employment, paid property taxes, and generated sales tax revenue for the city, county and state. It was always my goal, upon retirement, to develop the property as a prime source of retirement income. Now as retirement approaches, that option could be taken away.

I find it difficult to imagine how it benefits the City of Perris to turn prime freeway frontage, on the busiest intersection in Perris, into a non-generating revenue source and a loss of local employment. For many years, I have observed and considered how this intersection could be developed, never imagining it would be a drainage basin.















I would appreciate your further consideration of this zoning change.

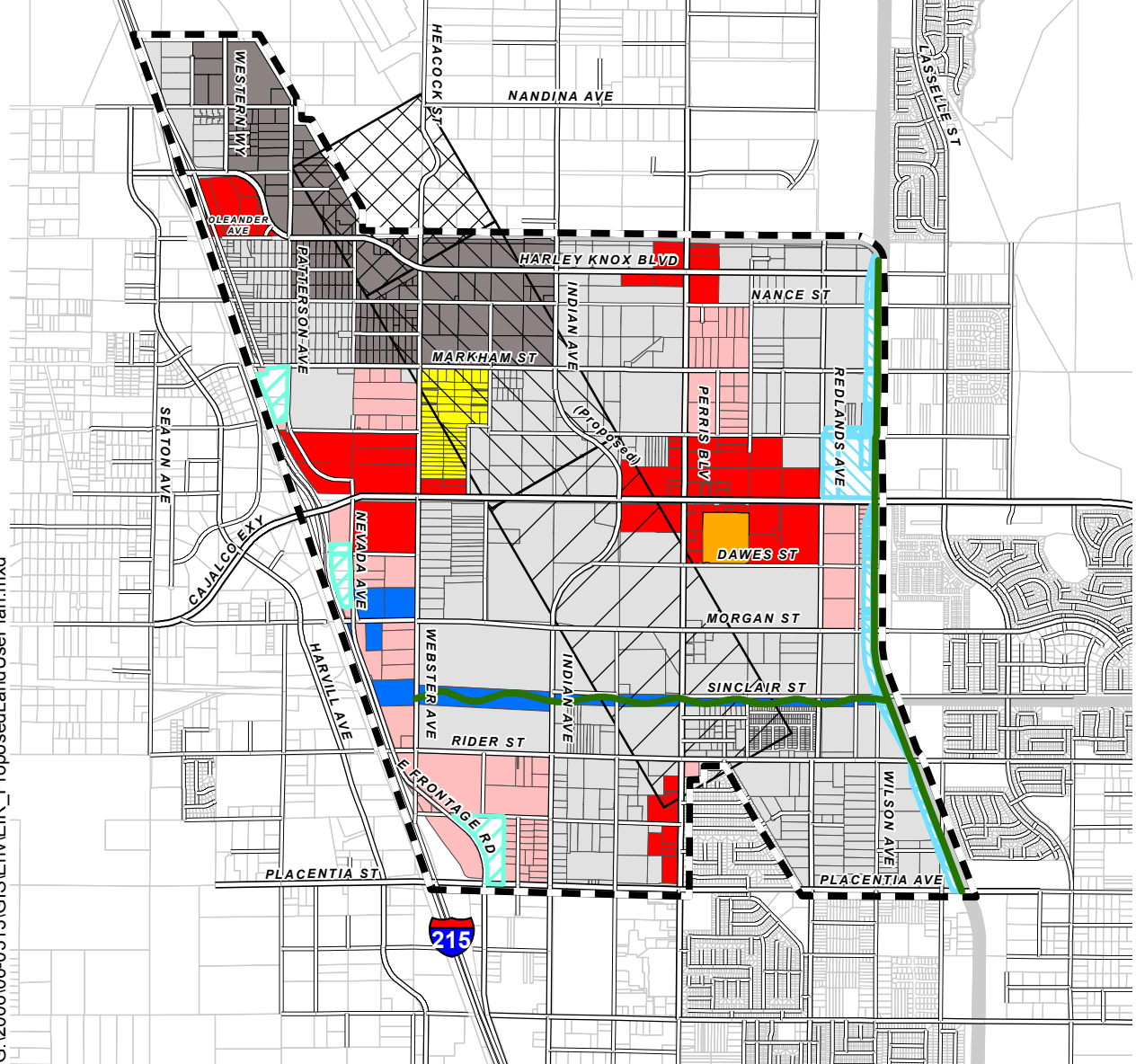
Response to Comment Q-1

This comment, which requests a change in the land use proposed by the Perris Valley Commerce Center Specific Plan and does not raise any environmental issues is noted.

The City has agreed to certain land use changes and as a result **Figure 1.0-4, Proposed Land Use Plan**, **Figure 3.0-4, Proposed Land Use Plan**, and **Figure 4.8-4, PVCC Proposed Land Use Map** in the DEIR will be revised as shown in attached **Figure 1.0-4**.

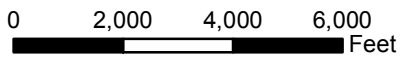
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 1.0-4  
 Proposed Land  
 Use Plan**

**Response to Comment Letter R**  
**Kay Swoffer Follet *et al.***  
**Dated August 26, 2011**

**Comment R-1**

These comments represent the input of my various family members who own all or portions of 10 bare land parcels in the area covered by the proposed Perris Valley Commerce Center.

In reference to my family's property north of the Ramona Expressway, 8 of our parcels are located in this area (as well as 4 belonging to my cousins), and my primary comments regarding these parcels are to request the City's flexibility in assigning zoning to these parcels as the PVCC goes forward. I have discussed concerns about the zoning changes with various City administrators over the past 3 years and I am including, for historical perspective, ATTACHMENT 1 which is a letter I wrote in 2009 to Brad Eckhardt, who I was sad to learn is no longer with the City. My concerns in 2009 were the loss of our historical Commercial CC zoning, which, with its flexible uses, was a primary reason we acquired this land. Through several conversations, my concerns were mostly addressed in a satisfactory fashion at the time, but with the unprecedented economic decline in the regional real estate market since that time, these concerns have changed. We now face a situation which I believe neither I nor the City then anticipated – that is, a market in which the recovery for smaller commercial properties will not occur in any robust fashion for several years. This impacts my family's properties because they include several parcels that together form a 30+ Acre piece which can easily accommodate a larger Commercial and/or Industrial use. Because it is most likely that such larger industrial, and perhaps commercial properties will sustain a market recovery much sooner, I am requesting that the City be flexible in the zoning and use of our properties so that an acceptable project of either use would be agreeable. I ask for this flexibility in part because my family is seriously considering an industrial development project on this property, although we have not finalized the agreement at this point. I would hope that the City would support either a mix of commercial and industrial uses on our land, or an entirely industrial use if a development project (such as the one we are considering) which is acceptable to the City is proposed. Also in reference to the potential development of these parcels, I spoke to both Grant Beglund and Clara Miramontes by

phone on or about August 25, 2011. Rather than restating those conversations in their entirety, I would ask that the information shared in those conversations be incorporated into these comments by reference.

**Response to Comment R-1**

This comment, which discusses the potential zone change and acceptable land uses of eight parcels within the PVCC and requests' flexibility and support from the city as the owners consider mixed commercial and industrial or all industrial developments on the property is noted. No new environmental issues have been raised by this comment.

**Comment R-2**

In 2009 I also had concerns about potential “prohibited uses”, and these are described in **ATTACHMENT 1**. At that time, I received assurance from Brad Eckhardt that changes were made to address my concerns – that is, to continue to allow the dryland farming and/or sheeping/goating operations, etc., that many bare land owners utilize primarily for weed abatement. I was not able to determine from my review of the current drafts if these provisions have changed, but I would request that these uses continue to be allowed, to the joint benefit of both the City and property owners who are holding such land for later development.

**Response to Comment R-2**

This comment, which requests that the bare land parcels continue to be used for dryland farming and/or sheeping/goating operations until later development occurs, is noted. No new environmental issues have been raised by this comment and no modification of the DEIR is required.

*Remainder of page intentionally blank*

Comment R-3

In reference to my family's properties south of the Ramona Expressway, I have a few additional comments. I understand from both my review of the documents and my telephone conversations with Grant Beglund and Clara Miramontes that the storm drain situation which was initially my concern on our properties north of the Ramona Expressway has been resolved, but ironically resolved in part by moving a storm drain onto an area south of the Ramona Expressway that will impact 2 parcels we own in that location. Although this would certainly not be our choice, if this continues to be the plan, I would ask that the City work with us in advance of any final plan so that we can jointly and carefully study the location of the basin in order to least damage the values of either or both of our parcels. If too much is taken from one or the other parcel, it leaves the remainder too small for any reasonable development, not to mention the potential damage to that parcel's value due to its location directly adjacent to the storm drain. If the damage is sufficient to warrant such a consideration, or if uses for adjacent property are seriously restricted, it seems reasonable that the city would make an adjustment and/or purchase the damaged remainder, if we so desired. I would appreciate the opportunity to discuss this further with City staff.

We have held all of this land for future development through three generations and for more than 50 years, so we appreciate the City working with us to sustain the greatest viability for our long-term investment in the Perris Valley.















As always, I would like to thank the City staff – in particular Grant Beglund and Clara Miramontes – for their time and attention to answering my questions and concerns. I look forward to the opportunity to work together as the PVCC project goes forward. Please feel free to contact me if you need any clarification or additional information on these comments. I can be reached by phone at (714) 323-5560 or by email at [kay.follett@gmail.com](mailto:kay.follett@gmail.com).

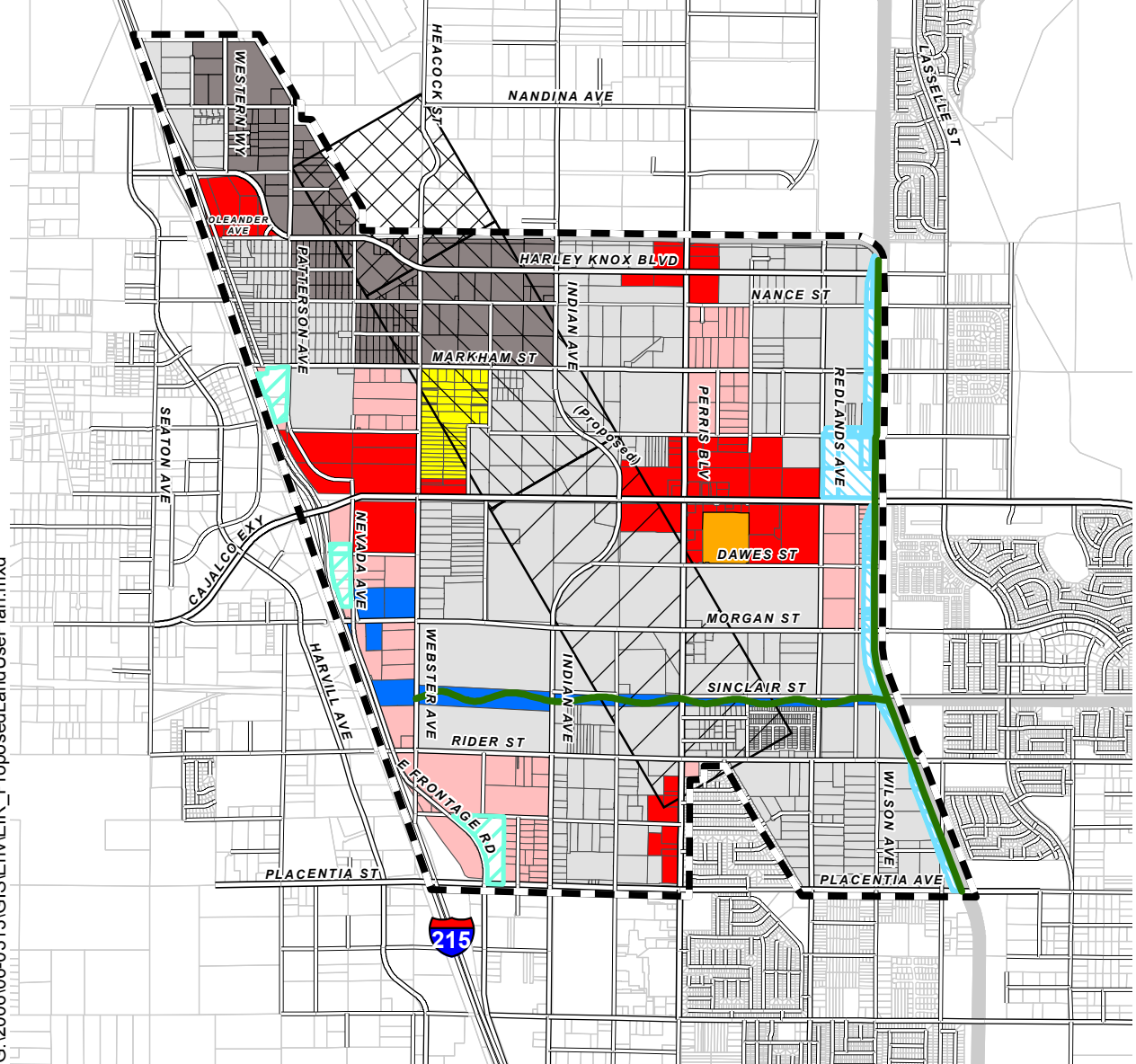
Response to Comment R-3

This comment, which discusses the potential damage to property values the proposed storm drain will have on two parcels located within the PVCC Specific Plan area is noted. No new environmental issues have been raised by this comment no modification of the DEIR is required.

The City has agreed to certain land use changes and as a result **Figure 1.0-4, Proposed Land Use Plan, Figure, 3.0-4, Proposed Land Use Plan, and Figure 4.8-4, PVCC Proposed Land Use Map** in the DEIR will be revised as shown in attached **Figure 1.0-4**.

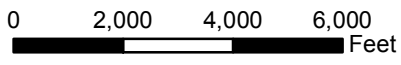
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 1.0-4  
 Proposed Land  
 Use Plan**

**Response to Comment Letter S**  
**Greg I. Anderson p.p. Barbara Minyard and Mary Johnson Kirst (GIA)**  
**Dated September 4, 2011**

**Comment S-1**

I am real estate legal counsel to Barbara Minyard and Mary Johnson Kirst, owners of the above referenced Property, and respond on their behalf pursuant to the Notice of Availability Of A Draft Environmental Impact Report (SCH No. 2009081086) Perris Valley Commerce Center Specific Plan-Perris dated July 20, 2011.

As you may know, the Property has been family owned for over forty years while waiting for commercial/industrial development demand to reach Perris. This demand was finally occurring approximately five years ago as result of land availability for regional distribution facility projects, ceased during 2007-2009, and in the last year or so is again experiencing activity.

As the City of Perris (the "City") is certainly aware, even at the height of the market prior to 2007 demand was limited to larger scale owner/user distribution facilities and with little or no demand for smaller user commercial industrial space let alone business/professional office which was non-existent. As confirmed by the enclosed letter dated September 4, 2011 from Michael Giuliano, Senior Vice President-Principal, Lee & Associates-Ontario, Inc., there is no demand either now or in the foreseeable future for business/professional office development in Perris, and effective down zoning to BPO pursuant to the Specific Plan would immediately wipe out at least 75% of my client's land value otherwise available with a LI or GI designation. After paying property taxes and other carrying costs and waiting over 40 years, to now limit use of the Property to BPO is frankly unjust, unfair and confiscatory in outcome.

The above view as to BPO is shared by every other real estate professional active in the area, and with the consensus that demand for professional office in Perris is highly unlikely for fifteen to twenty years if not longer. On this basis down zoning of the Property to BPO will eliminate all development potential for the foreseeable future and will immediately render the Minyard Kirst Property essentially valueless. On what basis would a developer or investor purchase the Property with an expectation of viable business/professional office development within any acceptable investment/development timeline? The obviously answer and conclusion is that there is no such viable use now or for the foreseeable future and accordingly little or no remaining land value if the BPO designation is imposed.

If the City holds a different view on the economic impact of BPO to the Property or has a current third party professional evaluation reaching a different conclusion than the above, Ms. Minyard and Ms. Kirst would be very interested in receiving that information.

The punitive economic consequences to the Minyard/Kirst Property of BPO should be obvious and my clients respectfully request and urge the City to reconsider and change the proposed Business/Professional Office for the Property to Light Industrial or General Industrial which allows for the only viable use.

#### **Response to Comment S-1**

This comment, which requests a change in the land use proposed by the Perris Valley Commerce Center Specific Plan and does not raise any environmental issue is acknowledged.

The City has agreed to certain land use change requests, and as a result **Figure 1.0-4, Proposed Land Use Plan, Figure, 3.0-4, Proposed Land Use Plan, and Figure 4.8-4, PVCC Proposed Land Use Map** in the DEIR will be revised as shown in attached **Figure 1.0-4**.

#### **Comment S-2**

Please also update your mailing list as follows:

Ms. Barbara Minyard  
C-O Mark E. Minyard, Esq.  
MINYARD & MORRIS LLP  
1811 Quail Street  
Newport Beach, California 92660

Ms. Mary Johnston Kirst  
1 Ironwood Drive  
Newport Beach, CA 92660

And With Copy To:

Greg I. Anderson, Esq.  
1028 North Lake Avenue, Suite 201  
Pasadena, California 91104

#### **Response to Comment S-2**

The City has revised its distribution list accordingly. No new environmental issues have been raised by this comment and no modification of the Draft EIR is required.

#### **Comment S-3**

Please contact me should you wish to discuss the above.

**Response to Comment S-3**

Comment noted. No new environmental issues have been raised by this comment and no modification of the Draft EIR is required.

**Comment S-4**

**Per your request, after comparing market activity and values for office/commercial vs. industrial land for the aforementioned property in Perris, California the property stands to lose over \$4M in value should you change its current zoning. Today, the property has a market value of approximately \$6,100,000 (\$3.00-\$4.00 PSF) supported by strong development activity in the near future. Should the property change its zoning to office or retail the value of the property will drop to roughly \$1.5M to 1.8M without any prospect of development in the foreseeable future.**

Development activity had dropped dramatically over the past three years in the Inland Empire East and West. Office, retail and industrial properties all suffered significant declines in sale and lease values. The East Inland Empire (Perris, Moreno Valley, Riverside, Redlands, & San Bernardino) took the brunt of the economic hit. Existing building values had dropped below replacement costs creating virtually 'zero' demand for new development.

Land Values in the Greater Perris Market had peaked out at \$8.00 to \$9.00 PSF for entitled net developable acreage. In 2007, when the market conditions changed, land holders could barely give their properties away. Some developers who had secured large parcels had valued their pieces more as liabilities than as assets due to reasons related to limited development prospects coupled with property taxes and maintenance costs.















Within the past couple of years, the glut of properties in the industrial sector had shrunk significantly and speculative development had broken ground at multiple East Inland Empire locations. Office and retail are far worse: suffering from high vacancies, low lease/sale values, and very little hope for speculative development any time soon. No office or retail land comparables of any significance have been recorded in the market as of late. Industrial land comparables are to follow as further evidence of the market activity.

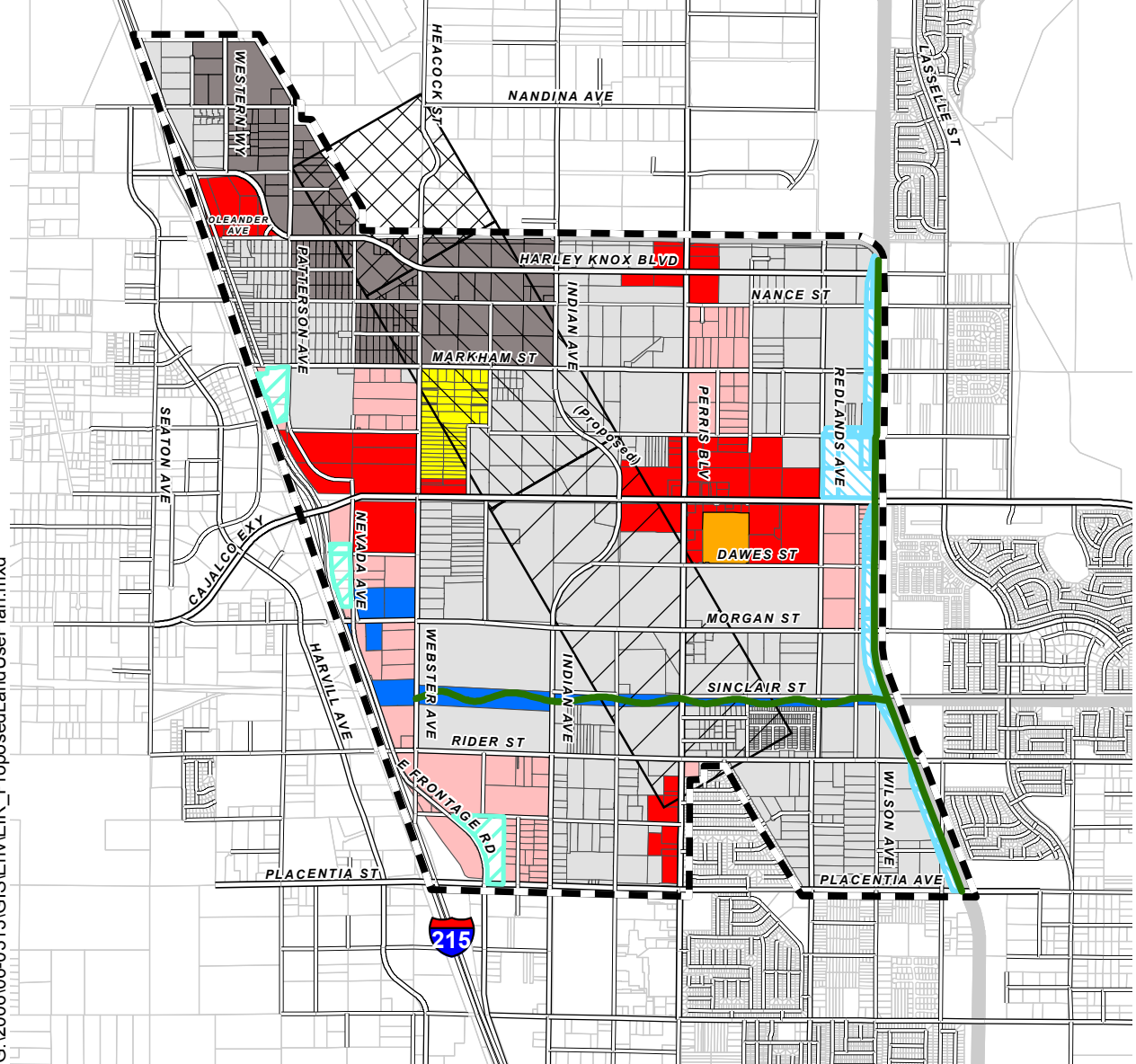
Feel free to contact me with any questions or further requests.

**Response to Comment S-4**

This comment, which provides an opinion of value for property within the PVCC and does not raise any environmental issue, is acknowledged.

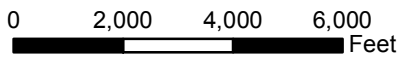
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 1.0-4  
 Proposed Land  
 Use Plan**

**Response to Comment Letter T**  
**Paul T. Jacobs, LLC, PCA**  
**Dated September 14, 2011**

**Comment T-1:**

I represent Dr. Allen Su, the principle in the partnership that owns the above indicated properties located at the intersection of Perris Blvd and Harley Knox Blvd. We wish to request an amendment to the plan to rezone these parcels to their General Plan designation of commercial.

We believe the City's best interest would be served by this revision because it would result in greater property tax generation and would act as a buffer to separate the industrial component from the commercial and residential component located to the east of these properties.

When developed, and we are investigating development of a petroleum service station on the corner parcel, additional revenue would be generated through sales tax increases.

Additionally, we feel that this proposed development would be an asset to the City and its citizens traveling busy Perris Blvd and the workers in the industrial complex area to the west.















Thank you for your kind consideration on this matter.

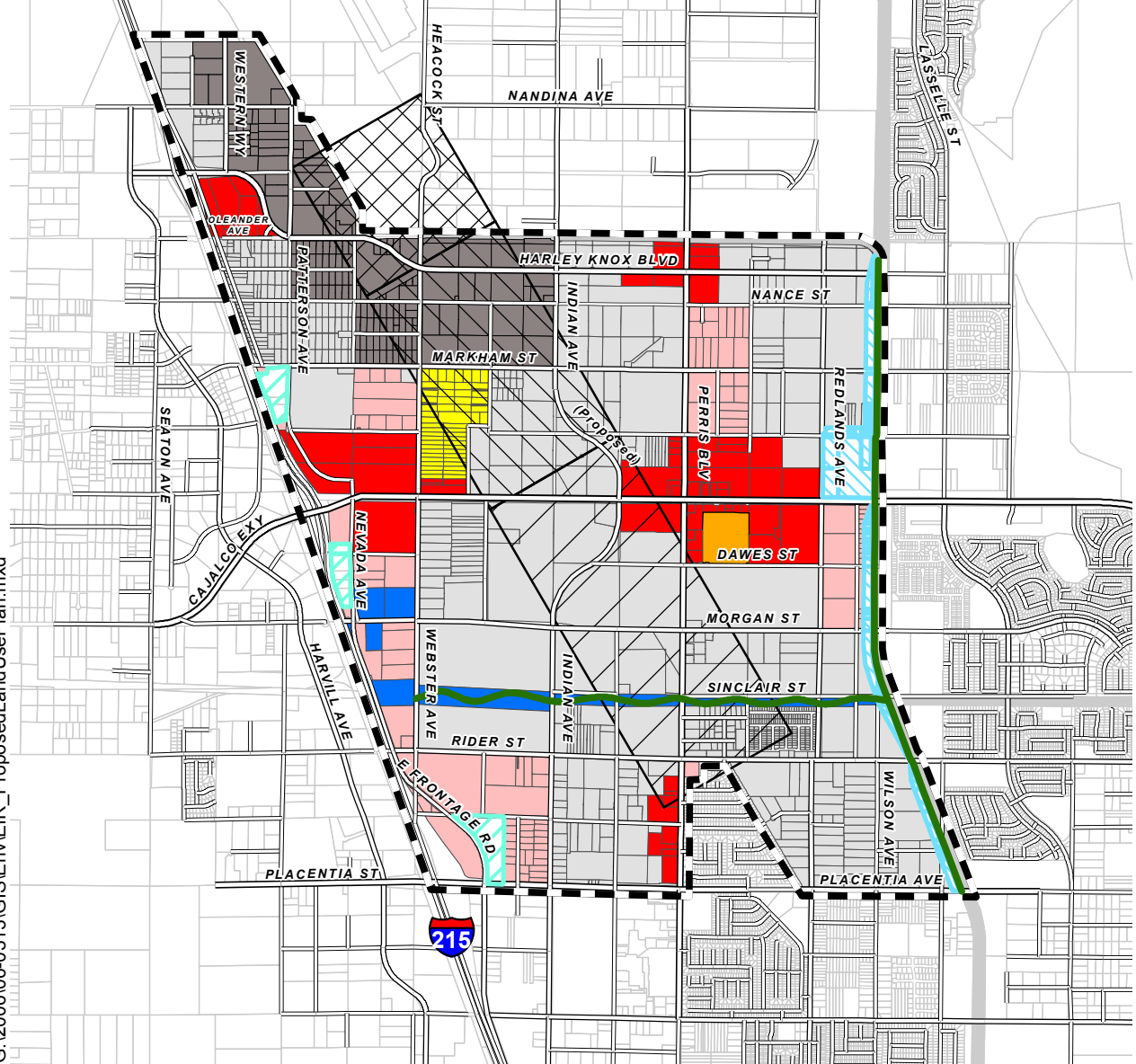
**Response to Comment T-1:**

This comment, which requests a change in the land use proposed by the Perris Valley Commerce Center Specific Plan and does not raise any environmental issue, is acknowledged.

The City has agreed to certain land use change requests and as a result **Figure 1.0-4, Proposed Land Use Plan, Figure, 3.0-4, Proposed Land Use Plan, and Figure 4.8-4, PVCC Proposed Land Use Map** in the DEIR will be revised as shown in attached **Figure 1.0-4**.

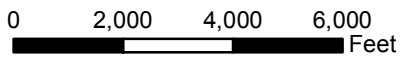
**LEGEND**

 Specific Plan Boundary	<b>PROPOSED LAND USE</b>	 Business Professional Office
 Future Perris Valley Storm Drain	 Residential	 Light Industrial
 Potential Basin Areas	 Multi-Family Residential	 General Industrial
 Clear Zone	 Commerical	 Public / Semi-Public Facility
 Accident Potential Zone I		 Trail
 Accident Potential Zone II		



G:\2006\06-0313\GIS\ENVEIR\_ProposedLandUsePlan.mxd

Sources: City of Perris General Plan, adopted April 2005, as amended through Feb. 2009; MARB Joint Land Use Study, Dec. 2010.



**Figure 1.0-4  
 Proposed Land  
 Use Plan**

**COPIES OF COMMENT LETTERS**



## Department of Toxic Substances Control

*Matthew Rodriguez*  
Secretary for  
Environmental Protection

**Deborah O. Raphael, Director**  
5796 Corporate Avenue  
Cypress, California 90630

**Edmund G. Brown Jr.**  
Governor

August 26, 2011

Ms. Diane Sbardellati, Associate Planner  
Development Services Department, Planning Division  
City of Perris  
135 North D Street  
Perris, California 92570  
[dsbardellati@cityofperris.org](mailto:dsbardellati@cityofperris.org)



### NOTICE OF AVAILABILITY OF A DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE PERRIS VALLEY COMMERCE CENTER PROJECT, (SCH #2009081086), RIVERSIDE COUNTY

Dear Ms. Sbardellati :

The Department of Toxic Substances Control (DTSC) has received your submitted draft Environmental Impact Report (EIR) for the above-mentioned project. The following project description is stated in your document: "The proposed Perris Valley Commerce Center (PVCC) includes the adoption of the PVCC Specific Plan and related infrastructure plans. The PVCC site comprises approximately 3,500 gross acres within the City of Perris. The site is located adjacent to the east side of I-215 and the west side of the Perris Valley Storm Channel (PVSC), south of the March Air Reserve Base (MARB) and Riverside county Flood Control District Channel, and north of Placentia Street. At this time, a large portion of the proposed PVCC area is undeveloped land currently used for agriculture. The other portions contain some existing development including warehouse/distribution facilities, neighborhood commercial, small-scale industrial facilities, a rural residential community, and a mobile home subdivision. The PVCC project area and its surrounding are in transition from agricultural land uses to a mix of commerce, industrial, and business park uses".

Based on the review of the submitted document DTSC has the following comments:

- 1) DTSC provided comments on the project Notice of Preparation (NOP) on September 15, 2009; some of those comments have been addressed in the submitted draft Environmental Impact Report. Please ensure that all those comments will be addressed in the final EIR.

Ms. Diane Sbardellati  
August 26, 2011  
Page 2

- 2) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, at [rahmed@dtsc.ca.gov](mailto:rahmed@dtsc.ca.gov), or by phone at (714) 484-5491.

Sincerely,



Greg Holmes  
Unit Chief  
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research  
State Clearinghouse  
P.O. Box 3044  
Sacramento, California 95812-3044  
[state.clearinghouse@opr.ca.gov](mailto:state.clearinghouse@opr.ca.gov).

CEQA Tracking Center  
Department of Toxic Substances Control  
Office of Environmental Planning and Analysis  
P.O. Box 806  
Sacramento, California 95812  
Attn: Nancy Ritter  
[nritter@dtsc.ca.gov](mailto:nritter@dtsc.ca.gov)

CEQA # 3283

NATURAL RESOURCES AGENCY

EDMUND G. BROWN, JR., GOVERNOR



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## DIVISION OF LAND RESOURCE PROTECTION

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

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE [conservation.ca.gov](http://conservation.ca.gov)

September 2, 2011

**VIA FACSIMILE (951) 943-3293**

Ms. Clara Miramontes, Planning Manager  
City of Perris Planning Department  
135 North D Street  
Perris, CA 92570

Subject: DEIR for the Perris Valley Commerce Center - SCH# 2009081086

Dear Ms. Miramontes:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Perris Valley Commerce Center (PVCC) DEIR. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

**Project Description:**

The proposed Perris Valley Commerce Center is located on 3,500 acres within the City of Perris, Riverside County. The project area is primarily designated for Light Industrial land use by the General Plan, but also contains Business Park, Community Commercial, General Industrial, Neighborhood Commercial, Open Space, Professional Office, Residential, and Public/Semi-Public land use designations.

Immediately north of the City is the March Air Reserve Base, which was converted from the March Air Force Base in 1996. Surplus lands were sold for commercial and industrial ventures and the remainder of lands not required for military purposes, were acquired by the March Joint Powers Authority. Since then the area, surrounding the base has been in transition. To facilitate this change the City has designated more than five square miles and over 3,500 acres to be developed under a master development plan known as the Perris Valley Commerce Center Specific Plan. The proposed project includes the adoption of the Perris Valley Commerce Center Specific Plan and infrastructure plans to develop the area.

The project site is identified as having 691.5-acre of Prime Farmland, 244.3-acres of Farmland of Statewide Importance, 34.7-acres of Unique Farmland, and 1,465-acre of Farmland of Local Importance.

Perris Valley Commerce Center  
September 2, 2011  
Page 2 of 5

**Division Comments:**

The PVCC DEIR tiers off of some of the information presented in the City of Perris 1991 General Plan EIR. The PVCC DEIR states on page 4.1-5, that the City of Perris 1991 General Plan EIR insisted that there were no impacts with regard to the conversion of farmland to non-agricultural uses because the agricultural land use designations were eliminated from the General Plan. However, agricultural uses can still exist even when land use designations do not out rightly designate them as the main use. Since the PVCC DEIR is based on that previous CEQA review, it states that, "no new significant impacts related to the conversion of farmland to non-agricultural uses exist".

However, the question is whether farmland was converted based on maps prepared pursuant to the Farmland Mapping and Monitoring Program (FMMP) of the Department of Conservation to a non-agricultural use, not the General Plan or zoning designations assigned by the City. The Division is concerned and questions if the issue was correctly addressed in the City of Perris 1991 General Plan EIR. The Division recommends that the Perris 1991 General Plan EIR not be used as a source to tier off of for the issues of conversion of Important Farmland, and believes that it should be considered a significant impact and thoroughly reviewed in the PVCC DEIR on its own. The Division has a number of options it suggests for mitigation for the loss of Important Farmland which are discussed under the Mitigation Measure section below.

**Project Impacts on Agricultural Land**

When determining the agricultural value of the land, it is important to recognize that the value of a property may have been reduced over the years due to inactivity or rezoning, but it does not mean that there is no longer any agricultural value. The *inability* to farm the land for agriculture, rather than the choice not to do so, is what could constitute a reduced agricultural value.

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESAs model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESAs Model is available on the Division's website at:

[http://www.consrv.ca.gov/DLRP/gh\\_lesas.htm](http://www.consrv.ca.gov/DLRP/gh_lesas.htm)

Perris Valley Commerce Center  
September 2, 2011  
Page 3 of 5

### Mitigation Measures

CEQA is the state's main policy tool for agricultural land preservation. If a project is deemed significant, lead agencies are required to adopt feasible mitigation measures to avoid or substantially lessen them. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department adamantly advises the use of permanent agricultural conservation easements on land of at least equal quality and size as compensation for the direct loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State.

Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation can be accomplished by incorporating a mitigation program into the Perris Valley Commerce Center Specific Plan, which would require mitigation for loss of agricultural resources from specific future projects. This does not require mitigation be in place at this time, but allows for a framework in dealing with impacts to agricultural resources for development occurring over the phased life of the project.

Based on the FMMP Important Farmland designations within the project area, and the fact that it is a conversion of 970.5-acres of agricultural resources into urban uses, the Division believes that the project will have a Significant Impact on agricultural resources under CEQA.

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. A Statement of Overriding Considerations is not a substitute for the requirement to prepare findings (CEQA Guidelines §15091). CEQA states that the Lead Agency shall describe the specific reasons for rejecting identified mitigation measures. Therefore, all mitigation measures allegedly feasible should be included in the DEIR. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. It is imprudent to ignore feasible mitigation measures, which can lessen a project's

Perris Valley Commerce Center  
September 2, 2011  
Page 4 of 5

impacts. Since agricultural conservation easements are an available mitigation tool they should always be considered.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

One source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts, which can be found at:

<http://www.calandtrusts.org>

The California Council of Land Trusts deals with all types of mitigation banks. It is suggested that the County contact them to get an understanding of the fees associated with mitigation banking and the options available.

Another source is the Division's California Farmland Conservancy Program (CFCP), which has participated in bringing about conservation easements throughout the State of California involving Land Trust Alliance, the California Council of Land Trusts, and the American Farmland Trust. If the County were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be glad to help. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

#### Williamson Act Lands

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it would result in the cancellation of a Williamson Act for any parcel of 100 or more acres.

Sections 51282 through 51285 outlines the steps necessary for the cancellation of a Williamson Act contract. Section 51284.1 requires the notice for a tentative cancellation of a contract to be sent as soon as the cancellation application is deemed complete, but not less than 30 (thirty) days prior to the scheduled action by the Board or Council. The Board or Council must consider any comments submitted by the Department when making their findings. A notice of the hearing and copy of the landowner's petition shall be mailed to the Director of the Department of Conservation 10 (ten) working days prior

Perris Valley Commerce Center  
September 2, 2011  
Page 5 of 5

to the hearing as a separate application from any CEQA document. The notice must be mailed to:

Department of Conservation  
C/o Division of Land Resource Protection  
801 K Street MS 18-01  
Sacramento, CA 95814-3528

Under Government Code section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document.

Thank you for giving us the opportunity to comment on the Perris Valley Commerce Center (PVCC) DEIR. Please provide this Department with the date of any hearings for this particular action, and the FEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,



John M. Lowrie  
Program Manager  
Williamson Act Program

cc: State Clearinghouse

Riverside County Farm Bureau, Inc.  
21160 Box Springs Road, Suite #102  
Moreno Valley, California 92557  
[President@RiversideCFB.com](mailto:President@RiversideCFB.com)





Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

September 6, 2011



Clara Miramontes  
City of Perris  
135 North D Street  
Perris, CA 92570-1998

Subject: Perris Valley Commerce Center  
SCH#: 2009081086

Dear Clara Miramontes:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on September 2, 2011, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

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

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

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

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

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2009081086  
**Project Title** Perris Valley Commerce Center  
**Lead Agency** Perris, City of

---

**Type** EIR Draft EIR

**Description** The proposed project includes adoption of the Perris Valley Commerce Center Specific Plan and Infrastructure Plans. The Project area covers approximately 5.23 square miles of the northern part of the City of Perris. The Specific Plan would modify General Plan land uses, and set forth a list of permitted uses, guidelines for landscape and architectural design, infrastructure plans, and administrative procedures. The land uses proposed include approximately 1836 acres of Light Industrial (LI), 408 acres of General Industrial (GI), 309 acres of Commercial (C), 372 acres of Business Park/Professional Office (BPO), 63 acres of Residential (R-20,000), 22 acres of Multi-Family Residential (MFR-14), 160 acres of Public/Semi Public Facility (P), and approximately 3 acres of Open Space (OS). There are two basins planned, approximately 75 acres in total. The approximate location of the basins is still uncertain. The "Potential Basin Areas" will be a combination of Public, Business Park Professional Office and Commercial Land use designations. The Infrastructure Plans include analysis of storm drains, storm water quality, roadways, water and sewer facilities, and dry utilities.

---

**Lead Agency Contact**

**Name** Clara Miramontes  
**Agency** City of Perris  
**Phone** (951) 943-5003 x272  
**email**  
**Address** 135 North D Street  
**City** Perris  
**Fax**  
**State** CA **Zip** 92570-1998

---

**Project Location**

**County** Riverside  
**City** Perris  
**Region**  
**Lat / Long** 33° 50' 39" N / 117° 13' 55" W  
**Cross Streets** I-215/ Placentia Ave, Perris-Valley Storm Drain/ R.C.F.C.D. Channel  
**Parcel No.** Multiple  
**Township**

**Range**

**Section**

**Base**

---

**Proximity to:**

**Highways** I-215  
**Airports** March Air Reserve Base  
**Railways** BNSF  
**Waterways** Lake Perris  
**Schools** Val Verde Unified  
**Land Use** Z: Business Park, Commercial Community, Neighborhood Commercial, General Industrial, Light Industrial, Light Agriculture, Open Space, Public/School, Residential, Multi-Family Residential, and Specific Plan.  
GPLUD: Light Industrial (LI), General Industrial (GI), Community Commercial (CC), Neighborhood Commercial (NC), Business Park (BP), Professional Office (PO), Residential (R-6,000), Residential (Single-Family) (R-20,000), Multi-Family Residential (MFR-14), Public/Semi Public Facility (P), and Open Space (OS).

---

**Project Issues** Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Flood Plain/Flooding; Geologic/Seismic; Noise; Population/Housing Balance; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Water Quality; Water Supply; Growth Inducing; Landuse

Note: Blanks in data fields result from insufficient information provided by lead agency.

**Document Details Report  
State Clearinghouse Data Base**

---

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

---

**Date Received** 07/20/2011      **Start of Review** 07/20/2011      **End of Review** 09/02/2011



# DEPARTMENT OF CONSERVATION

*Managing California's Working Lands*

## DIVISION OF LAND RESOURCE PROTECTION

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

PHONE 916 / 324-0850 • FAX 916 / 327-3430 • TDD 916 / 324-2555 • WEBSITE [conservation.ca.gov](http://conservation.ca.gov)

clear  
9/2/2011  
e

September 2, 2011

**VIA FACSIMILE (951) 943-3293**

Ms. Clara Miramontes, Planning Manager  
City of Perris Planning Department  
135 North D Street  
Perris, CA 92570



Subject: DEIR for the Perris Valley Commerce Center - SCH# 2009081086

Dear Ms. Miramontes:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Perris Valley Commerce Center (PVCC) DEIR. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

**Project Description:**

The proposed Perris Valley Commerce Center is located on 3,500 acres within the City of Perris, Riverside County. The project area is primarily designated for Light Industrial land use by the General Plan, but also contains Business Park, Community Commercial, General Industrial, Neighborhood Commercial, Open Space, Professional Office, Residential, and Public/Semi-Public land use designations.

Immediately north of the City is the March Air Reserve Base, which was converted from the March Air Force Base in 1996. Surplus lands were sold for commercial and industrial ventures and the remainder of lands not required for military purposes, were acquired by the March Joint Powers Authority. Since then the area, surrounding the base has been in transition. To facilitate this change the City has designated more than five square miles and over 3,500 acres to be developed under a master development plan known as the Perris Valley Commerce Center Specific Plan. The proposed project includes the adoption of the Perris Valley Commerce Center Specific Plan and infrastructure plans to develop the area.

The project site is identified as having 691.5-acre of Prime Farmland, 244.3-acres of Farmland of Statewide Importance, 34.7-acres of Unique Farmland, and 1,465-acre of Farmland of Local Importance.

Perris Valley Commerce Center  
September 2, 2011.  
Page 2 of 5

### Division Comments:

The PVCC DEIR tiers off of some of the information presented in the City of Perris 1991 General Plan EIR. The PVCC DEIR states on page 4.1-5, that the City of Perris 1991 General Plan EIR insisted that there were no impacts with regard to the conversion of farmland to non-agricultural uses because the agricultural land use designations were eliminated from the General Plan. However, agricultural uses can still exist even when land use designations do not out rightly designate them as the main use. Since the PVCC DEIR is based on that previous CEQA review, it states that, "no new significant impacts related to the conversion of farmland to non-agricultural uses exist".

However, the question is whether farmland was converted based on maps prepared pursuant to the Farmland Mapping and Monitoring Program(FMMP) of the Department of Conservation to a non-agricultural use, not the General Plan or zoning designations assigned by the City. The Division is concerned and questions if the issue was correctly addressed in the City of Perris 1991 General Plan EIR. The Division recommends that the Perris 1991 General Plan EIR not be used as a source to tier off of for the issues of conversion of Important Farmland, and believes that it should be considered a significant impact and thoroughly reviewed in the PVCC DEIR on its own. The Division has a number of options it suggests for mitigation for the loss of Important Farmland which are discussed under the Mitigation Measure section below.

### Project Impacts on Agricultural Land

When determining the agricultural value of the land, it is important to recognize that the value of a property may have been reduced over the years due to inactivity or rezoning, but it does not mean that there is no longer any agricultural value. The *inability* to farm the land for agriculture, rather than the choice not to do so, is what could constitute a reduced agricultural value.

Under California Code of Regulations Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Division has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

[http://www.consrv.ca.gov/DLRP/gh\\_les.htm](http://www.consrv.ca.gov/DLRP/gh_les.htm)

Perris Valley Commerce Center  
September 2, 2011  
Page 3 of 5

### Mitigation Measures

CEQA is the state's main policy tool for agricultural land preservation. If a project is deemed significant, lead agencies are required to adopt feasible mitigation measures to avoid or substantially lessen them. The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department adamantly advises the use of permanent agricultural conservation easements on land of at least equal quality and size as compensation for the direct loss of agricultural land. Conservation easements are an available mitigation tool and considered a standard practice in many areas of the State.

Conservation easements will protect a portion of those remaining land resources and lessen project impacts in accordance with CEQA Guideline §15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife habitat mitigation.

Mitigation can be accomplished by incorporating a mitigation program into the Perris Valley Commerce Center Specific Plan, which would require mitigation for loss of agricultural resources from specific future projects. This does not require mitigation be in place at this time, but allows for a framework in dealing with impacts to agricultural resources for development occurring over the phased life of the project.

Based on the FMMP Important Farmland designations within the project area, and the fact that it is a conversion of 970.5-acres of agricultural resources into urban uses, the Division believes that the project will have a Significant Impact on agricultural resources under CEQA.

Although direct conversion of agricultural land is often an unavoidable impact under California Environmental Quality Act (CEQA) analysis, mitigation measures must be considered. In some cases, the argument is made that mitigation cannot reduce impacts to below the level of significance because agricultural land will still be converted by the project, and, therefore, mitigation is not required. However, reduction to a level below significance is not a criterion for mitigation under CEQA. Rather, the criterion is feasible mitigation that lessens a project's impacts. A Statement of Overriding Considerations is not a substitute for the requirement to prepare findings (CEQA Guidelines §15091). CEQA states that the Lead Agency shall describe the specific reasons for rejecting identified mitigation measures. Therefore, all mitigation measures allegedly feasible should be included in the DEIR. A measure brought to the attention of the Lead Agency should not be left out unless it is infeasible based on its elements. It is imprudent to ignore feasible mitigation measures, which can lessen a project's

Perris Valley Commerce Center  
September 2, 2011  
Page 4 of 5

impacts. Since agricultural conservation easements are an available mitigation tool they should always be considered.

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands should not be limited strictly to lands within the project's surrounding area.

One source that has proven helpful for regional and statewide agricultural mitigation banks is the California Council of Land Trusts, which can be found at:

<http://www.calandtrusts.org>

The California Council of Land Trusts deals with all types of mitigation banks. It is suggested that the County contact them to get an understanding of the fees associated with mitigation banking and the options available.

Another source is the Division's California Farmland Conservancy Program (CFCP), which has participated in bringing about conservation easements throughout the State of California involving Land Trust Alliance, the California Council of Land Trusts, and the American Farmland Trust. If the County were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be glad to help. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

#### Williamson Act Lands

Under California Code of Regulations Section 15206(b)(3), a project is deemed to be of statewide, regional or area-wide significance if it would result in the cancellation of a Williamson Act for any parcel of 100 or more acres.

Sections 51282 through 51285 outlines the steps necessary for the cancellation of a Williamson Act contract. Section 51284.1 requires the notice for a tentative cancellation of a contract to be sent as soon as the cancellation application is deemed complete, but not less than 30 (thirty) days prior to the scheduled action by the Board or Council. The Board or Council must consider any comments submitted by the Department when making their findings. A notice of the hearing and copy of the landowner's petition shall be mailed to the Director of the Department of Conservation 10 (ten) working days prior

Perris Valley Commerce Center  
September 2, 2011  
Page 5 of 5

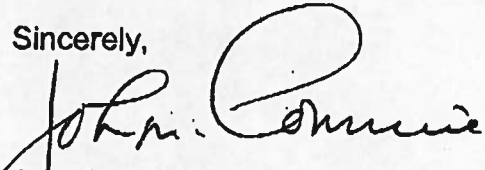
to the hearing as a separate application from any CEQA document. The notice must be mailed to:

Department of Conservation  
C/o Division of Land Resource Protection  
801 K Street MS 18-01  
Sacramento, CA 95814-3528

Under Government Code section 51282, the city or county must approve a request for cancellation and base that approval on specific findings that are supported by substantial evidence. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document. When cancellation is proposed, the Department recommends that a discussion of the findings be included in the CEQA document.

Thank you for giving us the opportunity to comment on the Perris Valley Commerce Center (PVCC) DEIR. Please provide this Department with the date of any hearings for this particular action, and the FEIR. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

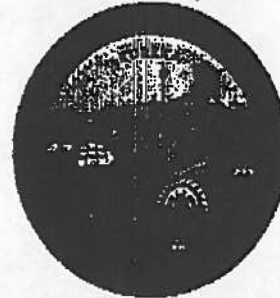
Sincerely,



John M. Lowrie  
Program Manager  
Williamson Act Program

cc: State Clearinghouse

Riverside County Farm Bureau, Inc.  
21160 Box Springs Road, Suite #102  
Moreno Valley, California 92557  
[President@RiversideCFB.com](mailto:President@RiversideCFB.com)



**FAX COVER SHEET**

**Department of Fish and Game  
Inland Desert Region (Region 6)  
Habitat Conservation  
3602 Inland Empire Blvd., Suite C220  
Ontario, CA 91764  
(909) 484-0459  
(909) 481-2945 - FAX**

TO: DIANE SBARDELLATI

DATE: \_\_\_\_\_

Fax Number: 951-943-8379

No. of Pages being faxed: \_\_\_\_\_

From: DFG

COMMENTS: Perris Valley Commerce Ctr.  
thank you Diane.

Robin Maloney-RAMES  
909-980-3813



California Natural Resources Agency  
DEPARTMENT OF FISH AND GAME  
<http://www.dfg.ca.gov>  
Inland Deserts Region  
3602 Inland Empire Blvd., Suite C-200  
Ontario, CA 91764  
(909) 484-0167

EDMUND G. BROWN, JR., Governor  
CHARLTON H. BONHAM, Director



September 14, 2011

Ms. Clara Miramonte  
Planning Department  
City of Perris  
135 North D Street  
Perris, CA 92570

Subject: Environmental Impact Report for the Perris Valley Commerce Center  
City of Perris, County of Riverside – SCH #2009081086

Dear Ms. Miramonte:

The Department of Fish and Game (Department) appreciates this opportunity to comment on the Environmental Impact Report for the Perris Valley Commerce Center. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake and Streambed Alteration Agreement (Section 1600 et seq.).

The Department is also responsible for ensuring appropriate conservation of fish and wildlife resources including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act, and administers the Natural Community Conservation Plan Program (NCCP). On June 22, 2004, the Department issued Natural Community Conservation Plan Approval and Take Authorization for the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) per Section 2800, et seq., of the California Fish and Game Code.

The proposed plan for the 5.23 square mile project consists of the following components: 1,836 acres of light industrial, 408 acres of general industrial 309 acres of commercial, 372 acres of business park/professional office, 63 acres of Residential, 22 acres of multi-family residential, 160 acres of public/semi-public facility, three acres of open space and two basins on 75 acres.

The proposed project site is located in the City of Perris with the Interstate 215 (I-215) to the west, the City of Moreno Valley to the north, Placentia Ave. to the south and the Perris Valley Stormwater Channel to the east. The Ramona Expressway splits the site west to east.

Draft Environmental Impact Report for the Perris Valley Commerce Center  
City of Perris, County of Riverside -- SCH #2009081086  
Page 2 of 5

Multiple Species Habitat Conservation Plan

The proposed project occurs within the MSHCP and is subject to the provisions and policies of the MSHCP. The City of Perris is signatory to the Implementing Agreement and is a Permittee of the MSHCP. Participants in the MSHCP are issued take authorization for covered species. The MSHCP establishes a multiple species conservation program to minimize and mitigate habitat loss and the incidental take of covered species in association with activities covered under the permit. In order to be considered a covered activity, Permittees must demonstrate that proposed actions are consistent with the MSHCP and its associated Implementing Agreement.

Compliance with approved habitat plans, such as the MSHCP, is discussed in CEQA. Section 15125(d) of the Guidelines for the Implementation of the California Environmental Quality Act requires that an environmental impact report (EIR) discuss any inconsistencies between a proposed project and applicable general plans and regional plans, including habitat conservation plans and natural community conservation plans.

MSHCP policies and procedures apply to the proposed project such as the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20; "Riparian/Riverine and Vernal Pool Policy") and Protection of Narrow Endemic Plant Species (MSHCP section 6.1.3 pp 6-28).

A) Special Survey Areas

The eastern portion of the site is located within the Narrow Endemic Plant Species Survey Areas (NEPSSA) (section 6.1.3 of the MSHCP) and the Criteria Area Plant Species Survey Areas (CAPSSA) (section 6.3.2). Any projects occurring within these two areas must conduct a habitat assessment to determine if the plants are found on the site and, if found, provide a consistency analysis with the MSHCP.

The site is also within the burrowing owl survey area. Future projects should include a habitat assessment or survey for burrowing owl.

B) Other policies

The site has jurisdictional State waters and future projects require compliance with the Protection of Species Associated with Riparian/Riverine Areas and Vernal Pools policy (MSHCP section 6.1.2 pp 6-20). A wetland jurisdictional report will be required for each future project that contains jurisdictional State waters. The determination that an area exhibits vernal pool characteristics, must be made on a case-by-case basis. The requirements for a vernal pool assessment are contained in Section 6.1.2 of the MSHCP. Future projects containing jurisdictional waters may require filing a Determination of Biologically Equivalent or Superior Preservation with the Regional Conservation Authority (RCA).

Lake and Streambed Alteration Agreement (LSAA)

Although the proposed project is within the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) and could be subject to Section 6.1.2, Protection of Species

Draft Environmental Impact Report for the Perris Valley Commerce Center  
City of Perris, County of Riverside – SCH #2009081086  
Page 3 of 5

Associated with Riparian/Riverine Areas and Vernal Pools, a Lake and Streambed Alteration Agreement Notification is still required by the Department should the site contain jurisdictional waters. Additionally, the Department's criteria for determining the presence of jurisdictional waters are more comprehensive than the MSHCP criteria in Section 6.1.2. Any mitigation measures required by the resource protection policies of the MSHCP should be included in the CEQA document.

For any projects containing jurisdictional waters, the survey, mapping and documentation requirements, avoidance and minimization measures, relationship to existing wetland regulations or DBESP requirements may apply.

The Department recommends submitting a notification early, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a LSAA notification package, please go to <http://www.dfg.ca.gov/habcon/1600/forms.html>.

If the future CEQA documents do not fully identify potential impacts to lakes, streams, and associated resources and provide adequate avoidance, mitigation, monitoring, funding sources, a habitat management plan and reporting commitments, additional CEQA documentation will be required prior to execution (signing) of the Agreement. In order to avoid delays or repetition of the CEQA process, potential impacts to a stream or lake, as well as avoidance and mitigation measures need to be discussed within this CEQA document. Permit negotiations conducted after and outside of the CEQA process are not CEQA-compliant because they deprive the public and agencies of their right to know what project impacts are and how they are being mitigated (CEQA Section 15002).

The Department opposes the elimination of ephemeral, intermittent and perennial stream channels, lakes and their associated habitats. The Department recommends avoiding the stream and riparian habitat to the greatest extent possible. Any unavoidable impacts need to be compensated with the creation and/or restoration of in-kind habitat either on-site or off-site at a minimum 3:1 replacement-to-impact ratio, depending on the impacts and proposed mitigation. Additional mitigation requirements through the Department's Streambed Alteration Agreement process may be required depending on the quality of habitat impacted, proposed mitigation, project design, and other factors.

Please refer to section 15370 of the CEQA guidelines for the definition of mitigation. If the project does not include the criteria listed above, the Department believes that it cannot fulfill its obligations as a Trustee and Responsible Agency for fish and wildlife resources.

The Department recommends submitting a notification early on, since modification of the proposed project may be required to avoid or reduce impacts to fish and wildlife resources. To obtain a Streambed Alteration Agreement notification package, please call (562) 430-7924.

The following information will be required for the processing of a Streambed Alteration Agreement and the Department recommends incorporating this information to avoid subsequent CEQA documentation and project delays:

Draft Environmental Impact Report for the Perris Valley Commerce Center  
City of Perris, County of Riverside -- SCH #2009081086  
Page 4 of 5

- 1) Delineation of lakes, streams, and associated habitat that will be temporarily and/or permanently impacted by the proposed project (include an estimate of impact to each habitat type);
- 2) Discussion of avoidance measures to reduce project impacts; and,
- 3) Discussion of potential mitigation measures required to reduce the project impacts to a level of insignificance.

#### Department Concerns

This is a programmatic DEIR. The use of a Program Environmental Impact Report for this project is warranted. Subsection "c" of Section 15168 provides that activities subsequent to the PEIR must be examined to determine whether additional environmental documents must be prepared. Section 15168(c)(1) states that if a later project has effects that were not examined in the PEIR, a new initial study would have to be completed, leading to a subsequent CEQA document. The DEIR states that future projects would be subject to environmental review and the Department concurs.

The California Environmental Quality Act (CEQA) discusses program EIRs in section 15168 of the CEQA statute. Among the advantages of a program EIR are that it ensures consideration of cumulative impacts that may not be covered in individual projects and allows the Lead Agency to consider broad policy alternatives and program-wide mitigation measures. For example, regarding impacts to jurisdictional waters the document could state that impacts will be mitigated on or off-site at a minimum 3:1 ratio. This DEIR includes mitigation measures that require compliance with the resource protection policies of the MSHCP, including surveys and jurisdictional delineations. However, these measures do not provide specific impact analyses or specific mitigation measures. An assessment of cumulative impacts of future actions in this DEIR is problematic because of the nature and complexity of the project(s).

A crucial factor in the Department's permitting of the plan components will be implementation of a monitoring program to track projects' impacts and mitigation to ensure that mitigation occurs on the project as a whole and not just on the project components.

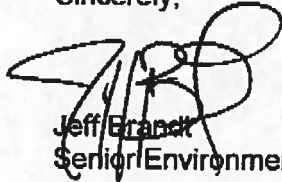
1. The project applicants establish a mitigation and monitoring plan to track projects and their mitigation and include this in the Final Environmental Impact Report (FEIR);
2. The project applicants prepare a final mitigation report to assess whether the project has mitigated the cumulative as well as individual impacts of the project phases;
3. The final mitigation report should include an analysis of impacts to jurisdictional state waters and mitigation measures to offset those impacts;
4. Each project document submitted in the future, as per CEQA, contain a discussion of previously approved projects, project impacts and mitigation measures;
5. Each document submitted in the future, as per CEQA, should include a range of mitigation measures and not defer project impact analysis and mitigation to the Department or the United States Fish and Wildlife Service.

**Draft Environmental Impact Report for the Perris Valley Commerce Center  
City of Perris, County of Riverside – SCH #2009081086  
Page 5 of 5**

6. A discuss of the adjacent Downtown Perris Specific Plan to be included in the FEIR;
7. The project applicants obtain a Lake or Streambed Alteration Agreement from the Department for future projects involving State jurisdictional waters.

We recommend that the DEIR be revised to address the Department's concerns and that any revisions concerning the DEIR be included in the FEIR. Comments regarding future projects should be acknowledged in the FEIR. We appreciate the opportunity to comment on the referenced DEIR. If you should have any questions pertaining to these comments, please contact Robin Maloney-Rames at (909) 980-3818.

Sincerely,



Jeff Brandt  
Senior Environmental Scientist

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 8

PLANNING

464 WEST 4<sup>th</sup> STREET, 6<sup>th</sup> Floor MS 725

SAN BERNARDINO, CA 92401-1400

PHONE (909) 383-4557

FAX (909) 383-5936

TTY (909) 383-6300



*Flex your power!  
Be energy efficient!*



September 15, 2011

Clara Miramontes  
City of Perris  
135 North D Street  
Perris, CA 92570

Perris Valley Commerce Center Draft Environmental Impact Report (July 2011) SCH No. 2009081086, RIV-215-PM 30.933/32.325

Dear Ms. Miramontes,

We have completed our review of the Perris Valley Commerce Center Draft Environmental Impact Report (DEIR). The proposed Project comprises 3,500 gross acres and is bounded to the north by March Air Reserve Base, to the south by Placentia Street, to the west by I-215, and to the east by Perris Valley Storm Drain. A significant portion, approximately 2,925 acres, is designated for the development Light Industrial, Commercial, and Business Park/Professional Office uses. This type of development is associated with high volumes of truck traffic which significantly contributes to congestion on the Interstate 215 (I-215) and the associated interchanges along the Project boundary.

As the owner and operator of the State Highway System (SHS), it is our responsibility to coordinate and consult with local jurisdictions when proposed development may impact our facilities. As the responsible agency under the California Environmental Quality Act (CEQA), it is also our responsibility to make recommendations to offset associated impacts with the proposed project. Although the project is under the jurisdiction of the City of Perris due to the Project's direct impact to State facilities it is also subject to the policies and regulations that govern the SHS.

We have the following comments:

General

1. Please provide two hard copies of the Traffic Impact Analysis section and related appendix for review.

Hydrology

1. Section 4.7 Hydrology and Water Quality, Related Regulation, State, p4.7-8: The project construction activities are regulated under construction General Permit (Order No. 2009-

Ms. Miramontes  
September 14, 2011  
Page 2

0009-DWQ), where the development and implementation of Storm Water Pollution Prevention Plan (SWPPPs) are needed. A project-specific Water Quality Management Plan (WQMP) is required under other NPDES permit.

2. Section 4.7 Hydrology and Water Quality, Related Regulations, Regional, p4.7-11: The project is regulated under Riverside County Flood Control and Water Conservation District NPDES permit (Order No. R8-2010-0033, NPDES No. CAS 618033), where project-specific Water Quality Management Plan (WQMP) is needed. Please included this permit info, and further elaborate the permit requirements that impact the project.

Thank you for providing us this opportunity to review the Perris Valley Commerce Center DEIR and for your consideration of these and future comments. These recommendations are preliminary and summarize our review of materials provided for our evaluation. If this proposal is revised in any way, please forward appropriate information to this Office so that updated recommendations for impact mitigation may be provided. If you have questions concerning these comments, or would like to meet to discuss our concerns, please contact me at (909) 383-4557 for assistance

Sincerely,



DANIEL KOPULSKY  
Office Chief  
Community Planning, IGR/CEQA Review



**RIVERSIDE COUNTY FIRE DEPARTMENT**  
 IN COOPERATION WITH  
 THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION

**John R. Hawkins ~ Fire Chief**  
 210 West San Jacinto Avenue ~ Perris, CA 92570  
 (951) 940-6900 ~ www.rvcfire.org

PROUDLY SERVING THE  
 UNINCORPORATED AREAS  
 OF RIVERSIDE COUNTY  
 AND THE CITIES OF:

- BANNING
- BEAUMONT
- CALIMESA
- CANYON LAKE
- COACHELLA
- DESERT HOT SPRINGS
- EASTVALE
- INDIAN WELLS
- INDIO
- LAKE ELSINORE
- LA QUINTA
- MENIFEE
- MORENO VALLEY
- PALM DESERT
- PERRIS
- RANCHO MIRAGE
- RUBIDOUX CSD
- SAN JACINTO
- TEMECULA
- WILDOMAR

**BOARD OF SUPERVISORS:**

- BOB BUSTER  
DISTRICT 1
- JOHN TAVAGLIONE  
DISTRICT 2
- JEFF STONE  
DISTRICT 3
- JOHN BENOIT  
DISTRICT 4
- MARION ASHLEY  
DISTRICT 5

August 11, 2011

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

**Re: Review and RCFD Comment for the DEIR of the Perris Valley Commerce Center Specific Plan (SCH No. 2009081086)**

Ms. Sbardellati:

Below are comments and concerns of RCFD as it relates to the above referenced Project per a recently received Notice from your office.

The Project poses significant (and cumulative) impacts to existing fire and emergency services and should be mitigated for to ensure satisfactory service levels will remain for all phases of the Project, including full build-out.

The following considerations should be made:

*Station Facility Improvements:*

Actual infrastructure improvements alone, especially roadway improvements, should not compromise fire & EMS response times (except during construction as addressed later). Parcel improvements by individual applicants/developers, and their related traffic and other environmental impacts, will compromise response. To mitigate, RCFD recommends applicant participation in a mitigation fee program (ex. Development Impact Fees) and/or a Development Agreement (DA) to mitigate for proportional impacts by contributing funding toward facility and equipment improvements.

*Operational/Personnel Funding:*

Similar to facility improvements, the development of individual parcels should be mitigated for to ensure adequate operational considerations are provided for, principally funding for the cost of personnel. This may be mitigated for through City tax revenue (ex. Structural Fire Tax), other mitigation fee programs and/or a DA.

*Construction Mitigation:*

For major infrastructure improvement projects, RCFD should be consulted early in the process to ensure for adequate access, water, etc. during construction, ideally at the preliminary site plan review stage.

### *Traffic Impacts*

As “Level of Service” declines for roadway functionality, the average speed for emergency response units also declines, shrinking the 7 minute response area for any given station and generally compromising service. RCFD recommends that all traffic impact analysis (TIA), Project-wide and for individual projects within its bounds, consider impacts to emergency services.

### *General:*

RCFD encourages awareness and adherence to all applicable laws, ordinances and resolutions (LORS) specific to fire and EMS services for all stages of the Project, including planning, construction and occupancy.

### Comments specific to mitigation measures for impacts of particular concern to RCFD:

#### *Fire Protection Services:*

RCFD recommends that the City ensure sufficient mechanisms exist to secure facility and operational mitigation funding prior to building permit issuance. Mitigation language from a recent City of Perris Downtown SP should be considered as it pertains to these funding concerns:

Prior to building permit issuance, the City of Perris and Riverside County Fire Department shall review fire service and equipment needs to determine whether additional personnel or equipment would be required to adequately serve the additional increase in development to the area. If it is determined that additional staffing and/or equipment is needed, funding for the additional personnel or equipment shall be committed prior to the issuance of building permits within the Plan area.

#### *Water:*

RCFD believes impacts have been adequately identified and mitigated for.

#### *Hazardous Materials:*

RCFD believes impacts have been adequately identified and mitigated for.

### Existing Station Response Information:

The nearest existing fire stations that would respond to an incident within seven minutes<sup>1</sup> (in accordance with policy set forth for the “urban” land use category in the RCFD 1986 Fire & EMS Master Plan) are (in order of closest on scene):

- Fire Station #90 (N. Perris); 333 Placentia Ave.; Perris, CA 92571
- Fire Station #59 (Mead Valley); 21510 Pinewood Street; Perris, CA 92570
- Fire Station #91 (College Park); 16110 Laselle Street; Moreno Valley 92553
- Fire Station #2 (Sunnymead); 24935 Hemlock; Moreno Valley, CA 92557

---

<sup>1</sup> As measured from the approximate center of the Project area at Indian Avenue and Ramona Expressway.

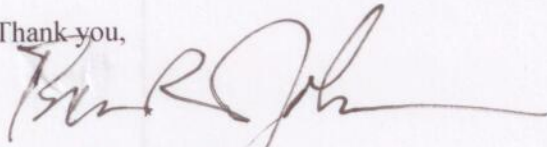
- Fire Station #65 (Kennedy Park); 15111 Indian Ave.; Moreno Valley, CA 92551
- Fire Station #1 (Perris); 210 West San Jacinto Ave.; Perris, CA 92570

All of the above RCO stations are staffed full-time, 24 hours/7 days a week, with a minimum three person crew operating "Type-1" paramedic structural fire fighting apparatus.

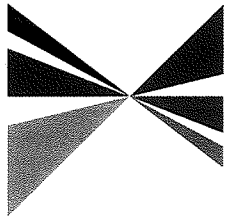
Current minimum staffing levels of three persons per responding unit presently meet existing demands. As with any additional construction within a response area, a cumulative increase in requests for service will add to the Department's ability to provide adequate service.

If I can be of further assistance, please contact me at 951.940.6308 or [ben.johnson@fire.ca.gov](mailto:ben.johnson@fire.ca.gov).

Thank you,



Ben R. Johnson, AICP  
Planning & Development Supervisor  
Strategic Planning Bureau



**ASSOCIATION OF GOVERNMENTS**

**Main Office**

818 West Seventh Street  
12th Floor  
Los Angeles, California  
90017-3435

t (213) 236-1800  
f (213) 236-1825

[www.scag.ca.gov](http://www.scag.ca.gov)

**Officers**

President  
Pam O'Connor, Santa Monica  
  
First Vice President  
Glen Becerra, Simi Valley  
  
Second Vice President  
Greg Pettis, Cathedral City  
  
Immediate Past President  
Larry McCallon, Highland

**Executive/Administration Committee Chair**

Pam O'Connor, Santa Monica

**Policy Committee Chairs**

Community, Economic and Human Development  
Bill Jahn, Big Bear Lake  
  
Energy & Environment  
Margaret Clark, Rosemead  
  
Transportation  
Paul Glaab, Laguna Niguel

August 12, 2011

Ms. Diane Sbardellati  
Associate Planner  
Development Services Department  
Planning Division, City of Perris  
135 North "D" Street  
Perris, CA 92570  
[dsbardellati@cityofperris.org](mailto:dsbardellati@cityofperris.org)

**RE: SCAG Comments on the Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan [SCAG No. I20110067]**

Dear Ms. Sbardellati:

Thank you for submitting the **Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan [SCAG No. I20110067]** to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review of Programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372 (replacing A-95 Review). Additionally, pursuant to Public Resources Code Section 21083(d) SCAG reviews Environmental Impacts Reports of projects of regional significance for consistency with regional plans per the California Environmental Quality Act (CEQA) Guidelines, Sections 15125(d) and 15206(a)(1). SCAG is also the designated Regional Transportation Planning Agency and as such is responsible for both preparation of the Regional Transportation Plan (RTP) and Federal Transportation Improvement Program (FTIP) under California Government Code Section 65080 and 65082. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans. This activity is based on SCAG's responsibilities as a regional planning organization pursuant to state and federal laws and regulations. Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of regional goals and policies.

SCAG staff has reviewed this project and determined that the proposed project is regionally significant per California Environmental Quality Act Guidelines, Sections 15125 and/or 15206. The proposed project is the adoption of the Perris Valley Commerce Center Specific Plan and related infrastructure plans, which slightly modify the existing General Plan land use designations and sets forth a list of permitted uses, infrastructure plans, and guidelines for architectural design and landscaping and administrative procedures for development within the Specific Plan boundaries.

We have evaluated this project based on the policies of SCAG's Regional Transportation Plan (RTP) and Compass Growth Vision Principles that may be applicable to your project. The RTP and Compass Growth Visioning Principles can be found on the SCAG web site at: <http://scag.ca.gov/igr>. The attached detailed comments are meant to provide guidance for considering the proposed project within the context of our regional goals and policies. We also encourage the use of the SCAG List of Mitigation Measures extracted from the RTP to aid with demonstrating consistency with regional plans and policies. Please send a copy of the Final Environmental Impact Report (FEIR) ONLY to SCAG's main office in Los Angeles for our review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895. Thank you.

Sincerely,

JACOB LEE, Manager  
Environmental and Assessment Services

**COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT FOR THE  
PERRIS DOWNTOWN SPECIFIC PLAN UPDATE PROJECT  
[SCAG NO. I20110067]**

**PROJECT LOCATION**

The Perris Valley Commerce Center (PVCC) Specific Plan area encompasses approximately 3,500 gross acres within Riverside County, California. The project site is located east of Interstate 215, west of Perris Valley Storm Channel (PVSC), south of March Air Reserve Base (MARB), and north of Placentia Street. The surrounding area includes the City of Moreno Valley to the north, the community of Mead Valley, an unincorporated area of Riverside County to the west, and more developed areas of the City of Perris to the south and east.

The project site includes both developed and undeveloped land. The areas surrounding the project site have been reshaped by the regions past growth and gradual urbanization, while the project site encompasses a patchwork of residential, commercial and industrial development interspersed with agricultural fields and vacant land.

**PROJECT DESCRIPTION**

The proposed project includes the adoption of the Perris Valley Commerce Center and infrastructure plans. The project area covers approximately 5.23 square miles of the northern part of the City of Perris. The PVCC would slightly modify existing Perris General Plan land use designations, and set forth a list of permitted uses, guidelines for landscape and architectural design, infrastructure plans and administration procedures.

Generally, the PVCC land use designations correspond with the current Perris General Plan land use designations with the following exceptions. The Community Commercial (CC) and Neighborhood Commercial (NC) have been combined into one designation – Commercial (C). Business Park (BP) and Professional Office (PO) have been combined to form one designation – Business/Professional Office (BPO). Public/Semi-Public/Utilities (P) and Park, Recreational, and Natural Open Space (OS) have been combined to Public (P).

The infrastructure plan proposed as part of the project include analysis of storm drains, stormwater quality and water and sewer facilities. As part of the infrastructure plans, an updated Perris Valley Master Drainage Plan (PVMDP) will be needed in order to meet the development goals of the PVCC. The drainage systems that will be developed in conjunction with the PVCC will consist of two basic components: storm drains and detention basins. The drainage system will capture surface runoff from properties in the area and convey it into proposed storm drains and detention basins before continuing to Perris Valley Storm Channel (PVSC). The Master Plan basins are designed to dewater within 48 hours to 72 hours after rainfall events.

The modifications to the existing PVMDP are described below:

**Line D (From the PVSC to the upstream end of the facility, approximately 2,000 feet west of Indian Avenue on Nance Street).** Line D will consist of concrete line trapezoidal channel, an underground reinforced concrete box and an underground reinforced concrete pipe.

**Line E (From the PVSC to the proposed Line E Detention Basin).** Line E will consist of a concrete lined trapezoidal channel, an underground reinforced concrete box, and an underground reinforced concrete pipe.

**Line E Detention Basin.** This basin or basins will be located in the vicinity of the intersection of

the Ramona Expressway and Interstate 215. The basin(s) will reduce peak flows and allow the majority of the downstream facility to be constructed in the street right-of-way. Requires a surface area of approximately 9.5 acres with an approximate depth of 20 feet. The Line E Detention Basin(s) will be designed to handle a 100-year storm event.

**Line F (From the Line E Detention Basin to the Line F Detention Basin).** Line F will consist of an underground reinforced concrete pipe from Line E Detention Basin to the Line F Detention Basin.

**Line F Detention Basin.** Located in the vicinity of Markham Street and Interstate 215 and will reduce peak flows and allow a majority of downstream facilities to be constructed within the right-of-way. Requires a surface area of approximately 8 acres with an approximate depth of 20 feet and will be designed to handle a 100-year storm event. Line F Detention Basin may serve as a dual use facility, recreational park and flood control basin.

**Line H from PVSC to the proposed Line H Detention Basin.** Line H is proposed to be an underground reinforced concrete box in Placentia Avenue.

**Line H Detention Basin.** This basin will be located approximately 1,000 feet west of Indian Avenue and south of Walnut Street with a surface area of approximate 15.5 acres and 20 feet deep. This basin will reduce peak flows and will be design with a holding capacity to accommodate the 100-year storm event.

The proposed project also includes the following land use applications:

**Specific Plan No. 08-10-0007** include a land use plan, designation of planning areas, development standards, and design and landscaping guidelines associated with the development of PVCC.

**General Plan Amendment No. 08-10-0008** proposes to amend the Land Use Element of the City of Perris General Plan to designate the properties within the project area as Specific Plan (SP).

**Change of Zone 08-10-0009** proposes to change the designated zoning of the properties within the project area to SP.

**CONSISTENCY WITH REGIONAL TRANSPORTATION PLAN**

**Regional Growth Forecasts**

The Draft Environmental Impact Report (DEIR) should reflect the most recently adopted SCAG forecasts, which are the 2008 RTP (May 2008) Population, Household and Employment forecasts. The forecasts for your region, subregion, and city are as follows:

**Adopted SCAG Regionwide Forecasts<sup>1</sup>**

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

**Adopted Gateway Cities WRCOG Subregion Forecasts<sup>1</sup>**

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

**Adopted City of Perris Forecasts<sup>1</sup>**

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

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

**SCAG Staff Comments:**

Page 4.8-45 indicates that the DEIR population, household and employment analyses were based on 2008 RTP Regional Growth Forecasts.

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

***Regional Transportation Plan Goals:***

- RTP G1** *Maximize mobility and accessibility for all people and goods in the region.*
- RTP G2** *Ensure travel safety and reliability for all people and goods in the region.*
- RTP G3** *Preserve and ensure a sustainable regional transportation system.*
- RTP G4** *Maximize the productivity of our transportation system.*
- RTP G5** *Protect the environment, improve air quality and promote energy efficiency.*
- RTP G6** *Encourage land use and growth patterns that complement our transportation investments.*
- RTP G7** *Maximize the security of our transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies.*

**SCAG Staff Comments:**

Where applicable, SCAG staff finds that the proposed project generally meets consistency with Regional Transportation Plan Goals. RTP Goals G3 is not applicable in that the proposed project does not include transportation improvements. RTP G7 is also not applicable in that the proposed project is not a transportation project.

The proposed project generally meets consistency with RTP G1. Mobility pertains to the speed at which one may travel and the delay, or difference between the actual travel time and travel time that would be experienced if a person traveled at the legal speed limit. Per page 4.1-8 the proposed project is expected to result in improved mobility and access through the area by utilizing existing and future transportation infrastructure that will improve accessibility and mobility, specifically the Ramona Expressway Station that will be located in very close proximity to the PVCC area that will provide alternative means of travel for the PVCC employees living in the region.

SCAG staff finds that the proposed project generally meets consistency with RTP G2. Future developments within the PVCC area will result in road improvements that will improve upon the safety and will benefit all persons in the region who will utilize the roads.

The proposed project is consistent with RTP G3. The Perris DTSP provides strategies to improve transit service and enhances opportunities for linkages with public transit and the Metrolink Station (anticipated to begin operations in 2013). The project supports regional transportation and improves pedestrian activity within Downtown a connector to regional transit.

With regard to RTP G4, the proposed project at least partially meets consistency. Productivity is a system efficiency measure that reflects the degree to which the transportation system performs during peak demand conditions. The proposed project would result in additional traffic through the corridor and increase in travel speeds that may impact the community, but also supports goals of improving or maintaining a Level of Service of D or better during peak traffic hours and improving roadways within the service area, as needed.

The proposed project is at least partially consistent with RTP G5. Per page 4.2-34, some development within the proposed project area in the short-term construction and in the long-term full build out could exceed South Coast Air Quality Management District thresholds for three criteria pollutants after mitigation measures have been applied. As stated on page 4.2-52 – 4.2-56, several mitigation measures for short term construction and long-term emissions associated with the operations of development projects will be implemented to minimize significant adverse impacts, but will not improve air quality. However, the proposed PVCC will also result in the reduction of average number of daily trips generated by planned development within the area. Also, per page 4.2-55 MM Air 19 and MM Air 20, future development projects and applicable plans will include the installation of energy-efficient street lighting and implement an increase in building energy efficiency and reduce indoor water use.

With regard to RTP G6, the proposed project meets consistency. The proposed project is located within an area that is already served by existing roadways, highways and public transportation.

## **COMPASS GROWTH VISIONING**

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

### ***Principle 1: Improve mobility for all residents.***

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

### **SCAG Staff Comments:**

SCAG staff finds that the proposed project meets consistency with Principle 1.

The proposed project meets consistency with GV P1.1. As mentioned previously, the proposed

project is located in an area with developed transportation infrastructure and existing uses.

With regard to GV P1.2, the proposed project meets consistency as its mixed-use nature would introduce housing near existing jobs and would also generate new jobs as well with the inclusion of a Business Park/Professional Office land use designation in the proposed project. (Page 1.0-2)

The proposed project meets consistency with GV P1.3. The proposed project will be located near a future Metrolink Station. Plans also for a pedestrian trail system linking the community to the Metrolink Station and bus stations are proposed in the PVCC project area.

The proposed project meets consistency with GV P1.4. Mentioned on page 4.10-21 the proposed project, "will include roadway improvements which include sidewalks, and bike racks and is located near existing bus routes" to incorporate multiple travel modes.

**Principle 2: Foster livability in all communities.**

**GV P2.1** *Promote infill development and redevelopment to revitalize existing communities.*

**GV P2.2** *Promote developments, which provide a mix of uses.*

**GV P2.3** *Promote "people scaled," walkable communities.*

**GV P2.4** *Support the preservation of stable, single-family neighborhoods.*

**SCAG Staff Comments:**

SCAG staff finds that the proposed project meets consistency with Principle 2.

SCAG staff finds that the proposed project is consistent with GV P2.1, as the proposed project plans to redevelop and develop vacant and underutilized sites with a variety of uses and intensities.

With regard to GV P2.2, the proposed project would encourage a mixture of uses including industrial, business park/professional office, commercial, public/open space and residential uses. (Page 1.0-2)

The proposed project meets consistency with GV P2.3. Page 5.2-70 describes how the proposed project identifies specific road improvements to enhance the environment for pedestrians. (Page 4.10-21)

With regard to GV P2.4, the proposed project meets consistency. Page 4.8-52 describes how the proposed project is preserving the existing residential single-family neighborhood located within the project site.

**Principle 3: Enable prosperity for all people.**

**GV P3.1** *Provide, in each community, a variety of housing types to meet the housing needs of all income levels.*

**GV P3.2** *Support educational opportunities that promote balanced growth.*

**GV P3.3** *Ensure environmental justice regardless of race, ethnicity or income class.*

**GV P3.4** *Support local and state fiscal policies that encourage balanced growth*

**GV P3.5** *Encourage civic engagement.*

**SCAG Staff Comments:**

SCAG staff is not able to assess Principle 3 based on the information provided in the DEIR.

**Principle 4: Promote sustainability for future generations.**

- GV P4.1** *Preserve rural, agricultural, recreational, and environmentally sensitive areas*
- GV P4.2** *Focus development in urban centers and existing cities.*
- GV P4.3** *Develop strategies to accommodate growth that uses resources efficiently, eliminate pollution and significantly reduce waste.*
- GV P4.4** *Utilize "green" development techniques*

**SCAG Staff Comments:**

Where applicable, SCAG staff finds that the project is in partially consistent and partially not consistent with Principle 4.

The proposed project is not consistent with GV P4.1. PVCC guides the conversion of farmland uses into urban uses and permanently removes the farmland designation through proposed land use changes.

The proposed project meets consistency with GV P4.2, as it is located within the City of Perris and located near an urban area. (Page 4.8-54)

The proposed project generally meets consistency with GV P4.3 and meets consistency with GV P4.4. The proposed project would impact overall air quality, but implement mitigations measures that would include energy efficient building development and reduce indoor water use that would therefore reduce waste and air pollution. (Page 4.2-55)

**CONCLUSION**

Where applicable, the proposed project generally meets consistency with SCAG Regional Transportation Plan Goals and also meets consistency with Compass Growth Visioning Principles.

All feasible measures needed to mitigate any potentially negative regional impacts associated with the proposed project should be implemented and monitored, as required by CEQA. We recommend that you review the SCAG List of Mitigation Measures for additional guidance, and encourage you to follow them, where applicable to your project. The SCAG List of Mitigation Measures may be found here:  
[http://www.scag.ca.gov/igr/documents/SCAG\\_IGRMMRP\\_2008.pdf](http://www.scag.ca.gov/igr/documents/SCAG_IGRMMRP_2008.pdf)

When a project is of statewide, regional, or area wide significance, transportation information generated by a required monitoring or reporting program shall be submitted to SCAG as such information becomes reasonably available, in accordance with CEQA, Public Resource Code Section 21081.7, and CEQA Guidelines Section 15097 (g).

**RIVERSIDE COUNTY****STANLEY SNIFF  
SHERIFF-CORONER****Sheriff****PERRIS STATION**

August 19, 2011

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

Contact: Diane Sbardellati, Associate Planner

**SUBJECT: Review of Draft Environmental Impact Report (SCH. NO. 2009081086) – Proposed Perris Valley Commerce Center, which encompasses approximately 3,500 gross acres or approximately 5.23 square miles of north Perris within Riverside County, California. The project site is bound by Interstate 215 to the east, Perris Valley Storm Channel to the west, south of March Air Reserve Base and north of Placentia Avenue.**

Dear Ms. Sbadellati,

The Riverside County Sheriff's Department has been asked to provide input regarding the proposed Perris Valley Commerce Center (PVCC). This proposed project includes the adoption of the PVCC Specific Plan and related Infrastructure plans. The PVCC would slightly modify the existing General Plan land use designations and sets forth a list of permitted uses, infrastructure plans, guidelines for architectural design and landscaping, and administrative procedures for development within the Specific Plan. The project is designed to guide future development and allows for some rezoning of some residential areas to industrial areas. The project will also allow future heavy industrial businesses near March Air Reserve Base.

The Riverside County Sheriff's Department considers several factors when determining the impact development may have upon law enforcement. These factors include the impact on traffic, population density, the nature of the business, and whether the development may create a nuisance.

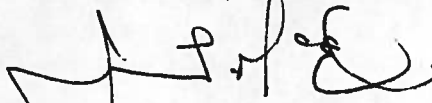
This project may significantly impact the demand for law enforcement service within the city. The change in population density as well as the addition of the commercial and heavy industrial businesses will most likely increase the demand for law enforcement services. This project encompasses 3,500 acres. Currently there is a lot of vacant or undeveloped land within the project area, which has a very minimal impact on law enforcement services. As these areas are developed, the demand for law enforcement service can be impacted based on the type of development.

This project allows for the creation of water basins, residential, commercial, and industrial businesses. Each smaller development project within this overall plan should be evaluated to determine the potential impact it may have on law enforcement services. For example, development that allows for heavy industrial or "Big Box" commercial businesses will most likely have a significant impact on traffic, and traffic enforcement, based on the commercial trucks used with these businesses. Additionally commercial businesses, such as shopping centers generate additional traffic and usually an increase in crime and calls for law enforcement services.

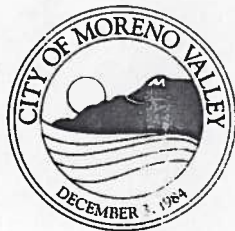
If there is any further information required, please do not hesitate to contact me at (951) 210-1026.

Very truly yours,

STAN SNIFF, SHERIFF

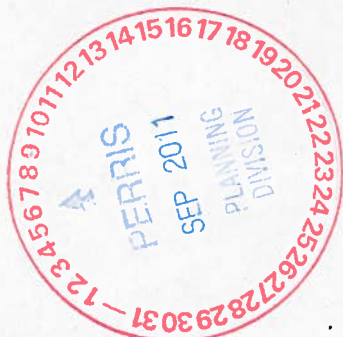
A handwritten signature in black ink, appearing to read "James McElvain". The signature is stylized with a large initial "J" and a prominent flourish at the end.

James McElvain, Captain  
Perris Station



**Community & Economic Development  
Department  
Planning Division**  
14177 Frederick Street  
P. O. Box 88005  
Moreno Valley CA 92552-0805  
Telephone: 951.413-3206  
FAX: 951.413-3210

August 31, 2011



City of Perris  
Development Services Department, Planning Division  
Attention: Diane Sbardellati, Associate Planner  
135 N. "D" Street  
Perris, CA 92570

Re: Perris Valley Commerce Center Specific Plan Draft EIR Comments

Dear Ms. Sbardellati:

The City of Moreno Valley appreciates the opportunity to review the draft Environmental Impact Report (EIR) for the Perris Valley Commerce Center Specific Plan project. As the proposed project lies immediately adjacent to the southern portions of the Moreno Valley city limits, the City of Moreno Valley Planning and Land Development Divisions of the Community and Economic Development Department and Transportation Division of the Public Works Department respectfully provide the following comments for consideration:

- Proposed land uses within the Specific Plan do not appear to provide immediate impacts upon the City of Moreno Valley; however the redistribution of commercial land and additional commercial land uses proposed for the corner of Perris Boulevard and Harley Knox Boulevard and adjacent to the 215 freeway may provide future traffic impacts for both Perris Boulevard and Harley Knox Boulevard/Oleander Avenue into Moreno Valley.
- Please allow City of Moreno Valley Transportation staff the opportunity to review and comment on all subsequent traffic studies for individual projects within the proposed Specific Plan.
- It is suggested that the Specific Plan be conditioned such that each portion of the Plan (individual sections of development) shall address water quality in accordance with the current NPDES regulations and Construction Permit enacted/imposed at the time that particular site is rough graded.

- It is suggested that the proposed dual-use detention basins also include water quality features to treat the 85th percentile storm flows, creating regional facilities for pollution control.

We look forward for the opportunity to review the Final EIR and Responses to Comments for the project when they become available. Please include the City of Moreno Valley on any future mailing lists regarding final documents and future notification of meetings/public hearings associated with the project.

Should you have any questions or concerns, please contact Mark Gross, Senior Planner at (951) 413-3215.

Sincerely,



Mark Gross, AICP  
Senior Planner



John C. Terell, AICP  
Planning Official

Cc: Mark Sambito, Engineering Division Manager  
Eric Lewis, Transportation Division Manager/City Traffic Engineer  
Michael Lloyd, Senior Traffic Engineer



September 2, 2011

Development Services Department, Planning Division  
ATTN: Diane Sbardellati, Associate Planner  
City of Perris, 135 N. "D" Street  
Perris, CA 92570

SUBJECT: Comments on the NOA for the Draft Perris Valley Commerce Center Specific Plan

Dear Ms. Sbardellati:

The March Joint Powers Authority (JPA) appreciates the opportunity to comment on the Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan dated July 2011. Based on review of the Draft EIR, the March JPA has the following comments:

- 1) Please revise Section 1.0, Executive Summary, to include the March JPA as being identified to the north of the project site. The March JPA has jurisdiction over properties located at the terminus of Western Way. Please incorporate this revision throughout the EIR as necessary.
- 2) Please revise Figure 1.0-2 to identify the boundaries of March Air Reserve Base and the March Joint Powers Authority located to the north of the project site.
- 3) Please revise Section 3.0, Project Description, to include the March JPA as being identified to the north of the project site. The March JPA has jurisdiction over properties located at the terminus of Western Way. Please incorporate this revision throughout the EIR as necessary.
- 4) Please revise Figure 3.0-2 to identify the boundaries of March Air Reserve Base and the March Joint Powers Authority located to the north of the project site.
- 5) Please revise Section 4.6 to correctly identify the "March Inland Port" as the designation assigned to the March JPA civilian airport, not "March Global Port".
- 6) Recommend revising Section 4.6 to add that MARB has F-16 aircraft operated by the National Guard. These aircraft are proposed for replacement with F-15 aircraft, which is currently under NEPA review.

- 7) Please revise Section 4.6 to correctly identify the “March Air Reserve Base/March Inland Port Airport Authority” as the agencies that land owners will convey an aviation easement.
- 8) The March JPA worked closely with the City of Perris to coordinate the provisions of the JLUS. When the March Joint Powers Commission approved the JLUS on December 15, 2010, the representatives from the member jurisdictions agreed to incorporate the provisions of the JLUS into their future planning documents. We appreciate that the City has included many of the provisions and compatibility criteria of the Draft Joint Land Use Study in the PVCC Specific Plan. However, the Airport Overlay Zones identified in Figure 2.0-1 of the SP are based on the 2005 AICUZ, which is not fully consistent with the Compatibility Map set forth in the Draft JLUS. MJPA encourages the City of Perris to incorporate the draft compatibility zones into the Specific Plan at this time to ensure consistency with the JLUS when adopted by ALUC. The expanded compatibility zones include additional land use criteria outside of the APZ’s that should be addressed in the Specific Plan. MJPA staff would be more than willing to assist the City of Perris in identifying the expanded compatibility zones and criteria to include in the PVCC Specific Plan.
- 9) Please verify that Figure 4.10-4 of the EIR is consistent with the adopted NPRBBD Facilities report, as it appears that Western Way is not listed as a facility eligible for funding. The March JPA would like to ensure that funding mechanisms are in place to ensure future build out of this roadway to Secondary Collector standard from the terminus of Western Way at the City boundary to Harley Knox Boulevard.

Again, the March JPA appreciates the opportunity comment on the Draft EIR, and if you should have any questions in regards to these comments please feel free to contact me at (951) 656-7000.

Sincerely,



Adam Collier, Planner II

cc: Lori Stone, Executive Director  
Dan Fairbanks, Planning Director  
Habib Motlagh, MJPA Civil Engineer



**Board of Directors**

**President and Treasurer**

Joseph J. Kuebler, CPA

**Vice President**

Philip E. Paule

Ronald W. Sullivan

Randy A. Record

David J. Slawson

**General Manager**

Paul D. Jones II, P.E.

**Director of The Metropolitan Water District of So. Calif.**

Randy A. Record

**Board Secretary and Assistant to the General Manager**

Rosemarie V. Howard

**Legal Counsel**

Redwine and Sherrill

September 6, 2011

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

**SUBJECT: Perris Valley Commerce Center Specific Plan (PVCC)  
 Draft Environmental Impact Report  
 SCH No. 2009081086**

Dear Ms Sbardellati:

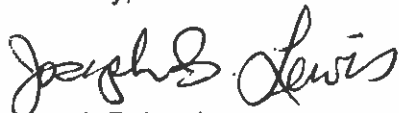
Eastern Municipal Water District (EMWD) thanks you for the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The proposed project includes the adoption of the PVCC Specific Plan and related infrastructure plans. The PVCC would slightly modify the existing General Plan land use designations (GPA 08-10-0008) and sets forth a list of permitted uses, infrastructure plans, guidelines for architectural design and landscaping and administrative procedures for development within the Specific Plan (SP 08-10-0007). Zone Change 08-10-0009 will establish Specific Plan zoning for properties within the designated area. Generally, the PVCC land use designations correspond with the City of Perris General Plan land use designations. Proposed land uses are Light and General Industrial, Business Park/Professional Office, Commercial, Public/Open Space and Residential (existing). The infrastructure plan includes storm drains, storm water detention basins, and water and sewer facilities. An updated Perris Valley Master Drainage Plan will be needed in order to meet the development goals of the PVCC. EMWD offers the following comments.

Regarding Section 4.11 of the DEIR, Utilities and Service Systems, EMWD would like to point out that completed Water, Wastewater and Recycled Water Master Plans have identified backbone facilities based on current land use. EMWD requests that PVCC compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD New Business Department for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD New Business Department to develop a Plan of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities. EMWD also requests the enclosed DEIR pages 4.11-7 and 12 be revised per the attachments. Also see the attached information re EMWD New Development processes.

City of Perris  
September 6, 2011  
Page 2

Again, EMWD appreciates the opportunity to comment on this project. The attached DEIR pages that include EMWD comments are hereby made a part of this comment letter. Please forward the Final Environmental Impact Report to the attention of Karen Hackett at the mailing address shown on page one. If you have questions concerning these comments, please feel free to contact me at 951 928-3777, Ext. 4455, or Karen Hackett at Ext. 4462.

Sincerely,

A handwritten signature in black ink that reads "Joseph B. Lewis". The signature is written in a cursive, flowing style.

Joseph B. Lewis  
Director of Engineering Services

JBL:kah

Cc: Eli Rodriguez  
Severino Mendoza  
Maroun El Hage

Encls.

Recycled Water

Recy  
of r  
mur  
p. 1  
mai  
wast  
28,3  
wate  
agric  
open  
(UW  
thro  
treat  
wate  
EM

**9/2/2011 - Comment by EMWD, New Business Development Department:**  
**Subject: Section 4.11, Water Infrastructure (Page 368)**  
**Delete the last sentence of the first paragraph, and replace with the following:**  
*EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.*

Water Infrastructure

In 2010, EMWD's potable water system consisted of 2,421 miles of transmission and distribution pipeline, 77 water storage tanks, and a maximum storage capacity of 193 million gallons with 133,810 active domestic accounts and 146 active agriculture and irrigations accounts (CAFR, p. 79). Moreover, EMWD operates 84 pumping plants, 18 active domestic wells with a production capacity of 32,843 AFY, 7 active desalter wells, 2 desalter treatment plants with a combined capacity of 8 million gallons per day, and 2 filtration treatment plants with a combined capacity of 32 million gallons per day (CAFR, p. 79). According to the *Perris Valley Commerce Center Specific Plan*, EMWD provides service to the PVCC project site through its system of existing pipelines, ranging in size from 8 to 42 inches in diameter, within the 1,627-foot and 1,705-foot pressure zones. A list of waterlines within the project area as of October 2008 is provided in Table 4.11-B. ~~Although EMWD has no conceptual plans for expansion of these waterlines, they will assess demand as growth occurs and upgrades are designed as part of implementing development projects in order to meet future demands of the PVCC project area.~~

The California Aqueduct/MWD owns and operates a transmission line of at least 15 inches in diameter that traverses east to west through the PVCC project area. Existing waterlines serving the project area are shown on Figure 4.11-1, Existing EMWD Water and listed in Table 4.11-B, Existing EMWD Waterlines.

**Table 4.11-B, Existing EMWD Waterlines**

Waterline Location	From (north or west)	To (south or east)
<b>42-Inch Diameter Pipe</b>		
MWD easement	Perris Blvd.	400 ft. west of the PVSC
<b>39-Inch Diameter Pipe</b>		
Perris Blvd.	Moreno Valley	MWD easement
MWD easement	400 ft. west of PVSC	PVSC
Easement 400 ft. west of Flood Control Channel	MWD easement	Rider St.
<b>24-Inch Diameter Pipe</b>		
Harley Knox Blvd.	Webster Ave.	Perris Blvd.

Some older developed areas utilize individual on-site wastewater disposal systems in the form of either a septic tank with leaching field, or a seepage pit system.

**Storm water Drainage**

The project proposes PVMDP agricultural open channels backbone the immediate ultimate diameter the PVSC million development the PVMDP RCFC&W of fees from master dr

9/2/2011 - Comment by EMWD, New Business Development Department:

Subject: Section 4.11, Wastewater (Page 373)

Add the following:

*EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.*

**Recycled Water**

EMWD'S recycled water system currently receives 45-50 MGD of treated wastewater from its regional treatment plants. EMWD currently has more than 200 active recycled water accounts and sells more than 26,000 acre-feet per year of recycled water. The majority of the recycled water sold is used for agricultural irrigation. In recent years, sales to municipal customers have rapidly increased as residential and urban development replaces irrigated farmland.

The PVCC project site is located within EMWD'S Recycled Water Service area, served by the Moreno Valley RWRf; recycled water sourced from this facility is utilized for agricultural purposes within the project area. Currently, new development in the area must connect to the potable water system to provide for irrigation needs, until enough recycled capacity is available. ~~Additionally, the lack of transmission lines prohibits the ability to adequately phase out the usage of potable water for irrigation purposes throughout the specific plan area.~~

**Solid Waste**

In the PVCC the Perris N recyclable Solid waste Moreno Va accept prim

9/2/2011 - Comment by EMWD, New Business Development Department:

Subject: Section 4.11, Recycled Water (Page 373)

Delete the last sentence of the second paragraph, and replace with the following:

The PVCC northeast of solid waste approximat acres are p

*EMWD has completed Water, Wastewater, & Recycled water Master plans that have identified backbone facilities based on current land use. PVCC shall compare demands/flows from the proposed land use with the existing demands/flows and provide them to EMWD for their evaluation/review. If such analysis identifies additional demands/flows, then PVCC is required to work hand-in-hand with EMWD to develop a Plan Of Service (POS) for all pertinent facilities, resulting in an approved POS prior to final design of such facilities.*



**Board of Directors** September 6, 2011

**President and Treasurer**  
Joseph J. Kuebler, CPA

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

**Vice President**  
Philip E. Paule

**SUBJECT: Perris Valley Commerce Center Specific Plan  
Notice of Availability of Draft Environmental Impact Report**

Ronald W. Sullivan  
Randy A. Record  
David J. Slawson

Developers/Engineers

**General Manager**  
Paul D. Jones II, P.E.

Will the subject project require service from Eastern Municipal Water District (EMWD) for water, sewer or recycled water?

**Director of The Metropolitan Water District of So. Calif.**  
Randy A. Record

EMWD requires beginning dialogue with the applicant at an early point in site design and development of a project, in order to assess the infrastructure needs. Accordingly, we offer to meet with developers/engineer for one initial due-diligence meeting, without requiring a deposit. This meeting is to review your project and determine potential service from EMWD. The objective is to provide a forum to resolve any questions about our development process and help to determine if there are any potential issues that may exist in the area concerning EMWD facilities (water, sewer or recycled water). Afterward, should you decide to pursue your project(s) with EMWD, we will require you to deposit funds and open a Work Order. This Work Order is used to cover staff time and research required to generate a Plan of Service. No improvement plans will be accepted until this pre-project phase is completed and an EMWD Plan of Service has been approved.

**Board Secretary and Assistant to the General Manager**  
Rosemarie V. Howard

**Legal Counsel**  
Redwine and Sherrill

In an ongoing effort to develop a dependable and reliable water supply for its customers, EMWD's goal is to maximize the use of recycled water, for landscape demands. All projects that include landscaped areas are carefully considered for recycled water use. This process needs to begin early to avoid unnecessary delays.

In order to set up a Due Diligence meeting we need:

- 1- A completed Due Diligence questionnaire
- 2- Your proposed agenda for the due-diligence meeting
- 3- Location Map
- 4- Proposed development plan layout if available (hard copy and JPEG format)

City of Perris  
September 6, 2011  
Perris Valley Commerce Center  
New Business Processes  
Page 2

I encourage developers/engineers to become familiar with EMWD New Development processes, while designing your project. They have been developed over many years and serve a great importance as they can prevent complications and save time. More information can be found at [http://www.emwd.org/new\\_biz/new-biz-dev.html](http://www.emwd.org/new_biz/new-biz-dev.html).

If at any point in time there are questions or concerns, please do not hesitate to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read 'E. Rodriguez', written over the printed name.

Eli Rodriguez  
New Business Development Ext. 4450  
[rodrigue@emwd.org](mailto:rodrigue@emwd.org)



South Coast  
Air Quality Management District  
21865 Copley Drive, Diamond Bar, CA 91765-4182  
(909) 396-2000 • [www.aqmd.gov](http://www.aqmd.gov)

E-MAILED: SEPTEMBER 6, 2011

September 6, 2011

Ms. Diane Sbardellati, Associate Planner, [dsbardellati@cityofperris.org](mailto:dsbardellati@cityofperris.org)  
Development Services Department, Planning Division  
City of Perris  
135 N. "D" Street  
Perris, CA 92570

**The Draft Environmental Impact Report (Draft EIR) for the Proposed  
Perris Valley Commerce Center (PVCC) Specific Plan**

The South Coast Air Quality Management District (AQMD) appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the Final CEQA document.

In the project description, the lead agency proposes the adoption of the proposed Perris Valley Specific Plan (PVCC Specific Plan), which would serve as a master development plan for 5.3 square miles and over 3,500 acres within the northern part of the City of Perris. The proposed project also includes changes to the original Perris General Plan EIR (Perris GP EIR, October 2004) land use designations and acreage, creates a list of permitted uses, guidelines for landscape and architectural design, infrastructure plans, and administrative procedures. Proposed land uses include 357 acres of business park/professional office uses; 309 acres of commercial uses; 408 acres of general industrial uses; and 1,836 acres of light industrial uses. The proposed project would also generate approximately *half a million* daily vehicle trips<sup>1</sup> including a substantial number of trucks.

Given the potentially significant air quality impacts that are driven by the high vehicular emissions, AQMD staff recommends that the lead agency include a more robust analysis of cumulative impacts in the Final EIR. Further, as the proposed land uses are dedicated primarily to industrial land uses, such as warehousing/distribution centers, the lead agency should revisit its estimate of the number of trucks projected to serve the site. Due to the substantial increase in truck traffic proposed by this project, the lead agency should also provide additional analysis demonstrating that the project will not significantly impact sensitive receptors during operation, and that it will not cause a significant greenhouse gas impact. Lastly, the project should evaluate additional mitigation

---

<sup>1</sup> Draft EIR, Page 4.10-17.

Ms. Diane Sbardellati,  
Associate Planner

2

September 6, 2011

measures to further reduce any significant air quality and greenhouse gas impacts in the Final EIR. Detailed comments regarding these issues are attached to this letter.

Pursuant to Public Resources Code Section 21092.5, please provide the AQMD with written responses to all comments contained herein prior to the adoption of the Final Environmental Impact Report. The AQMD staff is available to work with the Lead Agency to address these issues and any other air quality questions that may arise. Please contact Gordon Mize, Air Quality Specialist – CEQA Section, at (909) 396-3302, if you have any questions regarding these comments.

Sincerely,



Ian MacMillan  
Program Supervisor, Inter-Governmental Review  
Planning, Rule Development & Area Sources

IM:GM

RVC110721-03  
Control Number

**1) Cumulative Air Quality and Health Risk Impacts**

The Draft EIR includes a brief discussion of the recent development in the project area, including the individual health risk impacts of several recent goods movement projects (Table 1). In previous comment letters<sup>2</sup> AQMD staff has noted the large increase in warehouse uses and associated trucking emissions that have been proposed within the area. AQMD staff has consistently requested that the cumulative effect of these proposed projects be addressed prior to project approval. To our knowledge, the lead agency has not yet completed an analysis of this kind, yet concludes that sensitive receptors will not be significantly impacted by the cumulative effect of these projects. Given the air quality impacts experienced by other communities located in the SCAQMD that have similarly high proportions of warehousing land uses, this result is questionable. This specific plan would seem to be the perfect opportunity to address the potentially significant cumulative health risk impacts that may be associated with the proposed land use changes.

**Table 1**

<b>Name</b>	<b>Cancer Risk (per million)</b>	<b>Size (MSF)</b>	<b>EIR Date</b>
Perris Ridge Commerce Center I	4.6	1.91	April 2007 Final
Oleander Industrial Park	180	1.2	September 2008 Final
Rider Distribution Center	32.6	0.6	April 2009 Final
Markham Business Center	2.1	1.75	June 2009 Final
Oakmont II	6.4	1.60	December 2009 Final
Perris Ridge Commerce Center II	3	2.0	December 2009 Final
Nuevo Business Park Phase II	19	2.0	December 2009 Final
South Perris Industrial	7.4	7.4	May 2010 Final
Rados Distribution Center	2.1	1.2	July 2011 Final

*MSF – Million Square Feet*

As noted in the PVCC Draft EIR, the lead agency has relied on the previously certified general plan or on future analyses to address cumulative air quality impacts in the PVCC Draft EIR.<sup>3</sup> Since the projects included in previous general plan documents and other projects like those in the following table were not included in the PVCC Draft EIR, it is not clear that all past, present and probable future projects have been considered. Therefore, the AQMD staff recommends that the Cumulative Impact Analysis be revised to include any projects from the general plan documents, the projects listed in the table above and any other applicable project in the Final EIR. This analysis should include a cumulative health risk assessment that evaluates the impacts to sensitive receptors from trucking activities on and near the project sites, and from associated trucking activities at nearby support services that will cater to this new business.

<sup>2</sup> Final EIR South Perris Industrial Project (June 24, 2010); Draft EIR Perris Downtown Specific Plan (August 12, 2011); Final EIR Rados Distribution Center (September 10, 2010)

<sup>3</sup> City of Perris General Plan 2030 (Perris GP) and City of Perris General Plan 2030 Draft Environmental Impact Report (Perris GP EIR).

## **2) Truck Trips**

In the URBEMIS model analysis, the lead agency utilized the default EMFAC fleet mix to determine the proportion of vehicles serving the project that will be trucks. For example, the proportion of heavy-heavy duty trucks assumed for this project is only 1.7%. This assumption should be revisited given the high proportion of warehousing land uses that are being proposed by the project. The lead agency may choose to use other trip generation studies to validate its choice of trucking percentage such as the Fontana Truck Trip Study, or the Appendix to the CalEEMod User Guide.

## **3) Greenhouse Gas Impacts**

The lead agency concludes that the project will not have a significant impact on greenhouse gas impacts (page 4.2-41 of the Draft EIR). However the lead agency did not present a quantified existing baseline of GHG emissions, nor a potential project increment. Therefore, the lead agency has not demonstrated that the 681,878 MT of CO<sub>2</sub>e emissions predicted for this project present a less than significant impact. These emissions have also not been quantitatively compared against any relevant threshold, including SCAQMD's recommended industrial source threshold of 10,000 MT, or the reductions required by AB 32. AQMD staff recommends that the lead agency provide a more robust analysis of potential GHG impacts and demonstrate why this potentially substantial increase in GHG emissions over existing land uses is not significant.

## **4) Mitigation Measures**

The Draft EIR relies on two potential mitigation measures to reduce potentially significant impacts from siting these industrial/warehousing land uses adjacent to sensitive receptors such as homes. This includes setbacks specified by the California Air Resources Board, or inclusion of high efficiency filtration in HVAC systems if setbacks are found to be infeasible. The lead agency then concludes that sensitive receptors would not be subject to significant levels of air pollution. As noted in comment #1 above, the lead agency has not provided the substantial evidence needed to demonstrate that unmitigated health risks are less than significant. Further, the lead agency has not demonstrated that enhanced filtration in HVAC systems would provide the necessary protection to reduce any potentially significant impacts to a less than significant level. For example, filtration has greatly diminished to no effect when doors or windows are left open, and has zero efficiency for outdoor exposures. Filters also typically do not provide any protection against non-particulate pollution (i.e., gases), and have long term maintenance costs that may not be feasible for all projects.

The lead agency should consider additional mitigation measures including:

- Limit the projects to only use newer truck fleets (similar to the proposed construction mitigation measures for the offroad fleet), such as 2007 or 2010 trucks, or alternative fueled trucks.
  - At a minimum, truck fleets operating within the specific plan area should be required to apply for funding (from ARB or AQMD) to upgrade their fleets, and if awarded should be required to use those funds to upgrade their fleets.
- Projects should also be limited to the number of trucks specified in the EIR.

- Individual projects included inside the specific plan area that have a high volume of trucks should also become SmartWay partners to reduce fuel use and emissions.
- Trucker support services (such as mechanics, restaurants, etc.) should also be encouraged within the specific plan area.

# AIRPORT LAND USE COMMISSION RIVERSIDE COUNTY



September 8, 2011

CHAIR  
Simon Housman  
Rancho Mirage

VICE CHAIRMAN  
Rod Ballance  
Riverside

COMMISSIONERS

Arthur Butler  
Riverside

John Lyon  
Riverside

Glen Holmes  
Hemet

Greg Pettis  
Cathedral City

Richard Stewart  
Moreno Valley

STAFF

Director  
Ed Cooper

John Guerin  
Russell Brady  
Barbara Santos

County Administrative Center  
4080 Lemon St., 14<sup>th</sup> Floor.  
Riverside, CA 92501  
(951) 955-5132

[www.rcaluc.org](http://www.rcaluc.org)

Diane Sbardellati, Associate Planner  
City of Perris Development Services Department – Planning Division  
135 North “D” Street  
Perris CA 92570

RE: Perris Valley Commerce Center Specific Plan and Environmental Impact Report

Dear Ms. Sbardellati:

Thank you for providing the Riverside County Airport Land Use Commission (ALUC) with a Notice of Availability of the Perris Valley Commerce Center Specific Plan and Environmental Impact Report. The Perris Valley Commerce Center Specific Plan was reviewed by ALUC as ALUC Case No. ZAP1063MA09. At its March 11, 2010 public hearing, ALUC determined that the project was consistent with applicable airport land use compatibility planning documents, subject to conditions. (See attached letter dated March 25, 2010.)

Although not specified in that letter, it was understood by all parties that a revised version of the Specific Plan incorporating revisions recommended by ALUC staff would be provided upon completion of those revisions at the staff level. We are happy to report that the document now online at the City’s website (as referenced in the notice) largely incorporates the requested revisions. However, we would request that the following additional corrections to the Specific Plan document be made:

Substantive Corrections:

On page 1.0-7, in the subsection addressing residential uses, there is reference to an area at the northwest corner of Redlands Boulevard and Markham Street as being designated R-6,000, but this is not reflected on Figure 2.0-1, nor is it discussed in Section 2.1. If this is an area that is proposed for a change to an Industrial designation through this Specific Plan, this should be indicated.

On page 2.0-3, we appreciate the correction to the maximum number of people per acre in the Accident Potential Zones, but, for clarity, the references should indicate that the 25 person per acre and 50 person per acre levels are maximum limits. In other words, the sentences should state, “Non-residential development will be limited to those uses that have *not more than* 25 persons per acre...,” for APZ I and “Non-residential development will be limited to those uses that have *not more than* 50 persons per acre...” for APZ II. Additionally, the reference to hotels and motels in the discussion of APZ II should be deleted.

On pages 3.0-27 and 3.0-28, there are references to Line E and Line H detention basins. These basins shall be designed to remain totally dry between rainfalls, and vegetation used for landscaping shall not be of a type that would provide food or cover for bird species that would be incompatible with operations at March Air Reserve Base.

On page 12.0-3, in the row relating to restrictions on maximum habitable floors allowed, the row states that “none” are allowed in the Airport Influence Area, and that restrictions are “n/a” in the Clear Zone. This needs to be reversed. Being in the Airport Influence Area does not itself restrict the number of habitable floors allowed, so this should be “n/a,” while no habitable floors are allowed in the Clear Zone, so that cell should state “none.”

On page 12.0-6, there is a reference to 1,535 feet above mean sea level as the “established airfield elevation” for March Air Reserve Base. While this is true, for the purposes of determining height restrictions, the relevant fact is the elevation of the runway at the point where the runway is closest to the building site. In almost all cases within the City of Perris, that closest point would be at the southerly terminus of the runway, where the elevation is 1,488 feet above mean sea level.

On page 12.0-7, in the second paragraph discussing the Conical Surface, in line 8, there is a reference to the elevation of the runway at its nearest point to the specific plan as being 1,688 feet above mean sea level. This is incorrect. The elevation of the runway at that point is 1,488 feet above mean sea level.

Additional Corrections:

### Section 3

On page 3.0-30, there is a reference to the “PVRWRF” as being able to meet immediate needs, but the meaning of the acronym is not specified.

### Section 4

On page 4.0-1, the last sentence in the paragraph introducing Section 4.1 has a singular subject (“summary”) and a plural predicate (“are”). I would suggest that the sentence be revised to state as follows: “The project-wide standards are outlined in summary form in Table 4.0-1.”

### Section 12

#### Page 12.0-1

In the introductory paragraph of the Airport Overlay Zone section, on line 3, delete the word “extend” and substitute the word “extending.”

In the paragraph describing Accident Potential Zone II, on line 4, insert the word “that” following the word “uses.”

#### Page 12.0-5

We are happy that the Specific Plan now includes a reference to the emptying of water retention facilities and water quality basins within 48 hours of a rainfall event, but this statement should be in a separate paragraph, rather than being included with the list of prohibited uses.

Thank you for the opportunity to provide comments. If you have any questions, please contact the undersigned at (951) 955-0982.

Sincerely,  
RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

---

John J. G. Guerin, Principal Planner

JG:bas

cc: ALUC Staff.

Y:\ALUC\Airport Case Files\March\PVCommerceCenterSPEIRComments – ltr to Perris.doc

WARREN D. WILLIAMS  
General Manager-Chief Engineer



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

RIVERSIDE COUNTY FLOOD CONTROL  
AND WATER CONSERVATION DISTRICT

September 8, 2011

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



Dear Ms. Sbardellati:

Draft Environmental Impact Report  
(SCH No. 2009081086)  
Perris Valley Commerce Center  
Specific Plan – Perris

This letter is written in response to the Notice of Availability of a Draft Environmental Impact Report for the Perris Valley Commerce Center Specific Plan. The proposed project encompasses approximately 3,500 acres and is roughly bounded by Interstate 215 to the west, the Perris Valley Storm Drain to the east, March Air Reserve Base to the north and Placentia Avenue to the south. Various land uses are proposed including Light and General Industrial, Business Park/Professional Office, Commercial, Public/Open Space and some existing residential.

The project proposes several changes to the adopted Perris Valley Master Drainage Plan (MDP) within the project boundaries. While the District has not reviewed the changes in detail, the drainage concept proposed in the specific plan appears to offer an equivalent level of protection as the current plan and is acceptable to the District.

If you have any questions please feel free to contact me at 951.955.1345.

Very truly yours,

EDWIN QUINONEZ  
Senior Civil Engineer

c: Riverside County Planning Department  
Attn: Kathleen Browne

EWR:bjj  
P8/140697



**PECHANGA INDIAN RESERVATION**

*Temecula Band of Luiseño Mission Indians*

**OFFICE OF THE GENERAL COUNSEL**

Post Office Box 1477 • Temecula, CA 92593  
Telephone (951) 770-6000 • Fax (951) 695-7445

**General Counsel**  
John L. Macarro

**Deputy General Counsel**  
James E. Cohen  
Michele Fahley  
Steve Bodmer

September 6, 2011

**VIA E-MAIL and USPS**

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

**Re: Pechanga Tribe Comments on the Draft Environmental Impact Report (DEIR) for the Perris Valley Commerce Center Specific Plan, SCH No 2009081086**

Dear Ms. Sbardellati:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). Please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project in a timely manner and as required by law. Please incorporate these comments into the record of approval for this Project as well.

The Tribe submits these comments concerning the Project's potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the City in preparing appropriate mitigation for the cultural resources that may be discovered during implementing developments within this Specific Plan Project. While the Tribe is not opposed to this Project, we are very concerned that the City lacks guidelines and procedures for adequate implementation of the necessary tribal consultation process for future projects. The Tribe also notes that the Specific Plan fails to adopt appropriate and protective mitigation measures for known and unknown cultural resources, under both the letter and the spirit of CEQA. Further, the City's interpretation of the Human Remains/MLD Process under California law is incorrect and should be revised to accord with actual State law.

**THE CITY OF PERRIS MUST INCLUDE INVOLVEMENT OF AND CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL REVIEW PROCESS**

It has been the intent of the Federal Government<sup>1</sup> and the State of California<sup>2</sup> that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the City of Perris consult with the Tribe in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

The Tribe appreciates the one consultation meeting that occurred on January 26, 2011 with the City on this Project. However, as the Tribe has repeatedly informed the City in the past, it considers the consultation process to be just that – an ongoing process rather than a onetime meeting. Moreover, it appears that our information and concerns for this Project were once again ignored as the City has “passed the buck” on the tribal consultation process to the developer/applicant for future implementing projects. According to the DEIR, “The City determined that proponents and architects for properties that are vacant, undeveloped or considered to be sensitive for cultural resources by the City of Perris Planning Division will be encouraged to contact the local Native American tribes (as identified by the California NAHC and the City of Perris) to obtain input regarding the potential for Native American resources to occur at the subject site.” In addition to potentially being contrary to law, the Tribe believes that this is an unfair burden to be placed upon the developer/applicant which further ignores the sovereignty of a tribal government. Additionally, this minimizes the importance of the government-to-government relationship that the State and Federal governments encouraged between Lead Agencies and Tribal Governments. Finally, it leaves the determination of areas “sensitive for cultural resources” to the City, who we maintain is not the appropriate arbiter of whether a given area is culturally sensitive. Tribes are the keepers of their cultural knowledge and must be included in the determination of whether a given area is culturally sensitive.

**PECHANGA CULTURAL AFFILIATION TO PROJECT AREA**

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of Luiseño place names, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the

---

<sup>1</sup>See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

<sup>2</sup> See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's cultural ties to this area.

D. L. True, C. W. Meighan, and Harvey Crew<sup>3</sup> stated that the California archaeologist is blessed "with the fact that the nineteenth-century Indians of the state were direct descendents of many of the Indians recovered archaeologically, living lives not unlike those of their ancestors." Similarly, the Tribe knows that their ancestors lived in this land and that the Luiseño peoples still live in their traditional lands. The Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Many anthropologists and historians who have presented boundaries of the Luiseño traditional territory have included the Project area in their descriptions (Drucker 1937; Heiser and Whipple 1957; Kroeber 1925; Smith and Freers 1994), and such territory descriptions correspond with what was communicated to the Pechanga people by our elders. While we agree that anthropological and linguistic theories as well as historic accounts are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts and oral traditions.

Luiseño history begins with the creation of all things at *'éxva Teméeku* (EXH-vah Teh-MEH-koo). Modern-day Temecula derives its etymology from this physical place, where the Murrieta and Temecula Creeks converge to form the Santa Margarita River, which flows onto the Pacific Ocean. This is where our Origin Story and ancestral songs say *Túukumit* (TOO-koo-mit, Father Night Sky) and *Tamáayawut* (Ta-MAI-yah-whooot, Mother Day Earth) created the world. Their children were known as the first people or *Káamalam* (KAH-mah-lam) and were all creatures, including trees, rocks, fog, mammals and birds.

The last of the *Káamalam* born was *Wuyóot* (We-YOUT). He was innately gifted with *ayéllkwish* (ah-YELL-kwish) or knowledge, and he learned how to make the first food, *tóovish* (TOH-vish, white clay), to feed the *Káamalam*. *Wuyóot* eventually became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at *'éxva Teméeku*.

Many traditions and stories are passed from generation to generation by songs. Three songs, called *Monívol*, are songs of the places and landmarks that were destinations of the Luiseño ancestors, several of which are located near the Project area. They describe the exact route of the Temecula (Pechanga) people and the landmarks made by each to claim title to places in their migrations (DuBois 1908:110). Another song recounts the travels of eagle, as he searches for a place where there was no death. His travels begin at Temecula, flying north to San Bernardino, to the east, south, and west through Julian, Cuyamaca, and Palomar, and returning to Temecula (DuBois 1908). His path most likely passed over the current Project.

---

<sup>3</sup> D. L. True, C. W. Meighan, and Harvey Crew. Archaeological Investigations at Molpa, San Diego County, California, *University of California Press* 1974 Vol. 11, 1-176

In addition, Pechanga elders state that the Temecula/Pechanga people had usage/gathering rights to an area extending from Rawson Canyon on the east, over to Lake Mathews on the northwest, down Temescal Canyon to Temecula, eastward to Aguanga, and then along the crest of the Cahuilla range back to Rawson Canyon. The Project area is located within the northern portion of this culturally affiliated territory. The Native American Heritage Commission (NAHC) Most Likely Descendent (MLD) files substantiate this habitation and migration record from oral tradition. These examples illustrate a direct correlation between the oral tradition and the physical place; proving the importance of songs and stories as a valid source of information outside of the published anthropological data.

*Tóota yixélval* (rock art) is also an important element in the determination of Luiseño territorial boundaries. *Tóota yixélval* can consist of petroglyphs (incised) elements, or pictographs (painted) elements. The science of archaeology tells us that places can be described through these elements. Riverside and Northern San Diego Counties are home to red, black and white-pigmented pictograph panels. Archaeologists have adopted the name for these pictograph-versions, as defined by Ken Hedges of the Museum of Man, as the San Luis Rey style. The San Luis Rey style incorporates elements which include chevrons, zig-zags, dot patterns, sunbursts, handprints, net/chain, anthropomorphic (human-like) and zoomorphic (animal-like) designs. Tribal historians and photographs inform us that some design elements are reminiscent of Luiseño ground paintings. A few of these design elements, particularly the flower motifs, the net/chain and zig-zags, were sometimes depicted in Luiseño basket designs and can be observed in remaining baskets and textiles today.

An additional type of *tóota yixélval*, identified by archaeologists also as rock art or petroglyphs, are cupules. Throughout Luiseño territory, there are certain types of large boulders, taking the shape of mushrooms or waves, which contain numerous small pecked and ground indentations, or cupules. Many of these cupule boulders have been identified within a few miles of the Project. Additionally, according to historian Constance DuBois:

When the people scattered from Ekvo Temeko, Temecula, they were very powerful. When they got to a place, they would sing a song to make water come there, and would call that place theirs; or they would scoop out a hollow in a rock with their hands to have that for their mark as a claim upon the land. The different parties of people had their own marks. For instance, Albañas's ancestors had theirs, and Lucario's people had theirs, and their own songs of Munival to tell how they traveled from Temecula, of the spots where they stopped and about the different places they claimed (1908:158).

Multiple *tóota yixélval* have been recorded within a one to one and one-half (1-1 ½)-mile radius of the Project. This culturally sensitive area is connected to a larger network of extensively used habitation, ceremonial and subsistence areas that extends for many miles in every direction. The Tribe is aware of both place names and villages in the area. In fact, there are several place names and village complexes located to the north of the Project, including one

of the densest Luiseño village complexes known as *Qaxáalku*. The etymology of the Spanish word Cajalco derives from the Luiseño word for “place of quail.” The suffix “ku” is considered a more archaic form of the suffix “anga,” which means place of (as in Pechanga...place of dripping water). Throughout the region containing *Qaxáalku* there are still quail but almost as important are the *kukúulam*, or burrowing owl, that once lived there in large amounts. The areas separated by low-lying bedrock boulders provide an ideal habitat for the owls. J.P. Harrington’s/Pechanga informant Celestine Ahuayo relates: “*the (that type of) area was known as kukúulam pomki, which means where the ground owl houses.*” *Kukúul*/burrowing owl is important for the Luiseño because of his status in our Creation Story. Father Boscana wrote of the burrowing owl’s role in the Story: ‘*It was determined by (the lower animals) that Father Wuyóot should received his death by means of poison. Kukúulmal (the small burrowing owl) perceived this and immediately gave the information to Wuyóot.*’ Eventually, *Wuyóot* did succumb to poison but the burrowing owl gained a distinction in our Luiseño songs as a good messenger. The *Payómkawichum* (Luiseño people) would have revered the area where this “good apostle” lived by living there as well.

Within the *Qaxáalku* complex, there are at least seven (7) recorded *tóota yixélval*. As well as numerous bedrock mortars and slicks, there are four (4) ancestral quartz quarries. Quartz points were important to the Pechanga People because it is taught that *Suukat* (deer), who gave his life for the starving People in our Creation Story, could only be taken by a point made of quartz.

As indicated above, the Pechanga Tribe has gathered historic and ethnohistoric research, oral traditions, songs, stories and other information in order to accurately determine where their ancestors lived, worked and died. Our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as the City of Perris and its sphere of influence are ancestors of the present-day Luiseño people, and as such, Pechanga is culturally affiliated to this geographic area.

The Tribe welcomes the opportunity to meet with the City to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction.

### **INCONSISTENCIES WITHIN THE ARCHAEOLOGICAL STUDY**

The Tribe believes that the ethnographic information as presented in the 2007 archaeological study<sup>4</sup> is contradictory and inaccurate. In the Cultural Setting, subsection Ethnohistoric Context<sup>5</sup>, the report authors decisively state “The Perris Valley has long been a part of the homeland of the Luiseño Indians, a Tactic-speaking people whose territory extended from

---

<sup>4</sup> Cultural Resources Technical Report, North Perris Industrial Specific Plan, City of Perris, Riverside County, California. Prepared by CRM Tech for Keith Gardner, Albert A. Webb Associates. October 18, 2007.

<sup>5</sup> Ibid, page 7.

present-day Riverside to Escondido and Oceanside.”<sup>6</sup> However, on page 13, they contradict their previous statement and say that “Most of the ethnohistoric literature reviewed...confirm that the Perris area lies in the traditional territory of the Luiseño Indians, while other sources...claim that the Cahuilla or the Gabrielino occupied the area...This uncertainty suggests that none of the Native American groups had established a prominent presence or undisputed control over the Perris area...”<sup>7</sup> In one section the Luiseño have long-standing territory rights; however, in the following section, it is unsure. This confusion seems to be a result of the archaeologist not understanding the available ethnohistoric literature.

Many anthropologists and historians who have proposed boundaries of the Luiseño traditional territory have included the Project area in their descriptions. With the exception of Smith and Freers, these boundaries were determined from information provided to the ethnographers by Luiseño consultants and was confirmed through multiple factors including language, village locations, oral tradition, personal beliefs, etc. Smith and Freers made their determination utilizing known rock art sources however their boundaries are surprisingly similar to these earlier ethnographies. The Tribe argues that there is ample evidence that supports continuous Luiseño occupancy over other tribal groups such as the Cahuilla or Gabrieleno.

It is fairly common knowledge that ethnographers often change their tribal territory boundaries for each new study or publication based upon who their informants are/were. In the instance of this study, the authors quote Strong 1929 and Bean 1978 as references for the Project having Cahuilla and Gabrielino influences. However, it is important to note that Bean’s earlier studies<sup>8</sup> show that the Project area is clearly within Luiseño territory. Further, Bean’s 1978 study, although much revised, shows that the entire area west of the San Jacinto Mountains is lacking Cahuilla place names, demonstrating a lack of support for Bean’s revision.<sup>9</sup> All the Cahuilla locations which exhibit names on his map are in the Cabazon Valley, east of the Santa Rosa Mountains and east of Palomar Mountain. The places named in the northwest region of Cahuilla territory, which the Luiseño believe to be their territory, share the same locational names. It should be noted that both of Bean’s maps created in 1972 are clearly adapted from Kroeber, who places the Project site squarely within Luiseño territory.<sup>10</sup> Further, Bean uses informants that are nearly a half-century younger than, for instance, Kroeber’s informants who would be assumed to have had more accurate knowledge of the territories.

---

<sup>6</sup> Ibid, page 7.

<sup>7</sup> Ibid, page 13.

<sup>8</sup> Bean, Lowell J., and Katherine S. Saubel. *Temalpakh (from the Earth): Cahuilla Indian Knowledge and Usage of Plants*. Malki Museum Press, Banning, California, 1972

And

Bean, Lowell J. *Mukat’s People: The Cahuilla Indians of Southern California*. University of California Press, Berkeley, 1972

<sup>9</sup> Bean 1978, p. 576

<sup>10</sup> Kroeber 1925.

CRM Tech may have been confused by some of the ethnographic evidence that suggests the Cahuilla moved into the areas adjacent to, and by association in to, the Project area after European contact, thereby making the assumption that Perris Valley was somehow fluid in territorial relationships. For example, Kroeber's 1907 article "Shoshonean Dialects of California" includes information on territory boundaries for each of the southern California Uto-Aztec languages. With information provided by consultants, BIA agents, and historic accounts, he determined the Cahuilla moved into the San Bernardino area during the 1840s-1850s.

"San Bernardino Valley has been attributed both to the Cahuilla and the Serrano. The Indians now living in the valley are mainly Serranos, and the statements of Indians in other parts of Southern California also give this fruitful region to the Serrano as part of their original habitat. ...Dr. John R. Swanton of the Bureau of American Ethnology has kindly furnished the information, supplied him by a Serrano school girl named Morengo, on the authority of her uncle, that her people formerly occupied San Bernardino valley and San Gorgonio pass to a point eastward just beyond Banning, but not the San Jacinto mountains. ...Statements made by the Yuman Mohave strengthen the probability that San Bernardino belonged to the Serrano. San Bernardino and Colton, they say, belonged to the Hanyuveche, the Serrano. The Hakwiche or Cahuilla were not there. The San Bernardino mountains as far east as north or northeast of Indio belonged to the Serrano and not to the Cahuilla. The San Jacinto mountains were Cahuilla."<sup>11</sup>

Kroeber also proposes the Cahuilla were "brought by the Franciscans to the San Bernardino mission station attached to mission San Gabriel, and this fact may be responsible for the statements assigning this region [San Bernardino and points west] to the Cahuilla."<sup>12</sup> Strong concurs with Kroeber's statement and verified the information with one of his Mountain Cahuilla consultants, Alec Arguello, who stated he had lived in the San Timoteo pass.

"five Mountain Cahuilla clans under the leadership of Juan Antonio, a well known captain, were brought to the district in about the year 1846. They settled first at the village of pulatana near Jurupa (Riverside), and later moved to sahatapa in the San Timoteo canyon near El Casco. They remained there until some time in the decade between 1850 and 1860 when the group was nearly exterminated by a smallpox epidemic."<sup>13</sup>

Barrows, writing in the mid-1890's, recorded the following information about the Cahuilla in the San Bernardino vicinity:

---

<sup>11</sup> Kroeber 1907, p. 132-133.

<sup>12</sup> Kroeber 1907, p. 133.

<sup>13</sup> Strong 1929, p. 7.

“[Cahuilla] villages in the San Bernadino and San Jose valleys were broken up thirty years or so ago, and, although they still come to the vicinity of Redlands and Riverside in search of work, their camps in these places are no longer permanent homes. They were driven from the San Timoteo canyon in the forties by the ravages of small-pox, and the first reservation to be met now, as one rides eastward through the pass where they once held sway, is below Banning, at Potrero...”<sup>14</sup>

Strong agreed with this statement in principle. He concludes the “occurrence of Cahuilla in the San Bernardino region as an historic intrusion, and eliminate them from the problem of original ownership in the territory under discussion.”<sup>15</sup> On Strong’s Luiseño territory map, he wrote the following comment in the area just above the northern boundary, “probably Gabrielino, though occupied by Mountain Cahuilla in Mexican period.”<sup>16</sup> In Bean’s study on the Wanakik (Pass Cahuilla), he found that the earliest definitive date of a Cahuilla presence in San Bernardino is 1820.<sup>17</sup> Two of the primary ethnographers who studied Cahuilla believe the movement of the Cahuilla into San Bernardino occurred in the mid-1800s. Therefore, it is a logical conclusion that if the Cahuilla had not moved into the San Bernardino area until historic times, they would not have been in the Project area before that because it is much farther west and the theory that the Project area was Cahuilla territory prior to the Luiseño presence fails.

Additionally, the Tribe would like to reinforce its position that archaeological and cultural studies should be conducted for future projects that are proposed within the Specific Plan boundaries. According to the archaeological study, prehistoric resources were identified during the drive-by reconnaissance: “...a bedrock outcrop with groups of boulders containing multiple grinding surfaces, was observed in an open field on the eastern edge of the planning area...while the outcrop was not inspected intensively, it did appear to be in good condition from a distance.” [Emphasis added.] The Tribe is highly concerned that there are other cultural resources that were not identified as an intensive level survey was not conducted for the Project. Further, as we have stated in our previous comments for this Project,

“...there are many areas in which limited or no development has occurred. The potential for discovery of previously unknown resources-including human remains, in areas that have been only moderately disturbed or not at all, is high. The Tribe would also like to point out that this includes monitoring of soils after historic structures have been removed. Archaeological records prove that European settlers often constructed buildings on top of Native American resources and full cultural sites have been identified under historic structures. These structures obviously were not built with current building codes in mind and

---

<sup>14</sup> Barrows, David P. *The Ethno-botany of the Coahuilla Indians of Southern California*. University of Chicago Press, Chicago, 1900, p. 32-33.

<sup>15</sup> Strong 1929, p. 7.

<sup>16</sup> Strong 1929, p. 275.

<sup>17</sup> Bean, Lowell. The Wanakik Cahuilla. *The Masterkey* 34(3):111-119.

usually minimal surface disturbances occurred at the time of building. Therefore, the Tribe is requesting to consult with and participate in projects that will impact previously undisturbed soils as described above.”

### **INACCURACIES WITHIN THE DEIR AND SUGGESTED MITIGATION MEASURE REVISIONS**

The proposed Specific Plan area is located in a highly sensitive region of Luiseño territory and the Tribe believes that the possibility for recovering subsurface resources during ground-disturbing activities is high. The Tribe has over thirty-five (35) years of experience in working with various types of construction projects throughout its territory. The combination of this knowledge and experience, along with the knowledge of the culturally-sensitive areas and oral tradition, is what the Tribe relies on to make fairly accurate predictions regarding the likelihood of subsurface resources in a particular location.

The Tribe understands that some of the proposed Specific Plan area has already been developed with existing buildings or has been disturbed greatly by past development. However, as indicated in the DEIR, a large majority is still vacant, agricultural lands or will be in-fill projects. Because it was often the practice to build upon existing Native American habitations, we are concerned that there may be cultural remains located subsurface – under existing building and under plowed lands. For this reason, the Tribe requests that we be noticed on **all** future implementing projects that are located within the Specific Plan area in order to review our documentation and, if available, provide proprietary cultural information directly to the City Project Planner for development review purposes. This includes all proposed projects, not only those that fall under SB18.

#### *Tribal Consultation Minimized*

The Tribe has received and reviewed the 2011 Draft Environmental Impact Report (DEIR) and is very disconcerted that the City of Perris is not taking responsibility, as a Lead Agency and designated local government, to consult directly with local Luiseño tribes, including Pechanga, for future implementing projects. According to the language provided in the DEIR Chapter 1 mitigation measure matrix, “The proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for native American resources to occur at the project site (Page 1.0-26).” The Tribe believes that this places an undue burden on the developer/applicant and/or the archaeological consultant.

Further, in most cases, sovereign tribal governments prefer to consult directly with a Lead Agency as they do not want to share their often highly sensitive cultural information with a non-governmental entity that is not bound by confidentiality. Mandating that the tribes speak with the developer/cultural consultant in order to develop avoidance/preservation measures does

not allow the tribes to work directly with the City and within the CEQA process to develop adequate techniques to preserve their dwindling cultural resources. By requiring the tribe to speak with the developer/consultant and not making themselves available (excepting state-mandated SB18 consultations we hope), the City is evading discussions with tribal representatives, disrespecting sensitive cultural concerns, circumventing the CEQA process, eviscerating the City's responsibilities as a Lead Agency under CEQA and ignoring tribal governmental sovereignty.

The Pechanga Tribe requests that the City of Perris reevaluate their policy of tribal consultation and comply not only with the direct requirements of state law, but further respect the sovereign nature of local tribes as does every other governmental jurisdiction surrounding the City.

*SP EIR Relies on Outdated Information*

The SP DEIR is premised on the assumption that there are only 16 prehistoric archaeological sites located within the Specific Plan limits (see EIR page 4.4-9). The DEIR also states, "...the area's level of sensitivity for potential 'historical resources' appears to range from low to high, depending on the location. (page 4.4-10)" The Tribe contests that there are/were more cultural sites but that most of them have been destroyed due to poor project planning, lack of archaeological and tribal monitoring, unauthorized looting or collecting or simply they have not been recorded yet. The 2007 CRM Tech study stated that 60% of lands located within the Specific Plan had never been systematically surveyed for cultural resources. Since so much of the land has never been surveyed, the sensitivity of lands within the SP is much greater than indicated in the EIR.

To explain further, the Tribe would also like to point out, as we have on other projects, that there may be a dearth of recorded sites in the City's jurisdiction for a number of reasons. First, there was a long standing practice by early non-Indian settlers of removing surface artifacts thus removing clear, surface indications of the presence of cultural resources. Second, much of the construction in the City was done prior to CEQA, and as such, there were no archaeological or tribal monitors available to identify sites and there were further no recordation requirements of archaeological resources before current state law was implemented. Third and finally, we have seen on several projects in the City post-CEQA the failure to require even an archaeological monitor (i.e., the Whirlpool project) or a final monitoring report when an archaeologist is present (which is then filed with the EIC), thus if there were resources there are no records. All of these issues indicate that the EIR relies on faulty data for its conclusions and as such, is simply insufficient.

A final consideration that we must note is that "disturbance" does not mean that there are no subsurface resources. As the Tribe has offered on prior occasions, it can describe situations where resources were discovered upwards of 20 feet below the surface; where cultural resources have been located in the plow zone even when agricultural activity has been present for years;

and most recently, where a highly significant, intact cultural deposit dating back 10,000 plus years was uncovered under a school site which had been used for over 50 years. Based on these real-world experiences, the City must acknowledge, as does the General Plan's Conservation Element, that disturbance does not equal the absence of cultural resources.

An EIR should provide both the public and the decision-makers with enough information to comment accordingly and make the correct decision in approving or denying a project. The conclusion in Section 4.4 "Additional potential impacts upon archaeological resources will be less than significant..." is simply incorrect and based upon incomplete data. This is an assumptive statement that cannot be backed up with fact. Because over half of the Project area has not been surveyed, the City cannot make the determination that archaeological and cultural resources will not be impacted. Unfortunately, this EIR simply cannot provide either the public or the Planning Commission (and ultimately the City Council) with enough information to determine the level of impacts to cultural resources because of the inadequate and inaccurate data.

As we have on so many other occasions, we welcome the chance to meet, on a government-to-government basis with the City and show the wealth of information the Tribe has collected, which will only serve to ensure the City is making the right decisions when it comes to preservation and protection of invaluable and irreplaceable cultural resources.

*Mitigation Measures Inaccurate and Lacking Adequate Provisions*

The proposed Project is on land that is within the traditional territory of the Pechanga Band of Luiseño Indians. The Pechanga Band is not opposed to this Project. The Tribe's primary concerns stem from any future implementing project's proposed impacts to Native American cultural resources. The Tribe is concerned about both the protection of unique and irreplaceable cultural resources that may exist both on the surface or subsurface, such as Luiseño village sites, sacred sites and archaeological items which would be displaced by ground disturbing work, and on the proper and lawful treatment of cultural items, Native American human remains and sacred items likely to be discovered in the course of the work.

Based on our review of the SP and its DEIR, it is the Tribe's position that the proffered mitigation measures are inadequate as drafted and in some instances, legally incorrect. As such, we suggest revising the mitigation measures to ensure the City has proper means in place to adequately and appropriately protect cultural resources in addition to maintaining consistency with State law. Suggested changes to the mitigation measures are as follows (strike-through indicates deletions and underlines are additions):

*MM Cultural-1 Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division and as identified during early consultation with local*

*Tribes, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archaeologist shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:*

- 1. Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.*
- 2. Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.*
- 3. Field survey of the implementing development or infrastructure project site.*

*~~The City shall proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for native American resources to occur at the project site.~~*

*Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for archaeological and historic resources shall be considered in the following order of preference:*

- 1. Avoidance.*
- 2. Changes to the structure provided pursuant to the Secretary of Interior's Standards.*
- 3. Relocation of the structure.*
- 4. Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.*

*Avoidance is the preferred treatment for known and unknown significant prehistoric and historical archaeological sites, and sites containing Native*

*American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites shall be placed within permanent conservation easements or dedicated open space areas. Native American human remains shall be treated in accordance with the Most Likely Descendant process as required by California Public Resources Code §5097.98.*

*The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.*

Additionally, the Tribe has requested in the past and will continue to request that Native American monitoring be required in conjunction with archaeological monitoring. Archaeologists are not trained to identify and interpret tribal resources as tribal representatives are and often items that would be discarded as insignificant by archaeologists are very important to the tribes. Further, as we have offered on other occasions to the City, our monitors have identified resources missed by archaeologists and we have many other examples from other tribes. Tribal monitors are **vital** components to cultural resource protection. Tribes are the keepers of their cultural heritage and knowledge – not lead agencies or archaeologists. To rely solely on archaeologists is not only disrespectful to the cultural sensitivity and sovereignty of the City's tribal neighbors, but contrary to the spirit and intent of CEQA. Therefore, the Tribe requests the following changes to Cul 2:

*MM Cultural-2 If the Phase I Cultural Resources Study required under MM Cultural-1 determines that monitoring during construction by a professional archaeologist is needed for the implementing development project, the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.*

*The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The*

*archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.*

*Tribal monitor(s) from the Pechanga Band of Luiseño Indians shall be required on-site during all ground disturbing activities. Prior to grading permit issuance, the applicant shall retain a qualified tribal monitor from the Pechanga Band of Luiseño Mission Indians. A copy of the fully executed agreement for monitoring and treatment of cultural resources between the applicant and the Pechanga Band of Luiseño Mission Indians shall be submitted to the City. The Native American monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow recovery of cultural resources, in coordination with the Project Archaeologist.*

*Prior to the initiation of grading activities, a pre-grade meeting between the archaeologist, the Native American tribal representative(s), and the excavation and grading contractor shall take place to discuss appropriate grading and ground disturbing methods within and around those archaeologically and culturally sensitive areas within the project.*

*In the event cultural resources are discovered, depending on the nature of the artifacts, the handling will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered and a tribal monitor is not already present on the site, the Pechanga Band of Luiseño Indians shall be contacted and a tribal monitor of Luiseño descent shall be retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. All items found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling pursuant to state law (see MM Cultural 4 below). The remainder of the Native American artifact assemblage will be prepared in a manner for curation and, unless the landowner/applicant enters in to a different arrangement with the Pechanga Tribe, the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time and the project proponent shall be responsible for the costs of curation.*

*Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal*

*placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.*

*Once ground-altering activities have ceased or the professional archaeologist, in consultation with the tribal monitor, determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.*

*A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the final report shall also be filed with the Eastern Information Center (EIC) and the Pechanga Tribe.*

In addition to the above suggestions, the Tribe is concerned that there are not adequate protections in the proposed mitigation measures for inadvertent finds. The CEQA Guidelines state that lead agencies should make provisions for inadvertent discoveries of cultural resources (CEQA Guidelines §15064.5). As such, adequate cultural resources assessments and management must always include a component which addresses inadvertent discoveries. Every major State and Federal law dealing with cultural resources includes provisions addressing inadvertent discoveries (See e.g.: CEQA (Cal. Pub. Resources Code §21083.2(i); 14 CCR §1506a.5(f)); Section 106 (36 CFR §800.13); NAGPRA (43 CFR §10.4). Moreover, most state and federal agencies have guidelines or provisions for addressing inadvertent discoveries (See e.g.: FHWA, Section 4(f) Regulations - 771.135(g); CALTRANS, Standard Environmental Reference - 5- 10.2 and 5-10.3). Because of the extensive presence of the Tribe's ancestors within the Specific Plan area, it is not unreasonable to expect to find vestiges of that presence, especially subsurface. Such cultural resources and artifacts are significant to the Tribe as they are reminders of their ancestors. Moreover, the Tribe is expected to protect and assure that all cultural sites of its ancestors are appropriately treated in a respectful manner. Therefore, as noted previously, it is crucial to adequately address the potential for inadvertent discoveries.

Given the sensitivity of the area, inadvertent discoveries are foreseeable impacts and thus need to be appropriately mitigated for within the confines of the Project. The identification of surface resources during an archaeological survey should not be the sole determining factor in deciding whether mitigation measures for inadvertent discoveries are required. The cultural significance of the area should play a large part in determining whether specifications concerning unanticipated discoveries should be included. There are no inadvertent finds mitigation measures proposed in the DEIR. Therefore, the Tribe recommends the inclusion of the following:

MM Cultural 1a: If inadvertent discoveries of subsurface archaeological resources are discovered during grading, the project applicant, the project archaeologist, and the Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. If the project applicant and the Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of the California Environmental Quality Act with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the appropriate Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the City of Perris.

Secondly, the included mitigation measure for human remains is both inadequate and inaccurate and, in fact, conflicts with state law. As such, the measure must be changed to reflect state law correctly. First and foremost, construction crews are not skilled in the identification of human remains and certainly cannot be knowledgeable in the identification of cremated human remains.

*~~MM Cultural 4 In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the ~~construction contractors project Archaeologist and/or tribal monitor~~ shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the ~~City of Perris Planning Division~~ immediately and retain a professional archaeologist to assess the find Riverside County Coroner, in accordance with the California Health and Safety Code, ~~the City of Perris will contact the County Coroner's office within 24 hours and the coroner will be permitted to examine the remains.~~~~*

*If the coroner determines that the remains are of Native American origin, the coroner ~~will report~~ must notify ~~to~~ the Native American Heritage Commission within 24 hours and the Commission will identify the "Most Likely Descendent" (MLD) immediately. Despite the affiliation of any Native American observers at the site, the Commission's identification of the MLD will stand. The disposition of the remains will be determined by in consultation between ~~with the City of Perris~~ the project proponent and the MLD. ~~The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.~~*

*If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.*

~~*Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.*~~

*The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders.*

The Tribe is very concerned that the City has begun legislating itself into the MLD process. The law maintains that the final disposition of human remains is between the land owner and the MLD – nowhere is the City (or other lead agency) involved. Despite the City's prior argument that this is "an added layer of protection for tribes," we do not agree. The City cannot insert itself into state law, unless the parties who have rights under the law so agree. As such, it is not only highly inappropriate on an ethical level to provide the City a role as arbiter regarding the disposition of human remains, it is also legally incorrect. In fact, the state already considered the best process and provided that if the land owner and MLD cannot agree on disposition, that tribes can request the NAHC to mediate the dispute. California already addressed this process and expressly did not include lead agencies in the process. We urge the City to reconsider this new policy as it clearly conflicts with state law and further, allows the City to improperly legislate itself into a process that the California State legislature already debated and codified into law.

### **REQUESTED TRIBAL INVOLVEMENT**

The Tribe requests to continue to be involved and participate with the City of Perris in assuring that an adequate environmental document is completed, and to develop appropriate mitigation that will ensure preservation of sensitive cultural resources. In addition, given the sensitivity of the Specific Plan area, it is the position of the Pechanga Tribe that Pechanga tribal monitors must be required for all ground-disturbing activities conducted in connection with future implementing projects which include archaeological surveys and excavations.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts. Further, the Tribe reserves the right to participate in any associated regulatory processes and provide comment on issues pertaining to those regulatory processes and Project approval.

The Pechanga Tribe looks forward to working together with the City of Perris in protecting the invaluable Pechanga cultural resources found in the Project area. We urge the City to stand by its assertion of respecting other cultural and being sensitive to diversity. In fact, we request that the City meet with the Tribe at our Cultural Department so that we can share all the resources we have gathered in the more than 35 years of our professional monitoring and cultural resource protection efforts.

Pechanga Comment Letter to the City of Perris  
Re: Pechanga Tribe Comments on the DEIR for the Commerce Center SP  
September 6, 2011  
Page 18

Please contact our cultural resource department at 951-770-8100 once you have had a chance to review these comments so that we might address the issues concerning the mitigation language. Thank you.

Sincerely,



Michele Fahley  
Deputy General Counsel

cc: Pechanga Cultural Resources Department  
Brenda Tomaras, Tomaras & Ogas, LLP  
David Singleton, Program Analyst, Native American Heritage Commission

**Southwest Land Consultants**

31523 Chihuahua Valley Road Warner Springs, CA 92086 | 4616 Vista Street San Diego, CA 92116  
(951) 543-2643 | (619) 922-0400 | [seanswlc@gmail.com](mailto:seanswlc@gmail.com) | [pac2themax@wildblue.net](http://pac2themax@wildblue.net)

July 27, 2011

Diane Sbardellati  
101 N. D Street  
Perris, CA 92570

Clara Miramontes  
101 N. D Street  
Perris, CA 92570

Diane and Clara,

My name is Sean Harrison. My firm Southwest Land Consultants represent the developer of property in City of Perris, East of the I-215, North of the Ramona Expressway, South of Markham Street, and West of Webster Ave. Attached to this correspondence, you will find a conceptual exhibit of the site plan for our light industrial distribution center that we are in the process of presenting to the City of Perris.

We are aware that the property we intend to develop the facility on is within the boundary of the Perris Valley Commerce Center Specific Plan. After reviewing the Specific Plan, we understand that we will have to justify a change to the land use for the subject property to the City and its staff.

The proximity to March Joint Air Force Base, the I-215 Corridor and the Mid County Parkway provide a lot of opportunity for the current development. The current proposed land use of Community Commercial for a significant portion of the property will have some marketing problems due to many of the intended end users having already made location decisions to the North and South of the area. The Business Professional designation does offer some compatible land use opportunities but will limit the scale in which those uses can be allowed. It would be important to note that the market for business office space in the region will not see occupancy until the end of the realistic lifespan of a normal city general plan. We also believe that coordinating with the City Engineering Department will confirm that the property currently designated to be Detention Basin, will be developable.

Our current market studies and experience in the development industry lead us to believe that we can provide the City an appropriate end user in an expedient fashion. This group of end users will benefit the City and its citizens with both employment opportunities and tax revenue generation. As with all development, there will also be infrastructure improvements that will also lead to further development in the area.

In the next few weeks, our development team will be presenting to the City our reasons and the supporting information for this request. We look forward to the opportunity of working with the City Staff to achieve a land use change that will benefit all parties involved.

Sincerely,

Sean Harrison  
Southwest Land Consultants

August 26, 2011

Development Services Department, Planning Division  
City of Perris  
135 N. D Street  
Perris, Ca 92570

Attention: Diane Sbardellati, Associate Planner

Reference: 4210 Patterson Ave, APN #314140043


On October 14, 2008 I (Joseph Flanagan) participated in a meeting with Brad Eckhardt and Sabrina Chavez regarding a city proposed land zoning use change in conjunction with the Perris Valley Commerce Center Specific Plan. At the October 14, 2008 meeting, a proposed change in the zoning from the current L1 to PO was discussed. I voiced my concern. After that meeting, I received a letter on December 15, 2008 stating that after considering my comments it was proposed that my property be designated BPO. It was quite a surprise to get a letter dated July 20, 2011, from the Perris Planning Division designating my property as a Potential Basin Area.

When I purchased the property in 1984, I paid a premium because it was freeway frontage and I planned on developing a retail equipment sales business. For the last 27 years, I have made a living, supplied local employment, paid property taxes, and generated sales tax revenue for the city, county and state. It was always my goal, upon retirement, to develop the property as a prime source of retirement income. Now as retirement approaches, that option could be taken away.

I find it difficult to imagine how it benefits the City of Perris to turn prime freeway frontage, on the busiest intersection in Perris, into a non-generating revenue source and a loss of local employment. For many years, I have observed and considered how this intersection could be developed, never imagining it would be a drainage basin.

I would appreciate your further consideration of this zoning change.

Yours Truly,

  
Joseph T. Flanagan

August 31, 2011

Diane Sbardellati, Associate Planner  
 Development Services Department  
 Planning Division  
 City of Perris  
 135 N. "D" Street  
 Perris, CA 92570



**SUBJECT: Response to "Notice of Availability of a Draft Environmental Impact Report  
 Perris Valley Commerce Specific Plan – Perris"**

This letter is in response to information received recently concerning the above subject and is intended to provide comments during the stated Public Review Period for the Draft Perris Valley Commerce Center Specific Plan and the associated Draft EIR documents.

These comments represent the input of my various family members who own all or portions of 10 bare land parcels in the area covered by the proposed Perris Valley Commerce Center.

In reference to my family's property **north of the Ramona Expressway**, 8 of our parcels are located in this area (as well as 4 belonging to my cousins), and my primary comments regarding these parcels are to request the City's flexibility in assigning zoning to these parcels as the PVCC goes forward. I have discussed concerns about the zoning changes with various City administrators over the past 3 years and I am including, for historical perspective, ATTACHMENT 1 which is a letter I wrote in 2009 to Brad Eckhardt, who I was sad to learn is no longer with the City. My concerns in 2009 were the loss of our historical Commercial CC zoning, which, with its flexible uses, was a primary reason we acquired this land. Through several conversations, my concerns were mostly addressed in a satisfactory fashion at the time, but with the unprecedented economic decline in the regional real estate market since that time, these concerns have changed. We now face a situation which I believe neither I nor the City then anticipated – that is, a market in which the recovery for smaller commercial properties will not occur in any robust fashion for several years. This impacts my family's properties because they include several parcels that together form a 30+ Acre piece which can easily accommodate a larger Commercial and/or Industrial use. Because it is most likely that such larger industrial, and perhaps commercial properties will sustain a market recovery much sooner, I am requesting that the City be flexible in the zoning and use of our properties so that an acceptable project of either use would be agreeable. I ask for this flexibility in part because my family is seriously considering an industrial development project on this property, although we have not finalized the agreement at this point. I would hope that the City would support either a mix of commercial and industrial uses on our land, or an entirely industrial use if a development project (such as the one we are considering) which is acceptable to the City is proposed. Also in reference to the potential development of these parcels, I spoke to both Grant Beglund and Clara Miramontes by

phone on or about August 25, 2011. Rather than restating those conversations in their entirety, I would ask that the information shared in those conversations be incorporated into these comments by reference.

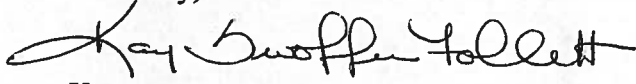
In 2009 I also had concerns about potential "prohibited uses", and these are described in ATTACHMENT 1. At that time, I received assurance from Brad Eckhardt that changes were made to address my concerns – that is, to continue to allow the dryland farming and/or sheeping/goating operations, etc., that many bare land owners utilize primarily for weed abatement. I was not able to determine from my review of the current drafts if these have provisions have changed, but I would request that these uses continue to be allowed, to the joint benefit of both the City and property owners who are holding such land for later development.

In reference to my family's properties **south of the Ramona Expressway**, I have a few additional comments. I understand from both my review of the documents and my telephone conversations with Grant Beglund and Clara Miramontes that the storm drain situation which was initially my concern on our properties north of the Ramona Expressway has been resolved, but ironically resolved in part by moving a storm drain onto an area south of the Ramona Expressway that will impact 2 parcels we own in that location. Although this would certainly not be our choice, if this continues to be the plan, I would ask that the City work with us in advance of any final plan so that we can jointly and carefully study the location of the basin in order to least damage the values of either or both of our parcels. If too much is taken from one or the other parcel, it leaves the remainder too small for any reasonable development, not to mention the potential damage to that parcel's value due to its location directly adjacent to the storm drain. If the damage is sufficient to warrant such a consideration, or if uses for adjacent property are seriously restricted, it seems reasonable that the city would make an adjustment and/or purchase the damaged remainder, if we so desired. I would appreciate the opportunity to discuss this further with City staff.

We have held all of this land for future development through three generations and for more than 50 years, so we appreciate the City working with us to sustain the greatest viability for our long-term investment in the Perris Valley.

As always, I would like to thank the City staff – in particular Grant Beglund and Clara Miramontes – for their time and attention to answering my questions and concerns. I look forward to the opportunity to work together as the PVCC project goes forward. Please feel free to contact me if you need any clarification or additional information on these comments. I can be reached by phone at (714) 323-5560 or by email at [kay.follett@gmail.com](mailto:kay.follett@gmail.com).

Sincerely,



Kay Swoffer Follett

On behalf of myself and Betty J. Swoffer and Sue Swoffer Ward

[Perris Valley Commerce Center Response2-Aug,2011.ksf/8-31-11]

September 17, 2009

ATTACHMENT #1

Mr. Brad Eckhardt, Planning Manager  
Development Services Department  
City of Perris  
135 North "D" Street  
Perris, CA 92570

SUBJECT: Response to "Notice of Preparation"  
Perris Valley Commerce Center Specific Plan  
Environmental Impact Report

This letter is a response to the information received recently concerning the above subject, as it specifically impacts properties owned by me, and by other members of my extended family – specifically Follett, Swoffer, Ward, Pope and Morrison families.

First of all, thank you so much for meeting with me recently to explain in detail the City's plan. The information provided by both you and by Grant Becklund, was very helpful in addressing several of my concerns. As always, I appreciated how very well informed you both were, as well as your willingness to share information to address my concerns. I firmly believe that it is in large part your congenial and cooperative demeanor that serves to keep many issues between the City and affected landowners from becoming adversarial, and you are to be commended for this.

Now to the substance of my comments: From what I understand, the Perris Valley Commerce Center Specific Plan (the Project) will likely affect our various family properties in at least two major ways, and I will address each of these separately.

- 1.) Re-Zoning: The proposed zoning changes, as outlined in the "City of Perris Valley Commerce Center Specific Plan DRAFT Land Use Map" (12/15/08) preserves the CC (Commercial) zoning for much of our acreage, and this is appreciated. The parcels which are being re-zoned are smaller pieces for which, although the historic CC (Commercial) zoning was preferable, the damage in terms of usage restrictions is certainly lessened by the new Business Professional Office (BPO) zone, and I commend the City for this response to landowner concerns.

Related to these zoning decisions is the issue of permitted and prohibited land uses, about which I voiced some concerns at an earlier meeting with City staff. Hence, I was pleased to receive the "Perris Valley Commerce Center Land Use" chart – Table 2.0-2 Land Use dated 9/10/09, which showed certain positive changes. Most specifically, I appreciated your in-person explanation of the "Dryland Farming" land use category, which you have stated includes

not only dryland farming, but also sheep and goat grazing – all for the ancillary purpose of weed abatement. This use is shown as permitted for both the CC and BPO zones, and will meet the complimentary needs of both the City and landowners, in keeping the undeveloped parcels free of significant weeds at a reasonable cost. Again, I commend you for your foresight and cooperative spirit in making this revision to the land use chart.

I do wish to request that the City reconsider the Conditional Use Permit (CUP) category for the following prohibited uses in the CC and/or BPO zones because I feel that they are common uses for properties located along major thoroughfares, and are in fact, represented by existing businesses nearby. These are: a) Alcohol Sales for Off-site Consumption (e.g. as offered at many mini-marts associated with service stations near freeways these days); b) Vehicle-Related Outdoor Storage and Other Facilities (especially because recreational vehicle storage along the route to Lake Perris would seem to be a reasonable use for certain oddly shaped parcels, and can create an attractive facility if well planned and landscaped); and c) Government Facilities & Public and Semi-Public Institutions (because these can often blend in well with Business and Professional establishments, as well as with Commercial enterprises, if right-sized for the area). In addition, the following prohibited uses in the CC zone only bear reconsideration for CUP: a) Recreational Areas and Facilities – Outdoor and Indoor (because these are an important addition to some areas – especially with the nearby residential zones, and might be appropriate if in a carefully chosen location along the perimeter of the CC zone; and Manufacturing, Industrial-Indoor (because this might be an appropriate use of land in the CC zone if located near the LI or GI zone.

Of course, my interest is in preserving the broadest potential development opportunities for our family properties. Yet I have tried to formulate these ideas with the City's planning parameters in mind as well, so I hope you will give them some consideration.

- 2.) Revised Perris Valley Master Drainage Plan: Once again, let me voice my appreciation for the extraordinary assistance given to me by City staff in helping me to understand the various issues involved in site selection for needed storm basin facilities. I have been in various discussions with staff on this issue for almost a year and I continue to feel that my issues are being well-addressed, within the limits of flexibility that apparently exist for resolving the drainage issue.

However, I must state the strongest possible objection to the foundations of this entire project; that is, that we seem to have a drainage problem in the City of Perris – and specifically in the area where much of my family's properties exist – in large part because County (non-City) land on the other side of the 215 freeway has apparently been allowed to be developed without due consideration for the drainage issues therein. Now their run-off is exacerbated

by the developing nature of the land and it is draining onto our City lands! Hence, the costs associated with this drainage issue belong to the landowners and/or developers on the other side of the 215; yet we are being required to suffer the entire damage on our properties in order to solve the problem. How remarkably unfair that those landowners and developers have been allowed to create a fully profitable venture at our expense.

That being said, I will comment most positively on the City of Perris' attempts to address our concerns for the damage to our land values and uses. Since I learned of – and objected to – the initial plan to put a 16 acre storm drain retention basin right in the middle of one of our most valuable parcels, the City staff has worked through various relocation options and most recently has proposed what they refer to as Option 6C. I do have concerns about how option 6C will ultimately impact our development options for one very valuable parcel, since it takes 3 acres from the total acreage, reducing the parcel from 9.78 acres to 6.78 acres. Depending upon the landscaping and final “look” of the basin, there may also be a negative effect on the remaining parcel for development purposes. Also, I have unconfirmed concerns that a deep storm drain retention basin carved into the land abutting the remaining parcel may weaken the load-bearing capacity of the remaining land in a way that limits future development options, and perhaps this concern can be addressed by a City Engineer. Nonetheless, overall, this option appears to be much less costly to the city and much less damaging to our family-owned land **and I wish to strongly support option 6C relative to the other options.**

In any such project where the City must acquire private lands for public purposes, there is always an issue of valuation and fair compensation. The City staff has assured me that they would intend to pay fair market value for any land that must be acquired and I have no reason not to believe that such statements have been made in good faith. For this reason, I would ask that careful consideration be given to the budget for this project, since it appears that the figure quoted for the cost of acquiring the 12 acres needed for the 2 storm basins allows approximately \$3.44/square foot, and this is well below our expectation for our parcel value – a parcel that fronts on Ramona Expressway at the I-215. Even with today's depressed real estate market, the comparison values we have seen are significantly higher. Perhaps the other 9 acres have a lower value so this average value I have calculated is not correct. But I would urge the City to revisit the budget for right-of-way on these 12 acres so that we do not have an unnecessary disagreement later – especially if there is significant recovery in the real estate market.

As stated in my letter to Mr. Habib Motlagh dated January 11, 2009, and written subsequent to my first meeting with City staff related to these issues “Our families have owned these properties for more than 40 years, with the intent of holding them for future development.” That continues to be our desire and intent. I know it hasn't been possible for me to anticipate every

possible negative effect of this Project on our properties, with my limited experience in such matters, but I have brought forward the concerns that have occurred to me. My intent is to assure the greatest possible protection for my family's various properties. Having held them for so long, we also feel invested in the development issues of the City, yet wish to realize the greatest long-term ultimate reward for our investment. We appreciate the City working with us to preserve what I feel to be this reasonable goal.

Again, I thank all of the City staff – and in particular Brad Eckhardt and recently Grant Becklund, for what have clearly been substantial efforts to work out as many of our issues as possible. I look forward to continuing to work together as this Project goes forward.

Please feel free to contact me if you need any clarification or additional information in this matter. I can be reached by phone at (714) 323-5560 or by email at [follett@cerritos.edu](mailto:follett@cerritos.edu).

Sincerely,

Kay Swoffer Follett  
On behalf of myself and Betty J. Swoffer, Sue Swoffer Ward, Bradley C. Pope and Gayle Pope Morrison

[PerrisValleyCommerceCenter Response.ksf/-17-09]

[Perris Valley Commerce Center Response2-Aug, 2011.ksf/8-31-11]

## GREG I. ANDERSON

ATTORNEY AT LAW

1028 NORTH LAKE AVENUE  
SUITE 201  
PASADENA, CALIFORNIA 91104  
EMAIL: greg@gialaw.com

TELEPHONE  
(626) 794-7006

FACSIMILE  
(626) 628-1876

September 4, 2011

Ms. Diane Sbardellati,  
Associate Planner  
Development Services Department  
Planning Division  
City of Perris  
135 North "D" Street  
Perris, California 92570-1998

VIA U. S. MAIL; FAX 951-943-8379  
and E-MAIL dsbardellati@cityofperris.org

RE: Minyard/Kirst Trust Approximate 39 Acres Located on Markham Street and Patterson Avenue, Perris, CA (the "Property")

Dear Ms. Sbardellati:

I am real estate legal counsel to Barbara Minyard and Mary Johnson Kirst, owners of the above referenced Property, and respond on their behalf pursuant to the Notice of Availability Of A Draft Environmental Impact Report (SCH No. 2009081086) Perris Valley Commerce Center Specific Plan-Perris dated July 20, 2011.

As you may know, the Property has been family owned for over forty years while waiting for commercial/industrial development demand to reach Perris. This demand was finally occurring approximately five years ago as result of land availability for regional distribution facility projects, ceased during 2007-2009, and in the last year or so is again experiencing activity.

As the City of Perris (the "City") is certainly aware, even at the height of the market prior to 2007 demand was limited to larger scale owner/user distribution facilities and with little or no demand for smaller user commercial industrial space let alone business/professional office which was non-existent. As confirmed by the enclosed letter dated September 4, 2011 from Michael Giuliano, Senior Vice President-Principal, Lee & Associates-Ontario, Inc., there is no demand either now or in the foreseeable future for business/professional office development in Perris, and effective down zoning to BPO pursuant to the Specific Plan would immediately wipe out at least 75% of my client's land value otherwise available with a LI or GI designation. After paying property taxes and other carrying costs and waiting over 40 years, to now limit use of the Property to BPO is frankly unjust, unfair and confiscatory in outcome.

September 4, 2011  
Ms. Diane Sbardellati,  
Associate Planner  
Development Services Department  
Planning Division  
City of Perris  
Page 2 of 3

The above view as to BPO is shared by every other real estate professional active in the area, and with the consensus that demand for professional office in Perris is highly unlikely for fifteen to twenty years if not longer. On this basis down zoning of the Property to BPO will eliminate all development potential for the foreseeable future and will immediately render the Minyard Kirst Property essentially valueless. On what basis would a developer or investor purchase the Property with an expectation of viable business/professional office development within any acceptable investment/development timeline? The obviously answer and conclusion is that there is no such viable use now or for the foreseeable future and accordingly little or no remaining land value if the BPO designation is imposed.

If the City holds a different view on the economic impact of BPO to the Property or has a current third party professional evaluation reaching a different conclusion than the above, Ms. Minyard and Ms. Kirst would be very interested in receiving that information.

The punitive economic consequences to the Minyard/Kirst Property of BPO should be obvious and my clients respectfully request and urge the City to reconsider and change the proposed Business/Professional Office for the Property to Light Industrial or General Industrial which allows for the only viable use.

Please also update your mailing list as follows:

Ms. Barbara Minyard  
C-O Mark E. Minyard, Esq.  
MINYARD & MORRIS LLP  
1811 Quail Street  
Newport Beach, California 92660

Ms. Mary Johnston Kirst  
1 Ironwood Drive  
Newport Beach, CA 92660

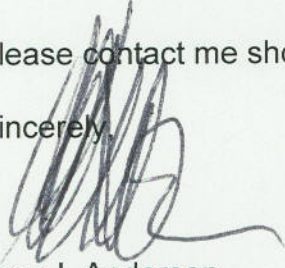
And With Copy To:

Greg I. Anderson, Esq.  
1028 North Lake Avenue, Suite 201  
Pasadena, California 91104

September 4, 2011  
Ms. Diane Sbardellati,  
Associate Planner  
Development Services Department  
Planning Division  
City of Perris  
Page 3 of 3

Please contact me should you wish to discuss the above.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg I. Anderson". The signature is somewhat stylized and overlaps with the word "Sincerely,".

Greg I. Anderson

CC: Clients  
Mark E. Minyard, Esq.

Enclosure



September 4, 2011

Mary Johnston  
Barbie Minyard  
c/o Mr. Greg Anderson  
LAW OFFICES OF GREG I. ANDERSON  
1028 N. Lake Avenue, Suite 201  
Pasadena, CA. 91104

**RE: OPINION OF VALUE - APPROXIMATELY 39.83 ACRES (1,734,994.8 SF)  
SEC MARKHAM STREET & PATTERSON AVENUE, PERRIS, CALIFORNIA**

Dear Mr. Anderson:

**Per your request, after comparing market activity and values for office/commercial vs. industrial land for the aforementioned property in Perris, California the property stands to lose over \$4M in value should you change its current zoning. Today, the property has a market value of approximately \$6,100,000 (\$3.00-\$4.00 PSF) supported by strong development activity in the near future. Should the property change its zoning to office or retail the value of the property will drop to roughly \$1.5M to 1.8M without any prospect of development in the foreseeable future.**

Development activity had dropped dramatically over the past three years in the Inland Empire East and West. Office, retail and industrial properties all suffered significant declines in sale and lease values. The East Inland Empire (Perris, Moreno Valley, Riverside, Redlands, & San Bernardino) took the brunt of the economic hit. Existing building values had dropped below replacement costs creating virtually 'zero' demand for new development.

Land Values in the Greater Perris Market had peaked out at \$8.00 to \$9.00 PSF for entitled net developable acreage. In 2007, when the market conditions changed, land holders could barely give their properties away. Some developers who had secured large parcels had valued their pieces more as liabilities than as assets due to reasons related to limited development prospects coupled with property taxes and maintenance costs.

Within the past couple of years, the glut of properties in the industrial sector had shrunk significantly and speculative development had broken ground at multiple East Inland Empire locations. Office and retail are far worse: suffering from high vacancies, low lease/sale values, and very little hope for speculative development any time soon. No office or retail land comparables of any significance have been recorded in the market as of late. Industrial land comparables are to follow as further evidence of the market activity.

Feel free to contact me with any questions or further requests.

LEE & ASSOCIATES/ONTARIO, INC.



MICHAEL GIULIANO  
Senior Vice President

TRANSMISSION VERIFICATION REPORT

TIME : 09/04/2011 16:57  
NAME : GREG ANDERSON  
FAX : 6266281876  
TEL :  
SER.# : G9J427283

DATE, TIME	09/04 16:56
FAX NO./NAME	19519438379
DURATION	00:00:40
PAGE(S)	04
RESULT	OK
MODE	STANDARD ECM

**GREG I. ANDERSON**  
ATTORNEY AT LAW

TELEPHONE  
(626) 794-7006

1028 NORTH LAKE AVENUE  
SUITE 201  
PASADENA, CALIFORNIA 91104  
EMAIL: greg@gialaw.com

FACSIMILE  
(626) 628-1876

September 4, 2011

Ms. Diane Sbardellati,  
Associate Planner  
Development Services Department  
Planning Division  
City of Perris  
135 North "D" Street  
Perris, California 92570-1998

VIA U. S. MAIL; FAX 951-943-8379  
and E-MAIL dsbardellati@cityofperris.org

RE: Minyard/Kirst Trust Approximate 39 Acres Located on Markham  
Street and Patterson Avenue, Perris, CA (the "Property")

Dear Ms. Sbardellati:

I am real estate legal counsel to Barbara Minyard and Mary Johnson Kirst, owners of the above referenced Property, and respond on their behalf pursuant to the Notice of Availability Of A Draft Environmental Impact Report (SCH No. 2009081086) Perris Valley Commerce Center Specific Plan-Perris dated July 20, 2011.

As you may know, the Property has been family owned for over forty years while waiting for commercial/industrial development demand to reach Perris. This demand was finally occurring approximately five years ago as result of land availability for regional distribution facility projects, ceased during 2007-2009, and

**PAUL T. JACOBS, LLB, PCA**  
STATE OF CALIFORNIA  
CERTIFIED GENERAL APPRAISER  
22911 PAPAGO ROAD, TOWN OF APPLE VALLEY, CALIFORNIA 92307 USA  
VOICE 760-240-9978 \* FAX 760-240-9627  
E-MAIL [PAUL\\_92307@YAHOO.COM](mailto:PAUL_92307@YAHOO.COM)

September 14, 2011

Ms. Clara Miramontes  
Planning Manager  
City of Perris, CA  
135 North "D" Street City Hall  
Perris, California 92570-1998

In Re: Perris Valley Commerce Center Land Use Plan  
In Re: Parcels 302-090-021 and 22

Dear Ms. Miramontes;

I represent Dr. Allen Su, the principle in the partnership that owns the above indicated properties located at the intersection of Perris Blvd and Harley Knox Blvd. We wish to request an amendment to the plan to rezone these parcels to their General Plan designation of commercial.

We believe the City's best interest would be served by this revision because it would result in greater property tax generation and would act as a buffer to separate the industrial component from the commercial and residential component located to the east of these properties.

When developed, and we are investigating development of a petroleum service station on the corner parcel, additional revenue would be generated through sales tax increases.

Additionally, we feel that this proposed development would be an asset to the City and its citizens traveling busy Perris Blvd and the workers in the industrial complex area to the west.

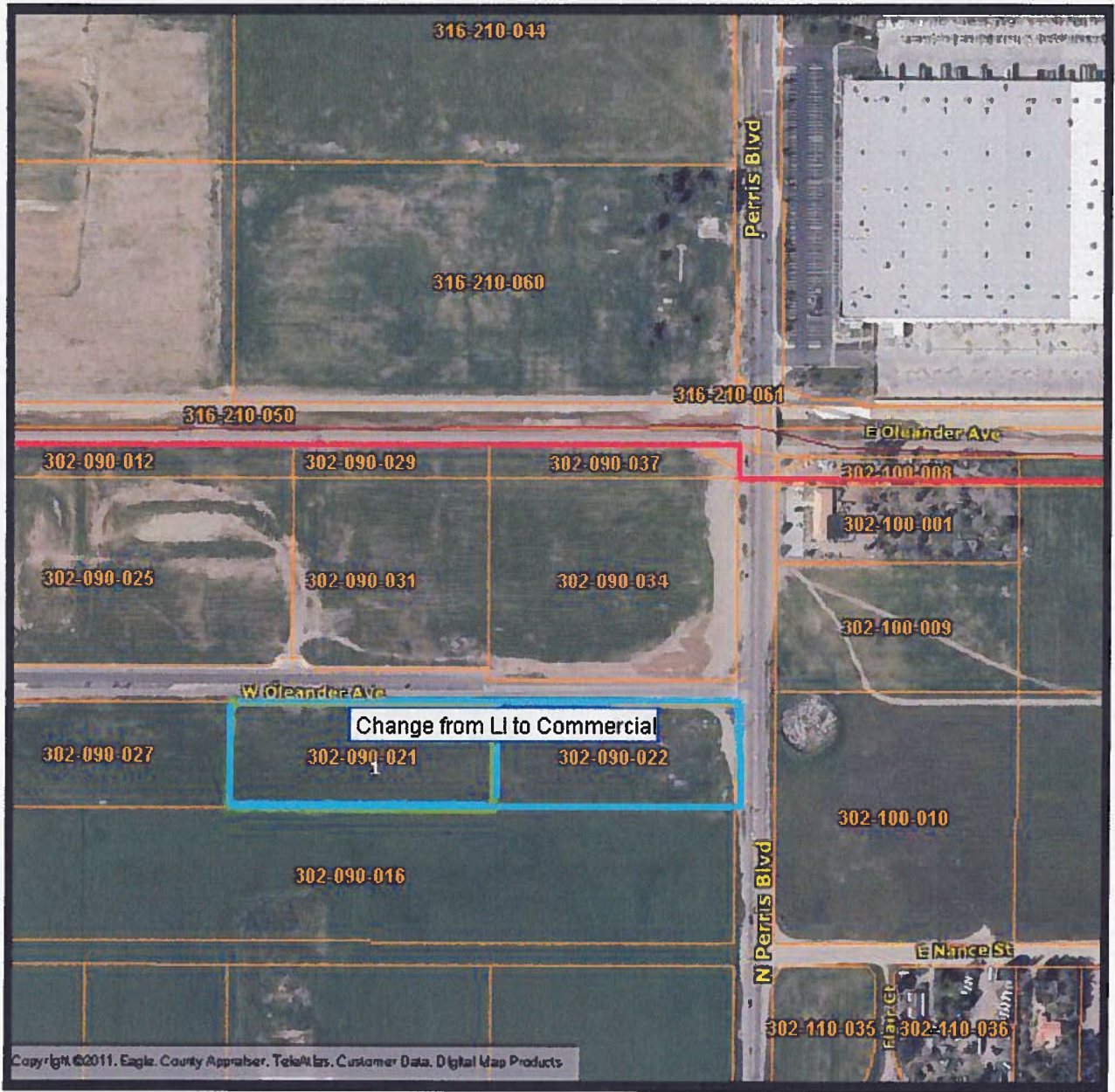
Thank you for your kind consideration on this matter.

Sincerely,



Paul T. Jacobs, SCGA AG005064

MEMBER  
INTERNATIONAL RIGHT OF WAY ASSOCIATION  
CALIFORNIA ASSOCIATION OF REAL ESTATE APPRAISERS  
CALIFORNIA REGIONAL MULTIPLE LISTING SERVICE



427 ft

CityGIS

Copyright © 2006 All Rights Reserved. The information contained herein is the proprietary property of the contributor supplied under license and may not be approved except as licensed by Digital Map Products.

## 11.0 MITIGATION MONITORING AND REPORTING PROGRAM

### INTRODUCTION

Mitigation measures were incorporated into this project to reduce environmental impacts identified in the project Draft and Final Environmental Impact Reports (DEIR and FEIR). Pursuant to Section 15097 of the State *CEQA Guidelines*, a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. “Monitoring” refers to the ongoing or periodic process of project oversight provided by the “Responsible Party” listed in the following table. “Reporting” refers to written compliance review that will be presented to the decision making body or authorized staff person identified in the table below. A report can be required at various stages throughout the project implementation or upon completion of the mitigation measure. The following table provides the required information which includes identification of the potential impact, various mitigation measures, applicable implementation timing, agencies responsible for implementation, and the monitoring/reporting method for each mitigation measure identified.

### ACRONYMS

The following mitigation measures contain several acronyms that are defined in the DEIR and FEIR, but may not be defined in the mitigation measures. As used in the mitigation measures, these acronyms are defined as follows:

ACOE	Army Corps of Engineers
ADA	Americans with Disabilities Act
CARB	California Air Reserve Board
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
City	City of Perris
DBESP	Determination of Biologically Equivalent or Superior Preservation
FAA	Federal Aviation Administration
GHG	Greenhouse gases
HVAC	Heating, ventilation, and air conditioning
MARB	March Air Reserve Base
NAHC	Native American Heritage Commission
MBTA	Migratory Bird Treaty Act
MSHCP	Western Riverside County Multiple Species Habitat Conservation Plan
PVCC	Perris Valley Commerce Center
RWQCB	Regional Water Quality Control Board
SCAQMD	South Coast Air Quality Management District
US EPA	United States Environmental Protection Agency
VOC	Volatile organic compounds

Air Quality							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<i>The following mitigation measures shall be implemented to reduce emissions (Criteria pollutants, GHG, and DPM) for construction activities at development sites within the PVCC</i>							
<p>Violate any air quality standard or contribute substantially to an existing or projected air quality violation.</p> <p>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).</p> <p>Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors).</p> <p>Expose sensitive receptors to substantial pollutant concentrations.</p>	<p><b>MM Air 1:</b> To identify potential implementing development project-specific impacts resulting from construction activities, proposed development projects that are subject to CEQA shall have construction-related air quality impacts analyzed using the latest available URBEMIS model, or other analytical method determined in conjunction with the SCAQMD. The results of the construction-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis or other appropriate analyses as determined in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.</p>	Development review process for future implementing development projects	Certification of approval of appropriate CEQA document	City of Perris Planning Division			
	<p><b>MM Air 2:</b> Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as a flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.</p>	Prior to issuance of grading permits for each implementing development or infrastructure project	Approval of Grading Plan, Building Plans and Specifications	City of Perris Public Works/Engineering Administration Division and Planning Division			
	<p><b>MM Air 3:</b> To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to: requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain), keeping disturbed/loose soil moist at all times, requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered, installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip, posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site, suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour, appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation, sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials, replacement of ground cover in disturbed areas as quickly as possible.</p>	Prior to issuance of grading permits for each implementing development or infrastructure project	Approved dust control plan or other sufficient proof of compliance with Rule 403	City of Perris Planning Division/City of Perris Public Works/Engineering Division			
	<p><b>MM Air 4:</b> Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.</p>	Prior to issuance of grading and building permits for each implementing development or	Issuance of building and grading permits	City of Perris Development Services			

Air Quality							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
		infrastructure project		Department/Public Works Division			
	<b>MM Air 5:</b> Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval will be required by the City of Perris' Building Division prior to issuance of grading permits.	Prior to issuance of grading permits for each implementing development or infrastructure project	Issuance of grading permits	City of Perris Development Services Department			
	<b>MM Air 6:</b> The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or US EPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNOx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris' Building Division prior to issuance of a grading permit.	Prior to issuance of grading permit for each implementing development and infrastructure project	Issuance of grading permits	City of Perris Development Services Department Building Division			
	<b>MM Air 7:</b> During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris' Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris' Building Division.	During construction of implementing development and infrastructure projects	Periodic review of equipment maintenance records and equipment design specification data sheets by City and SCAQMD	Contractor City of Perris Development Services Department Building Division SCAQMD			
	<b>MM Air 8:</b> Each individual implementing development project shall apply paints using either high volume low pressure (HVLP) spray equipment with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.	During construction of implementing development and infrastructure projects	Periodic monitoring reports	Contractor City of Perris Development Services Department Building Division			
	<b>MM Air 9:</b> To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g. bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris' Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project.	Periodic site inspections during construction of implementing development and infrastructure projects	Periodic inspection reports	Contractor City of Perris Development Services Department Building Division			
<i>In order to reduce emissions (criteria pollutants, GHG, and DPM) from project operation, the following mitigation measures shall be implemented by new implementing development projects within the PVCC</i>							
	<b>MM Air 10:</b> To identify potential implementing development project-specific impacts resulting from operational activities, proposed development projects that are subject to CEQA shall have long-term operational-related air quality impacts analyzed using the latest	Development review process for future implementing development	Certification of approval of appropriate CEQA document	City of Perris Planning Division			

Air Quality							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	available URBEMIS model, or other analytical method determined by the City of Perris as lead agency in conjunction with the SCAQMD. The results of the operational-related air quality impacts analysis shall be included in the development project's CEQA documentation. To address potential localized impacts, the air quality analysis may incorporate SCAQMD's Localized Significance Threshold analysis, CO Hot Spot analysis, or other appropriate analyses as determined by the City of Perris in conjunction with SCAQMD. If such analyses identify potentially significant regional or local air quality impacts, the City shall require the incorporation of appropriate mitigation to reduce such impacts.	projects					
	<b>MM Air 11:</b> Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.	Prior to issuance of certificate of occupancy and periodically after development	Inspection to confirm signage posted	City of Perris Development Services Department			
	<b>MM Air 12:</b> Where transport refrigeration units (TRUs) are in use, electrical hookups will be installed at all loading and unloading stalls in order to allow TRUs with electric standby capabilities to use them.	Prior to certificate of occupancy	Confirmation that architectural plans for buildings at which TRUs will be used include electrical hookups and/or auxiliary power units.	City of Perris Development Services Department			
	<b>MM Air 13:</b> In order to promote alternative fuels, and help support "clean" truck fleets, the developer/successor-in-interest shall provide building occupants and businesses with information related to SCAQMD's Carl Moyer Program, or other state programs that restrict operations to "clean" trucks, such as 2007 or newer model year or 2010 compliant vehicles and information including, but not limited to, the health effect of diesel particulates, benefits of reduced idling time, CARB regulations, and importance of not parking in residential areas. If trucks older than 2007 model year will be used at a facility with three or more dock-high doors, the developer/successor-in-interest shall require, within one year of signing a lease, future tenants to apply in good-faith for funding for diesel truck replacement/retrofit through grant programs such as the Carl Moyer, Prop 1B, VIP, HVIP, and SOON funding programs, as identified on SCAQMD's website ( <a href="http://www.aqmd.gov">http://www.aqmd.gov</a> ). Tenants will be required to use those funds, if awarded.	Prior to certificate of occupancy for buildings and tenant improvements within the PVCC	Confirmation that tenants have been provided with information regarding funding for cleaner than required heavy-duty engines and emission control devices	City of Perris Development Services Department			
	<b>MM Air 14:</b> Each implementing development project shall designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance will be required prior to the issuance of occupancy permits.	Prior to certificate of occupancy for each implementing development project	Confirmation during plot plan review that parking spaces have been designated for high-occupancy vehicles and ride-sharing vans	City of Perris Development Services Department			
	<b>MM Air 15:</b> To identify potential implementing development project-specific impacts resulting from the use of diesel trucks, proposed implementing development projects that include an excess of 10 dock doors for a single building, a minimum of 100 truck trips per day, 40 truck trips with TRUs per day, or TRU operations exceeding 300 hours per week, and that are subject to CEQA and are located adjacent to sensitive land uses; shall have a facility-specific Health Risk Assessment performed to assess the diesel particulate matter impacts from mobile-source traffic generated by that implementing development project. The results of the Health Risk Assessment shall be included in the CEQA documentation for each implementing development project.	Development review process for each implementing development projects	Certification of approval of appropriate CEQA document	City of Perris Planning Division			
	<b>MM Air 16:</b> New sensitive land uses such as a hospital, medical offices, day care facilities, and fire stations to be located within the PVCC shall not be located closer than 500 feet to	Development review process for implementing development	Approval of plot plans and architectural plan (as	City of Perris Development			

Air Quality							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	the I-215 freeway, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they will be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of ambient air filtration, installation of a central HVAC (heating, ventilation, and air conditioning) system that includes high efficiency filters for particulates (MERV-13 or higher) or other similarly effective systems shall required.	projects	appropriate) for future implementing development projects	Services Department			
	<b>MM Air 17:</b> New sensitive land uses such as residential, a hospital, medical offices, day care facilities, and fire stations shall not be located closer than 1,000 feet from any existing or proposed distribution center/warehouse facility which generates a minimum of 100 truck trips per day, or 40 truck trips with TRUs per day, or TRU operations exceeding 300 hours per week, pursuant to the recommendations set forth in the CARB Air Quality and Land Use Handbook. If new sensitive land uses cannot meet this setback, they will be designed and conditioned to include mechanical ventilation systems with fresh air filtration. For operable windows or other sources of ambient air filtration, installation of a central HVAC (heating, ventilation, and air conditioning) system that includes high efficiency filters for particulates (MERV-13 or higher) or other similarly effective systems shall required.	Development review process for implementing development projects	Approval of plot plans and architectural plan (as appropriate) for future implementing development projects	City of Perris Development Services Department			
	<b>MM Air 18:</b> Prior to the approval of each implementing development project, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing within any street that is adjacent to the implementing development project that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the implementing development project, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalks and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project.	In conjunction with development applications and prior to issuance of building permits for individual implementing development project	Evidence of coordination with RTA and plot plans that incorporate future bus turnouts in areas where RTA has future plans for bus routes	RTA City of Perris Development Services Department			
	<b>MM Air 19:</b> In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris' Building Division) prior to conveyance of applicable streets.	In conjunction with development applications and street plans and prior to the City accepting the street improvements	Verification by City of incorporation of project design features and approval of street and utility plans	City of Perris Development Services Department			
	<b>MM Air 20:</b> Each implementing development project shall be encouraged to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24, and reduce indoor water use by 25 percent. All reductions will be documented through a checklist to be submitted prior to issuance of building permits for the implementing development project with building plans and calculations.	Prior to issuance of building permits	Submission of a Title 24 worksheet with building plans	City of Perris Development Services Department			
	<b>MM Air 21:</b> Each implementing development project shall implement, at a minimum, use of water conserving appliances and fixtures (low-flush toilets, and low-flow shower heads and faucets) within all new residential developments.	In conjunction with development applications and prior to issuance of building permits	Verification by City of incorporation of project design features and issuance of building permits	City of Perris Development Services Department			

Biological Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
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 Game or the U.S. Fish and Wildlife Service.	<p><b>MM Bio 1:</b> In order to avoid violation of the MBTA and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all PVCC implementing development and infrastructure projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species.</p> <p>If site-preparation activities for an implementing project are proposed during the nesting/breeding season (February 1 to August 31), a pre-activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such 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. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre-activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.</p>	<p>Mitigation measure required only between February 1 and August 31</p> <p>No more than 30 days prior to issuance of grading permit for each implementing development project</p>	Pre-activity field survey report provided to City of Perris	Developer Qualified biologist City of Perris Planning Division			
Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.	<p><b>MM Bio 2:</b> Project-specific habitat assessments and focused surveys for burrowing owls will be conducted for implementing development or infrastructure projects within burrowing owl survey areas. A pre-construction survey for resident burrowing owls will also be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of implementing project sites containing suitable burrowing owl habitat and for those properties within an implementing project site where the biologist could not gain access. 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 will be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.</p> <p>If active nests are identified on an implementing project site during the pre-construction survey, the nests shall be avoided or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest during the breeding season (February 1 through August 31), and 160 feet during the non-breeding season.</p> <p>If burrowing owls occupy any implementing project site and cannot be avoided, active or passive relocation shall be used to exclude owls from their burrows, as agreed to by the City of Perris Planning Department and the CDFG. Relocation shall be conducted outside the breeding season or once the young are able to leave the nest and fly. Passive relocation is the exclusion of owls from their burrows (outside the breeding season or once the young are able to leave the nest and fly) by installing one-way doors in burrow entrances. These one-way doors allow the owl to exit the burrow, but not enter it. These doors shall be left in place 48 hours to ensure owls have left the burrow. Artificial burrows shall be provided nearby. The implementing project area shall be monitored daily for one week to confirm owl use of burrows before excavating burrows in the impact area. Burrows shall be excavated using hand tools and refilled to prevent</p>	<p>Project-specific habitat assessments and focused surveys, if required, will be prepared in conjunction with development applications as part of the CEQA process</p> <p>Pre-construction surveys to be conducted no more than 30 days prior to grading or construction activities</p>	Habitat assessments, focused surveys, pre-construction surveys to be provided to City of Perris Planning Division	Developer Qualified biologist City of Perris Planning Division			

Biological Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	reoccupation. Sections of flexible pipe shall be inserted into the tunnels during excavation to maintain an escape route for any animals inside the burrow. The CDFG shall be consulted prior to any active relocation to determine acceptable receiving sites available where this species has a greater chance of successful long-term relocation. If avoidance is infeasible, then a DBESP will be required, including associated relocation of burrowing owls. If conservation is not required, then owl relocation will still be required following accepted protocols. Take of active nests will be avoided, so it is strongly recommended that any relocation occur outside of the nesting season.						
Have a substantial adverse effect onfederally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.	<b>MM Bio 3:</b> Project-specific delineations will be required to determine the limits of ACOE, RWQCB, and CDFG jurisdiction for implementing projects that may contain jurisdictional features. Impacts to jurisdictional waters will require authorization by the corresponding regulatory agency. If impacts are indicated in an implementing project-specific delineation, prior to the issuance of a grading permit, such implementing projects will obtain the necessary authorizations from the regulatory agencies for proposed impacts to jurisdictional waters. Authorizations may include, but are not limited to, a Section 404 permit from the ACOE, a Section 401 Water Quality Certification from the RWQCB, and a Section 1602 Streambed Alteration Agreement from CDFG.	Project-specific habitat assessments and focused surveys, if required, will be prepared in conjunction with development applications as part of the CEQA process  Authorizations from regulatory agencies will be obtained prior to issuance of a grading permit	Delineations to be provided to City of Perris Planning Division  Copies of authorizations from regulatory agencies to be provided to City of Perris Planning Division	Developer  City of Perris Planning Division			
Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or the U.S. Fish and Wildlife Service.  Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan.	<b>MM Bio 4:</b> Project-specific mapping of riparian and unvegetated riverine features will be required for implementing projects pursuant to Section 6.1.2 of the MSHCP. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of riparian/riverine areas. If for any implementing project avoidance is not feasible, then such implementing projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP covered species. Riparian vegetation will also need to be evaluated for the least Bell's vireo, southwestern willow flycatcher, and western yellow-billed cuckoo.	Project-specific habitat riparian and unvegetated riverine features, if required, will be prepared in conjunction with development applications as part of the CEQA process  Approval of a DBESP will be required as part of the CEQA process	Results of the riparian and unvegetated features mapping and the DEPSP report, if required, to be provided to the City of Perris Planning Division	Developer  City of Perris Planning Division			
	<b>MM Bio 5:</b> Project-specific mapping of vernal pools for implementing projects will be required pursuant to Section 6.1.2 of the MSHCP. For areas not excluded as artificially created, the MSHCP requires 100 percent avoidance of vernal pools. If for any implementing project avoidance is not feasible, then such implementing projects will require the approval of a DBESP including appropriate mitigation to offset the loss of functions and values as they pertain to the MSHCP and covered species. Vernal pools and other seasonal ponding depressions will also need to be evaluated for listed fairy shrimp.	Project-specific mapping of vernal pools, if required, will be prepared in conjunction with development applications as part of the CEQA process  Approval of a DBESP will be required as part of the CEQA process	Results of the vernal pool mapping and the DEPSP report, if required, to be provided to the City of Perris Planning Division	Developer  City of Perris Planning Division			
	<b>MM Bio 6:</b> Within areas of suitable habitat associated with the Narrow Endemic Plant Species Survey Area (NEPSSA) and Criteria Area Plant Species Survey Area (CAPSSA), focused plants surveys will be required for implementing projects. The MSHCP requires at least 90 percent avoidance of areas providing long-term conservation value for the NEPSSA and CAPSSA target species. If avoidance is not feasible, then such implementing projects will require the approval of a DBESP including appropriate mitigation.	Project-specific NEPSSA and CAPSSA focused plant surveys focused surveys, if required, will be prepared in conjunction with development applications as part of the CEQA process  Approval of a DBESP will be	NEPSSA and CAPSSA focused plant surveys and, if required, the DBESP report to be provided to City of Perris Planning Division	Developer  City of Perris Planning Division			

Biological Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
		required as part of the CEQA process					

Cultural Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
The project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the <i>CEQA Guidelines</i> .	<p><b>MM Cultural 1:</b> Prior to the consideration by the City of Perris of implementing development or infrastructure projects for properties that are vacant, undeveloped, or considered to be sensitive for cultural resources by the City of Perris Planning Division, a Phase I Cultural Resources Study of the subject property prepared in accordance with the protocol of the City of Perris by a professional archeologist<sup>1</sup> shall be submitted to the City of Perris Planning Division for review and approval. The Phase I Cultural Resources Study shall determine whether the subject implementing development would potentially cause a substantial adverse change to any significant paleontological, archaeological, or historic resources. The Phase I Cultural Resources Study shall be prepared to meet the standards established by Riverside County and shall, at a minimum, include the results of the following:</p> <p>Records searches at the Eastern Information Center (EIC), the National or State Registry of Historic Places and any appropriate public, private, and tribal archives.</p> <p>Sacred Lands File record search with the NAHC followed by project scoping with tribes recommended by the NAHC.</p> <p>Field survey of the implementing development or infrastructure project site.</p> <p>The proponents of the subject implementing development projects and the professional archaeologists are also encouraged to contact the local Native American tribes (as identified by the California Native Heritage Commission and the City of Perris) to obtain input regarding the potential for native American resources to occur at the project site.</p> <p>Measures shall be identified to mitigate the known and potential significant effects of the implementing development or infrastructure project, if any. Mitigation for historic resources shall be considered in the following order of preference:</p> <p>Avoidance.</p> <p>Changes to the structure provided pursuant to the Secretary of Interior's Standards.</p> <p>Relocation of the structure.</p> <p>Recordation of the structure to Historic American Buildings Survey (HABS)/Historic American Engineering Record (HAER) standard if demolition is allowed.</p> <p>Avoidance is the preferred treatment for known significant prehistoric and historical archaeological sites, and sites containing Native American human remains. Where feasible, plans for implementing projects shall be developed to avoid known significant</p>	In conjunction with development applications, and prior to issuance of grading permits	Submittal of a Phase I Cultural Resources Study and issuance of grading permits	City of Perris Planning Division			

<sup>1</sup> For the purpose of this measure, the City of Perris considers professional archaeologists to be those who meet the United States Secretary of the Interior's standards for recognition as a professional, including an advanced degree in anthropology, archaeology, or a related field, and the local experience necessary to evaluate the specific project. The professional archaeologist must also meet the minimum criteria for recognition by the Register for Professional Archaeologists (RPA), although membership is not required.

Cultural Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	<p>archaeological resources and sites containing human remains. Where avoidance of construction impacts is possible, the implementing projects shall be designed and landscaped in a manner, which will ensure that indirect impacts from increased public availability to these sites are avoided. Where avoidance is selected, archaeological resource sites and sites containing Native American human remains shall be placed within permanent conservation easements or dedicated open space areas.</p> <p>The Phase I Cultural Resources Study submitted for each implementing development or infrastructure project shall have been completed no more than three (3) years prior to the submittal of the application for the subject implementing development project or the start of construction of an implementing infrastructure project.</p>						
	<p><b>MM Cultural 2:</b> If the Phase I Cultural Resources Study required under <b>MM Cultural 1</b> determines that monitoring during construction by a professional archaeologist is needed for the implementing development project; the project proponent shall retain a professional archaeologist prior to the issuance of grading permits. The task of the archaeologist shall be to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the initial ground-altering activities<sup>2</sup> at the subject site for the unearthing of previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the archaeologist has been approved by the City.</p> <p>The archaeological monitor shall be responsible for maintaining daily field notes, a photographic record, and reporting all finds in a timely manner. The archaeologist shall also be equipped to record and salvage cultural resources that may be unearthed during initial ground-altering activities. The archaeologist shall be empowered to temporarily halt or divert construction equipment to allow recording and removal of the unearthed resources.</p> <p>In the event that cultural resources are discovered at the development site, the handling of the discovered resources will differ. However, it is understood that all artifacts with the exception of human remains and related grave goods or sacred objects belong to the property owner. All artifacts discovered at the development site shall be inventoried and analyzed by the professional archaeologist. If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find shall stop, the project developer and project archaeologist shall notify the City of Perris Planning Division, the Pechanga Band of Luiseño Indians and the Soboba Band of Mission Indians, and a Native American observer of Luiseño descent shall be asked retained to help analyze the Native American artifacts for identification as everyday life and/or religious or sacred items, cultural affiliation, temporal placement, and function, as deemed possible. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribes. All items</p>	In conjunction with development applications, and prior to issuance of grading permits	Retention of professional archaeologist/ongoing monitoring/submittal of Report of Findings, if applicable	City of Perris Planning Division			

<sup>2</sup> For the purpose of this measure, ground-altering activities include, but are not limited to, debris removal, vegetation removal, tree removal, grading, trenching, or other site preparation activities. Initial ground-altering activities refer to the first time that the existing materials are altered by construction-related activities. Materials that have already been disturbed by construction-related activities do not require subsequent monitoring.

Cultural Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	<p>found in association with Native American human remains will be considered grave goods or sacred in origin and subject to special handling (see <b>MM Cultural 6, below</b>). Native American artifacts that cannot be avoided or relocated at the project site will be prepared in a manner for curation and the archaeological consultant will deliver the materials to an accredited curation facility approved by the City of Perris within a reasonable amount of time.</p> <p>Non-Native American artifacts will be inventoried, assessed, and analyzed for cultural affiliation, personal affiliation (prior ownership), function, and temporal placement. Subsequent to analysis and reporting, these artifacts will be subjected to curation or returned to the property owner, as deemed appropriate.</p> <p>Once ground-altering activities have ceased or the professional archaeologist determines that monitoring activities are no longer necessary, monitoring activities may be discontinued following notification to the City of Perris Planning Division.</p> <p>A report of findings, including an itemized inventory of recovered artifacts, shall be prepared upon completion of the steps outlined above. The report shall include a discussion of the significance of all recovered artifacts. The report and inventory, when submitted to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to archaeological and/or cultural resources. A copy of the report shall also be filed with the Eastern Information Center (EIC).</p>						
	<p><b>MM Cultural 3</b> If the Phase I Cultural Resources Study required under <b>MM Cultural 1</b> determines that monitoring during construction by both a professional archaeologist and a Native American representative is needed for the implementing development project, the project proponent shall retain a professional archaeologist and a Native American representative of Luiseño descent prior to the issuance of grading permits. The professional archaeologist and Native American observer shall be required on site during all initial ground-altering activities. The Native American observer shall have the authority to temporarily divert, redirect, or halt the ground disturbance activities to allow the evaluation of cultural resources with the project archaeologist. The evaluation and treatment provisions of mitigation measure <b>MM Cultural 2</b> shall apply to this measure.</p>	<p>Monitors retained prior to issuance of grading permits.</p> <p>Monitoring shall take place during all initial ground-altering activities</p>	<p>Retention of professional archaeologist/ongoing monitoring/submittal of Report of Findings, if applicable</p>	<p>City of Perris Planning Division</p>			
	<p><b>MM Cultural 4</b> In the event that cultural resources are discovered at a development site that is not monitored by a professional archaeologist, all activities in the immediate vicinity of the find shall stop, the project developer shall notify the City of Perris Planning Division, and the project developer shall retain a professional archaeologist to analyze the find for identification as prehistoric and historical archaeological resources. The evaluation and treatment provisions of mitigation measure <b>MM Cultural 2</b> shall apply to this measure.</p>	<p>Ongoing during construction</p>	<p>Retention of professional archaeologist/ongoing monitoring/submittal of Report of Findings, if applicable</p>	<p>City of Perris Planning Division</p>			
<p>The project would directly or indirectly destroy a unique paleontological resource</p>	<p><b>MM Cultural 5:</b> Prior to grading for projects requiring subsurface excavation that exceeds five (5) feet in depth, proponents of the subject implementing</p>	<p>Prior to issuance of grading permits</p>	<p>Retention of professional paleontologist/ongoing monitoring/submittal of</p>	<p>City of Perris Planning Division</p>			

Cultural Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
or site or unique geologic feature.	<p>development projects shall retain a professional paleontologist to verify implementation of the mitigation measures identified in the approved Phase I Cultural Resources Study and to monitor the subsurface excavation that exceed five (5) feet in depth. Selection of the paleontologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the site until the paleontologist has been approved by the City.</p> <p>Monitoring should be restricted to undisturbed subsurface areas of older 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>	Ongoing monitoring during subsurface excavation	Report of Findings, if applicable				
The project would cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5 of the <i>CEQA Guidelines</i> .	<p><b>MM Cultural 6:</b> In the event that human remains (or remains that may be human) are discovered at the implementing development project site during grading or earthmoving, the construction contractors shall immediately stop all activities in the immediate area of the find. The project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division and the coroner will be permitted to examine the remains.</p> <p>If the coroner determines that the remains are of Native American origin, the coroner will notify the NAHC and the Commission will identify the “Most Likely Descendent” (MLD).<sup>3</sup> Despite the affiliation of any Native American representatives at the site, the Commission’s identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of the 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 their</p>	During construction activities	Coroner and NAHC contacted and submittal of Report of Findings, if applicable	City of Perris Planning Division			

<sup>3</sup> The “Most Likely Descendent” (“MLD”) is a reference used by the California Native American Heritage Commission to identify the individual or population most likely associated with any human remains that may be identified within a given project area. Under California Public Resources Code section 5097.98, the Native American Heritage Commission has the authority to name the MLD for any specific project and this identification is based on a report of Native American remains through the County Coroner’s office. In the case of the City of Perris, the Native American Heritage Commission may identify any Luiseño descendent, but generally names the Soboba or Pechanga bands of Mission Indians (both Luiseño populations) and alternates between the two groups. The City of Perris will recognize any MLD identified by the Native American Heritage Commission without giving preference to any particular population. In cases where the Native American Heritage Commission is not tasked with the identification of a Native American representative, the City of Perris reserves the right to make an independent decision based upon the nature of the proposed project.

Cultural Resources							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	<p>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 with the City of Perris, the project proponent, and the MLD. The City of Perris will be responsible for the final decision, based upon input from the various stakeholders.</p> <p>If the human remains are determined to be other than Native American in origin, but still of archaeological value, the remains will be recovered for analysis and subject to curation or reburial at the expense of the project proponent. If deemed appropriate, the remains will be recovered by the coroner and handled through the Coroner's Office.</p> <p>Coordination with the Coroner's Office will be through the City of Perris and in consultation with the various stakeholders.</p> <p>The specific locations of Native American burials and reburials will be proprietary and not disclosed to the general public. The locations will be documented by the consulting archaeologist in conjunction with the various stakeholders and a report of findings shall be filed with the Eastern Information Center (EIC).</p>						

Geology and Soils							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p>Expose people or property to substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction.</p> <p>Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the proposed project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse.</p>	<p><b>MM Geo 1:</b> Concurrent with the City of Perris' review of implementing development projects, the project proponent of the implementing development project shall submit a geotechnical report prepared by a registered geotechnical engineer and a qualified engineering geologist to the City of Perris Public Works/Engineering Administration Division for its review and approval. The geotechnical report shall assess the soil stability within the implementing development project affecting individual lots and building pads, and shall describe the methodology (e.g., over-excavated, backfilled, compaction) being used to implement the project's design.</p>	<p>In conjunction with development applications, and prior to issuance of grading permits</p>	<p>Submittal of geotechnical report</p>	<p>City of Perris Public Works/Engineering Division</p>			

Hazards and Hazardous Materials							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
<p>Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.</p>	<p><b>MM Haz 1:</b> Any proposed industrial uses located within one-quarter mile of Val Verde High School (located at 972 Morgan Street, between Nevada Road and Webster Avenue, Perris, CA) or any other existing or proposed school shall perform project-level CEQA review to determine the potential for project-specific impacts associated with hazardous</p>	<p>During the development application review as part of f the CEQA process for implementing development projects</p>	<p>Certification of approval of appropriate CEQA document</p>	<p>City of Perris Planning Division</p>			

Hazards and Hazardous Materials							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	emissions or the handling of hazardous or acutely hazardous materials, substances, or waste.						
For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area.	<b>MM Haz 2:</b> Prior to the recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act, whichever occurs first, the landowner shall convey an avigation easement to the MARB/March Inland Port Airport Authority.	Prior to the earliest of recordation of a final map, issuance of a building permit, or conveyance to an entity exempt from the Subdivision Map Act	Evidence of avigation easement conveyance provided to City of Perris Planning Division	City of Perris Development Services Department  March Inland Port Airport Authority			
	<b>MM Haz 3:</b> Any outdoor lighting installed shall be hooded or shielded to prevent either the spillage of lumens or reflection into the sky or above the horizontal plane.	During plot plan/architectural plan review	Approved plan	City of Perris Development Services Department			
	<b>MM Haz 4:</b> The following notice shall be provided to all potential purchasers and tenants:  “This property is presently located in the vicinity of an airport, within what is known as an airport influence area. For that reason, the property may be subject to some of the annoyances or inconveniences associated with proximity to airport operations (for example, noise, vibration, or odors). Individual sensitivities to those annoyances can vary from person to person. You may wish to consider what airport annoyances, if any, are associated with the property before you complete your purchase and determine whether they are acceptable to you. Business & Profession Code 11010 13(A)”	Prior to certificate of occupancy for buildings and tenant improvements within the PVCC	Confirmation that purchasers and tenants have been provided notice	City of Perris Development Services Department			
	<b>MM Haz 5:</b> The following uses shall be prohibited:  Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.  Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.  Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area.  Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.  All retention and water quality basins shall be designed to dewater within 48 hours of a rainfall event.	During plot plan/architectural plan review	Approved plan	City of Perris Development Services Department			
	<b>MM Haz 6:</b> A minimum of 45 days prior to submittal of an application for a building permit for an implementing development project, the implementing development project applicant shall consult with the City of Perris Planning Department in order to determine whether any implementing project-related vertical structures or construction equipment will encroach into the 100-to-1 imaginary surface surrounding the MARB. If it is	A minimum of 45-day prior to submittal of an application for a building permit	Consultation with City of Perris Planning Division	City of Perris Development Services Department			

Hazards and Hazardous Materials							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	determined that there will be an encroachment into the 100-to-1 imaginary surface, the implementing development project applicant shall file a FAA Form 7460-1, Notice of Proposed Construction or Alteration. If FAA determines that the implementing development project would potentially be an obstruction unless reduced to a specified height, the implementing development project applicant and the Perris Planning Division will work with FAA to resolve any adverse effects on aeronautical operations.			FAA			
Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	<b>MM Haz 7:</b> Prior to any excavation or soil removal action on a known contaminated site, or if contaminated soil or groundwater (i.e., with a visible sheen or detectable odor) is encountered, complete characterization of the soil and/or groundwater shall be conducted. Appropriate sampling shall be conducted prior to disposal of the excavated soil. If the soil is contaminated, it shall be properly disposed of, according to Land Disposal restrictions. If site remediation involves the removal of contamination, then contaminated material will need to be transported off site to a licensed hazardous waste disposal facility. If any implementing development projects require imported soils, proper sampling shall be conducted to make sure that the imported soil is free of contamination	During construction	Remediation of contaminated site	City of Perris Public Works/Engineering Division  California Department of Toxic Substances Control			

Noise								
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance			
					Initials	Date	Remarks	
Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.	<b>MM Noise 1:</b> During all project site excavation and grading on-site, the construction contractors shall equip all construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers consistent with manufacturer's standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.	During excavation and grading of implementing development projects	Periodic inspection reports	City of Perris Public Works Department				
	<b>MM Noise 2:</b> During construction, stationary construction equipment, stockpiling and vehicle staging areas will be placed a minimum of 446 feet away from the closest sensitive receptor.	Stockpile and staging area identified during development application/plot plan approval process  During construction approved stockpile and staging area used	Approved plans with designated stockpile and staging areas  Periodic inspection reports	City of Perris Planning Division  City of Perris Public Works Department				
	<b>MM Noise 3:</b> No combustion-powered equipment, such as pumps or generators, shall be allowed to operate within 446 feet of any occupied residence unless the equipment is surrounded by a noise protection barrier.		During construction	Periodic inspection reports	City of Perris Public Works Department			
	<b>MM Noise 4:</b> Construction contractors of implementing development projects shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.		During construction	Periodic inspection reports	City of Perris Public Works Department  City of Perris Police			

Noise							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
				Department			
A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.	<b>MM Noise 5:</b> New sensitive land uses, including residential dwellings, mobile homes, hotels, motels, hospitals, nursing homes, education facilities, and libraries, to be located within the PVCC shall be protected from excessive noise, including existing and projected noise. Attenuation shall be provided to ensure that noise levels do not exceed an exterior standard of 60 dBA (65 dBA is conditionally acceptable) in outdoor living areas and an interior standard of 45 dBA in all habitable rooms. Specifically, special consideration shall be given to land uses abutting Ramona Expressway from Redlands Avenue to Evans Road and from Evans Road to Bradley Road; Rider Street from Evans Road to Bradley Road; Placentia Avenue from Perris Boulevard to Redlands Avenue, from Redlands Avenue to Wilson Avenue, from Wilson Avenue to Murrieta Road, and from Murrieta Road to Evans Road; Perris Boulevard from Orange Avenue to Placentia Avenue and from San Michele Road to Krameria Avenue; and Redlands Avenue from Nuevo Road to Citrus Avenue, from Citrus Avenue to Orange Avenue and from Orange Avenue to Placentia Avenue.	Noise studies for sensitive land uses to be submitted in conjunction with development applications for implementing development projects	Approved development/site plans  Approved architectural plans demonstrating appropriate noise attenuation	City of Perris Development Services Department			

Transportation and Traffic							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections) or exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for the designated roads or highways.	<b>MM Trans 1:</b> Future implementing development projects shall construct on-site roadway improvements pursuant to the general alignments and right-of-way sections set forth in the PVCC Circulation Plan, except where said improvements have previously been constructed.	During construction	City acceptance of constructed roadways	City of Perris Public Works Department			
	<b>MM Trans 2:</b> Sight distance at the project entrance roadway of each implementing development project shall be reviewed with respect to standard City of Perris sight distance standards at the time of preparation of final grading, landscape and street improvement plans.	During review of final grading, landscape and street improvement plans	Approved plans	City of Perris Development Services Department			
	<b>MM Trans 3:</b> Each implementing development project shall participate in the phased construction of off-site traffic signals through payment of that project's fair share of traffic signal mitigation fees and the cost of other off-site improvements through payment of fair share mitigation fees which include NPRBBD (North Perris Road and Bridge Benefit District). The fees shall be collected and utilized as needed by the City of Perris to construct the improvements necessary to maintain the required level of service and build or improve roads to their build-out level.	Prior to issuance of building permits	Payment of fees	City of Perris Development Services Department  City of Perris Engineering Department			
	<b>MM Trans 4:</b> Prior to the approval of individual implementing development projects, the Riverside Transit Agency (RTA) shall be contacted to determine if the RTA has plans for the future provision of bus routing in the project area that would require bus stops at the project access points. If the RTA has future plans for the establishment of a bus route that will serve the project area, road improvements adjacent to the project site shall be designed to accommodate future bus turnouts at locations established through consultation with the RTA. RTA shall be responsible for the construction and	In conjunction with development applications and prior to issuance of building permits for individual implementing development project	Evidence of coordination with RTA and plot plans that incorporate future bus turnouts in areas where RTA has future plans for bus routes	RTA  City of Perris Development Services Department			

Transportation and Traffic							
Impact/Threshold	Mitigation Measure	Monitoring Timing/ Frequency	Action Indicating Compliance	Monitoring Agency	Verification of Compliance		
					Initials	Date	Remarks
	maintenance of the bus stop facilities. The area set aside for bus turnouts shall conform to RTA design standards, including the design of the contact between sidewalk and curb and gutter at bus stops and the use of ADA-compliant paths to the major building entrances in the project.						
	<b>MM Trans 5:</b> Bike racks shall be installed in all parking lots in compliance with City of Perris standards.	In conjunction with development applications and prior to issuance of certificates of occupancy	Bike racks installed per City standards	City of Perris Public Works Department			
	<b>MM Trans 6:</b> Each implementing development project that is located adjacent to the MWD Trail shall coordinate with the City of Perris Parks and Recreation Department to determine the development plan for the trail.	In conjunction with development applications	Development plan for trail for implementing development projects adjacent tot the MWD trail	City of Perris Development Services Department  City of Perris Parks and Recreation Department			
	<b>MM Trans 7:</b> Implementing project-level traffic impact studies shall be required for all subsequent implementing development proposals within the boundaries of the PVCC as approved by the City of Perris Engineering Department. These subsequent traffic studies shall identify specific project impacts and needed roadway improvements to be constructed in conjunction with each implementing development project. All intersection spacing for individual tracts or maps shall conform to the minimum City intersection spacing standards. All turn pocket lengths shall conform at least to the minimum City turn pocket length standards. If any of the proposed improvements are found to be infeasible, the implementing development project applicant will be required to provide alternative feasible improvements to achieve levels of service satisfactory to the City.	Development review process for future implementing development projects	Approval/acceptance of project-level traffic study	City of Perris Planning Division  City of Perris Engineering Department			
	<b>MM Trans 8:</b> Proposed mitigation measures resulting from project-level traffic impact studies shall be coordinated with the NPRBBD to ensure that they are in conformance with the ultimate improvements planned by the NPRBBD. The applicant shall be eligible to receive proportional credits against the NPRBBD for construction of project level mitigation that is included in the NPRBBD.	Development review process for future implementing development projects	Credit agreement	City of Perris Planning Division  City of Perris Engineering Department			