RECIRCULATED NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT & PUBLIC SCOPING MEETING NOTICE PERRIS DC 11 PROJECT

Date: October 20, 2023

To: State Clearinghouse, Property Owners, Responsible and Trustee Agencies and Interested Parties

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

Subject: Recirculated Notice of Preparation (NOP) for the preparation of a Draft Environmental Impact Report for the Perris DC 11 Project - Development Plan Review (DPR) 22- 00035 and Tentative Parcel Map (TPM) 22-05363 (TPM 38600)

Scoping Meeting: November 1, 2023

Recirculated NOP Comment Period: October 20 through November 20, 2023

Project Title: Perris DC 11 Project

Project Applicant: Prologis, L.P.
3546 Concours Street, Suite 100, Ontario, CA 91764

Notice of Preparation of a Draft Environmental Impact Report (Draft EIR): The City of Perris (City) will be the Lead Agency pursuant to the California Environmental Quality Act (CEQA) and will be responsible for the preparation of a Draft EIR for the proposed Perris DC 11 Project (Project). The City has prepared an Initial Study and determined that an EIR is required for the Project based on its potential to cause significant environmental effects (State CEQA Guidelines Sections 15060 and 15081). The City is requesting input from you or your agency or organization as to the scope and content of the environmental information that is relevant to your agency or organization's statutory responsibilities or interests in connection with the proposed Project.

Due to time limits mandated by State law, your response must be received at the earliest possible date, but not later than 30 days after receipt of this NOP. The public comment period for this NOP begins on October 20, 2023, and is set to close at 5:00 p.m. on November 20, 2023.

Please send written comments to Mathew Evans, Project Planner, at the address shown above or via email to mevans@cityofperris.org. Please include the name and contact person of the agency or organization.

Project Information

I. Project Location and Setting

The 29.79-acre Project site, inclusive of off-site improvement areas, is situated in the northern area of the City of Perris at the intersection of Ramona Expressway and Webster Avenue; refer to Figure 1, *Aerial View*. Passenger vehicle access to the Project site is provided from the Interstate I-215 Freeway. Local access for passenger vehicles is provided from Ramona Expressway, Webster Avenue, and Brennan Avenue. The City's General Plan designates the Project site as Perris Valley Commerce Center Specific Plan (PVCCSP). The PVCCSP establishes the zoning for the properties within the PVCCSP planning area. The PVCCSP zoning designation for the site is Light Industrial (LI).

The Project site is within the March Air Reserve Base Airport Influence Area C2. The risk level associated with Compatibility Zone C2 is considered moderate to low and the noise impact is considered moderate. However, the Project does not require ALUC review with compliance to the City's Airport Overlay Zone, as detailed in Section 9.07.060(E) of the City Municipal Code.

According to the Flood Rate Insurance Map (FIRM), the Project site is categorized as Zone X, or an area of minimal flood hazard.

Jurisdictional Waters of the United States and State of California are not present within the Project site. The Project site is disturbed consisting of ruderal non-native weeds. The Project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) plan area. The Project site is not located within any MSHCP Criteria Cell, or designated conservation area, Core or Linkage area, Mammal Survey Area, Amphibian Survey Area, Narrow Endemic Survey Area, Criteria Area Species Survey Area, or Burrowing Owl Survey Area. There are no onsite ephemeral water features within the Project site that would qualify as riparian/riverine habitat under the MSHCP.

II. Project Description

The Project consists of a new high-cube warehouse building totaling 551,922 square feet, consisting of 531,922 square feet of warehouse space and 20,000 square feet of office space, with drainage, infrastructure, and associated roadway improvements on approximately 29.79 acres.

The Project Applicant is requesting discretionary Project approvals as described below.

1. Tentative Parcel Map (TPM) 22-05363 (TPM-38600)
2. Development Plan Review (DPR) 22-00035 for the proposed Warehouse Building

1. Tentative Parcel Map 22-05363 (TPM-38600)

The Project applicant requests approval of a Tentative Parcel Map to combine the existing 13 parcels into a single parcel totaling 29.5 acres. The Tentative Parcel Map would meet the subdivision standards provided in Section 18.16.010 of the City of Perris Municipal Code.

Development Plan Review (DPR) 22-00035

The Project applicant is requesting approval of a DPR for the proposed site plan and building elevations of a warehouse industrial building.

Warehouse Building

The proposed warehouse building would result in an approximately 0.43 floor area ratio on a 29.5 gross acre site. The building would total 551,922 square feet with 531,922 square feet of warehouse area, 15,000 square feet of ground floor office area, and 5,000 square feet of mezzanine office area. No more than 25 percent, or 137,981 square feet, of the building would be operated as refrigerated storage. At the parapet, the warehouse building would have a maximum height of 52 feet, but the majority of the building would have a maximum height of 49 feet. The warehouse building would be designed consistent with the City of Perris' recently adopted "Good Neighbor Guidelines for Siting Warehouse/Distribution Facilities" and would incorporate site improvements, and best management practices to minimize environmental concerns. The Project is anticipated to operate as a high-cube fulfillment warehouse building. Additionally, there would be 69 dock doors located along the eastern side of the warehouse.

The Project would include construction of an onsite outdoor employee amenity area which would total 1,250 square feet and an employee lunch patio. In addition, the Project would provide an indoor half-court basketball court and interior break area.

Access, Circulation and Parking

Access to the Project site would be provided from one 26-foot-wide driveway along Webster Avenue, one 30-foot-wide driveway along Ramona Expressway, and two 50-foot-wide driveways along Brennan Avenue. Inbound and outbound truck access would be provided through the driveways along Brennan Avenue. Additionally, there would be a designated 26-foot-wide emergency vehicle access driveway along Ramona Expressway for emergency vehicles only. Internal circulation would be provided by 26-foot to 75-foot-wide drive aisles.

The Project would include 219 auto parking stalls and 264 trailer parking stalls along the northern, eastern, and southern borders of the warehouse. Of the total number of auto parking stalls, 8 stalls would be dedicated for handicap accessible parking.

Truck Routes

Trucks accessing the Project site would utilize City/PVCCSP designated truck routes. Regional trucks traveling to the warehouse building would be along the I-215 Freeway. Local truck routes to the warehouse building would utilize Harley Knox Boulevard, Morgan Street, Placentia Avenue, or Indian Avenue to access Brennan Avenue.

Offsite Improvements

The Project would include a 13-foot-wide Class 1 Multi-Use Path along Ramona Expressway. In addition, Ramona Expressway would be widened by 12 feet. A 6-foot-wide sidewalk and 4- to 5-foot-wide bikeway would be constructed along Webster Avenue. In addition, the existing right of way dedication on Webster Avenue would be widened by 3 feet. The Project Applicant would also install new streetlights and refresh striping on the streets. The existing traffic signal at the intersection of Ramona Expressway and Webster Avenue would be relocated with the new curb alignment.

Regarding drainage improvements, the existing trapezoidal channel along Ramona Expressway would be removed and replaced with a 30-inch underground reinforced concrete pipe, approximately 472-feet in length.

In addition, a proposed 8-inch reclaimed water line would be installed for 1,443 linear feet within Webster Avenue.

Architecture Landscape/Lighting

The proposed warehouse building would be finished in shades of white and grey with green accents, as shown in Figure 3, Building Elevations. Aluminum sunshades would be installed on select windows on the west and north elevations.

A total of 13% of the Project site would be provided with landscaping, 1% above the PVCCSP Zoning requirement; refer to Figure 4, *Conceptual Landscape Plan*. Landscaping would be provided along the perimeter of the property. The building site would include a combination of trees, shrubs, and groundcover. The size of the trees would range from 15-gallon trees up to 36-inch box trees. The plant palette would focus on drought tolerant California friendly plants and would be designed and installed in accordance with City of Perris Landscape Design Guidelines. Onsite lighting would be provided as required for security in accordance with Section 19.02.110 of the Municipal Code.

Utilities

The warehouse building will include the installation of water, sewer, electric, and telecommunication infrastructure. The onsite utility infrastructure would connect to existing utilities in the vicinity of the Project site or new utilities that would be installed within the public right-of-way adjacent to the project site. The onsite drainage for the project would be required to comply with Chapter 14.22 of the City of Perris Municipal Code Stormwater and Urban Runoff Pollution Management Control Ordinance. The Project would be considered a priority project and would be required to manage and treat stormwater runoff and flood flows. Onsite stormwater would be captured in underground storage chambers and then conveyed through a bioscape filtering system, treated, and discharged into the public system. Additionally, two bioretention basins with underground drains would be constructed within the site. Runoff would be treated within the bioretention basins before being discharged.

Project Construction

Construction of the warehouse building is anticipated to begin March 2025. Construction is anticipated to occur over approximately 12 months.

III. Required Entitlements / Approvals

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Perris, as the Lead Agency, is charged with the responsibility of deciding whether to approve the Project. The following approvals and permits are required from the City of Perris to implement the Project:

- Certification of the EIR
- Tentative Parcel Map to combine the existing 13 parcels into a single 29.5-acre parcel.
- Development Plan Review to allow development of 551,922-square-foot warehouse building.

Approvals and permits which may be required by other agencies include:

- Santa Ana Regional Water Quality Control Board. A National Pollutant Discharge Elimination System Permit (NPDES) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- Riverside County Flood Control & Water Conservation District. Approval of storm drain plans for public storm drains.
- Eastern Municipal Water District. Approval of Water Supply Assessment and the Project's water and sewer improvement plans.
- South Coast Air Quality Management District. Permits to construct and/or permits to operate new stationary sources of construction equipment that may emit air contaminants.
- Other Utility Agencies. Permits and associated approvals, as necessary for the installation of new utility infrastructure or connections to existing infrastructure to serve the proposed Project.

IV. Probable Environmental Effects of the Project

The Draft EIR for the Project will contain a detailed Project Description, a description of the existing environmental setting of the Project site and surrounding area, analysis of Project-specific environmental impacts, analysis of cumulative impacts, identification of additional project- specific mitigation measures required to reduce potentially significant impacts, and an analysis of alternatives to the Project that could reduce one or more of the potentially significant impacts of the Project.

The following environmental topics will be analyzed in the Draft EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

V. Scoping Meeting

As identified previously, the City of Perris will conduct a Draft EIR scoping meeting with the City of Perris Planning Commission on November 1, 2023, at 6:00 p.m. in the Perris City Council Chambers located at 101 North "D" Street, Perris, CA 92570. At the meeting, the City will provide background information on environmental impact reports, provide a brief overview of the Project, and will solicit public input on environmental issues to be addressed in the Draft EIR and on items of public concern. Issues identified during the scoping meeting will be addressed in the Draft EIR (as appropriate).

VI. Response to This Notice of Preparation

The IS/NOP and Project plans are available for review on the City's website at:

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

Copies of the IS/NOP are available for review at the Downtown Library and at the Development Services Department located at 135 North "D" Street, Perris, CA 92570.

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

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

Signature: Mathew Evans

Mathew Evans, Project Planner

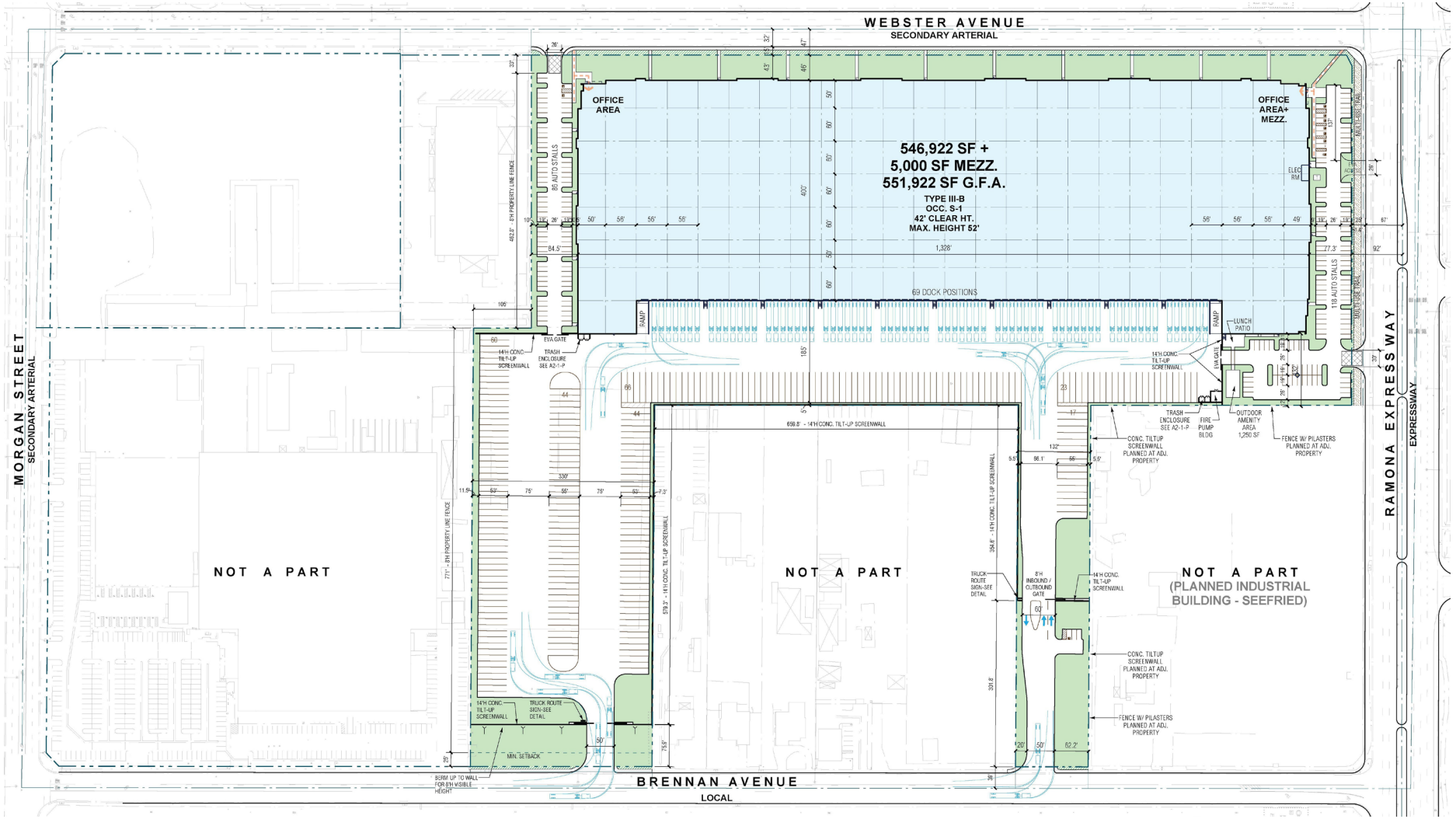
The City of Perris appreciates your conscientious attention to the Notice of Preparation

Aerial View

Perris DC 11 Project
City of Perris

Figure 1

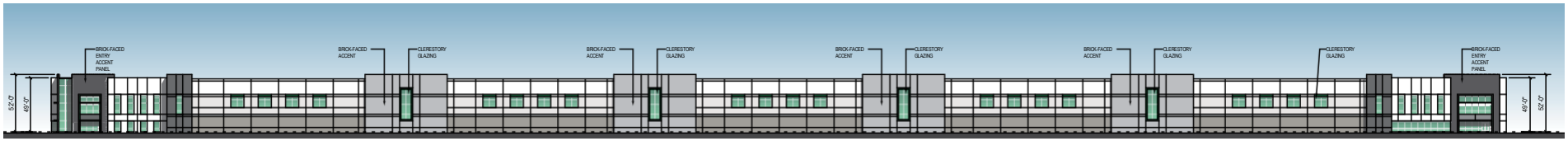
Conceptual Site Plan



Perris DC 11 Project
City of Perris

Figure 2

Building Elevations

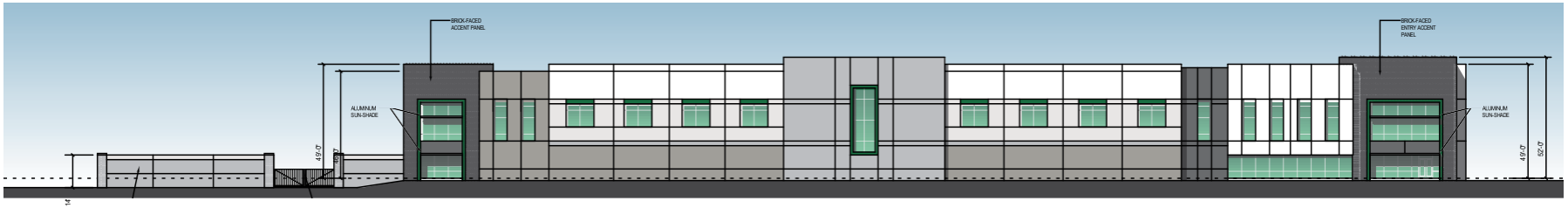


WEST ELEVATION

SCALE: 1" = 40'-0"

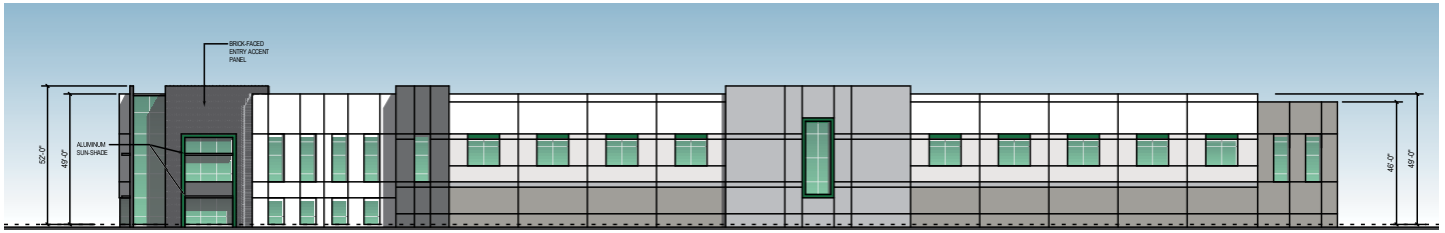
EAST ELEVATION

SCALE: 1" = 40'-0"



NORTH ELEVATION

SCALE: 1" = 20'-0"



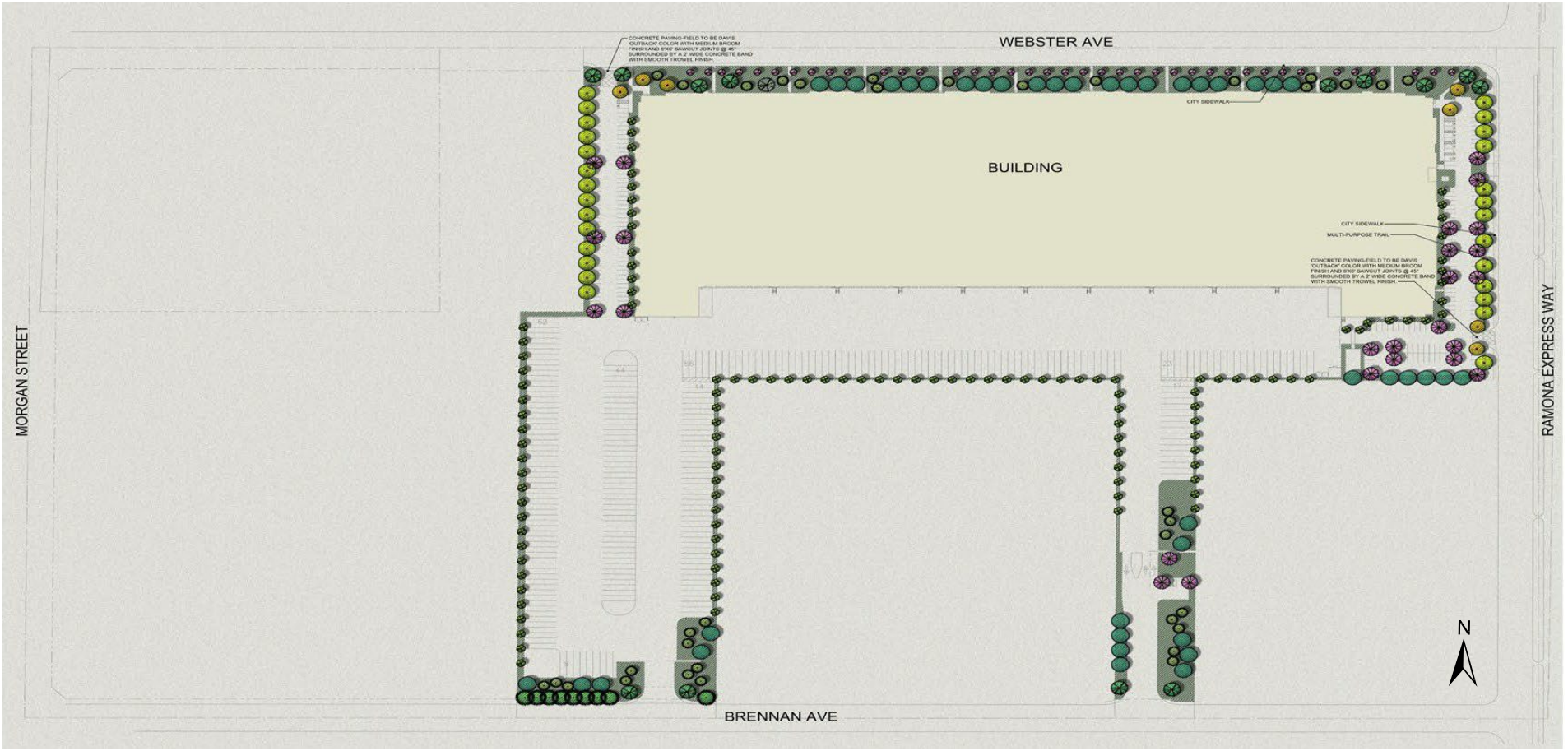
SOUTH ELEVATION

SCALE: 1" = 20'-0"

FINISH LEGEND

	P-1	SHERWIN WILLIAMS SW 7005 - PURE WHITE PLD-9
	P-2	SHERWIN WILLIAMS SW 7646 - FIRST STAR PLD-10
	P-3	SHERWIN WILLIAMS SW 7015 - SABLE PLD-6
	P-4	SHERWIN WILLIAMS SW 7016 - LIQUORICE TINT PLD-6
	P-5	SHERWIN WILLIAMS SW 6762 - NEW DARK GREEN PLD-5
	GL-1	PILKINGTON EVERGREEN + CLEAR INSULATED
	BR-1	BRICK FACING IRONSPOT GRAY

Proposed Landscape Plan



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Cercidium 'Desert Museum' Blue Palo Verde	36" Box	7	L	Multi
	Chitalpa tashkentensis Chitalpa	24" Box	23	L	Standard
	Chilopsis linearis Desert Willow	24" Box	35	L	Multi
	Lagerstroemia i 'Muskogee' Crape Myrtle	15 Gal	39	M	Standard
	Platanus acerifolia London Plane	24" Box	9	M	Standard
	Pinus eldarica Afghan Pine	24" Box	41	L	Standard
	Prosopis chilensis Chilean Mesquite	36" Box	14	M	Multi
	Rhus lancea African Sumac	36" Box	29	L	Standard
	Tristania conferta Brisbane Box	15 Gal	116	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Baccharis p. 'Centenial' Coyote Bush	5 Gal	127	L	
	Cassia phyllodonia Silverleaf Cassia	5 Gal	73	L	
	Heteromeles arbutifolia Toyon	5 Gal	118	M	
	Muhlenbergia rigens Deer Grass	5 Gal	118	M	
	Salvia c. 'Allen Chickering' Allen Chickering Sage	5 Gal	100	L	
	Salvia greggii Autumn Sage	5 Gal	282	L	
	Salvia leucantha Mexican Sage	5 Gal	67	L	
	Westringia fruticosa Coast Rosemary	5 Gal	74	L	
	Westringia f. 'Grey Box Dwarf Coast Rosemary	5 Gal	20	L	
	Westringia 'Wynyabbie Gem' Wynyabbie Coast Rosemary	5 Gal	100	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Rosmarinus o. 'Huntington Carpet' Prostrate Rosemary	1 Gal	48" O.C.	L	
	Lonicera j. 'Halliana' Hall's Honeysuckle	1 Gal	48" O.C.	L	
	Acacia redolens 'Low Boy' Dwarf Acacia	1 Gal	8' O.C.	L	
	Baccharis p. 'Pigeon Point' Dwarf Coyote Bush	1 Gal	6' O.C.	L	
	Carissa m. 'Green Carpet' Prostrate Natal Plum	1 Gal	36" O.C.	M	
	Myoporum parvifolium Myoporum	1 Gal	36" O.C.	L	

ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

1300 I STREET, SUITE 125
P.O. BOX 944255
SACRAMENTO, CA 94244-2550

E-Mail: EJ@doj.ca.gov

October 13, 2023

Mathew Evans, Project Planner
City of Perris
135 North "D" Street
Perris, CA 92570

RE: Perris CD 11 Warehouse Project, SCH #2023090700

Dear Mr. Evans:

Thank you for the opportunity to provide comments on the Notice of Preparation for the Perris CD 11 Warehouse Project. While the logistics industry is an important component of our modern economy, warehouses can bring various environmental impacts to the communities where they are located. For example, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[1] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[2] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate can contribute to traffic jams, deterioration of road surfaces, traffic accidents, and unsafe conditions for pedestrians and bicyclists. Depending on the circumstances of an individual project, warehouses may also have other environmental impacts.

To help lead agencies avoid, analyze, and mitigate warehouses' environmental impacts, the Attorney General Office's Bureau of Environmental Justice has published a document containing best practices and mitigation measures for warehouse projects. We have attached a

[1] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts; Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (DPM).

[2] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

copy of this document to this letter, and it is also available online.[3] We encourage you to consider the information in this document as you prepare the draft environmental impact report for this project.

Priority should be placed on avoiding land use conflicts between warehouses and sensitive receptors and on mitigating the impacts of any unavoidable land use conflicts. However, even projects located far from sensitive receptors may contribute to harmful regional air pollution, so you should consider measures to reduce emissions associated with the project to help the State meet its air quality goals. A distant warehouse may also impact sensitive receptors if trucks must pass near sensitive receptors to visit the warehouse.

The Bureau will continue to monitor proposed warehouse projects for compliance with the California Environmental Quality Act and other laws. We are available to discuss as you prepare the draft environmental impact report and consider how to guide warehouse development in your jurisdiction. Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.

Sincerely,

CHRISTIE VOSBURG
Supervising Deputy Attorney General

For ROB BONTA
Attorney General

[3] https://oag.ca.gov/system/files/media/warehouse-best-practices.pdf.

JASON E. UHLEY
General Manager-Chief Engineer

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

RIVERSIDE COUNTY FLOOD CONTROL
AND WATER CONSERVATION DISTRICT

253510

October 31, 2023

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

Attention: Mathew Evans

Re: TPM 22-05363 (PM 36843), DPR 22-00035, APNs 303-020-019, 303-020-034, 303-020-035, 303-020-036, 303-020-037, 303-020-038, 303-020-039, 303-020-040, 303-020-041, 303-020-042, 303-020-055, 303-020-056 and 303-020-057

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

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

☐ This project would not be impacted by District Master Drainage Plan facilities, nor are other facilities of regional interest proposed.

☐ This project involves District proposed Master Drainage Plan facilities, namely, _____. The District will accept ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District acceptance. Plan check, inspection, and administrative fees will be required. All regulatory permits (and all documents pertaining thereto, e.g., Habitat Mitigation and Monitoring Plans, Conservation Plans/Easements) that are to be secured by the Applicant for both facility construction and maintenance shall be submitted to the District for review. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

☐ This project proposes channels, storm drains larger than 36 inches in diameter, or other facilities that could be considered regional in nature and/or a logical extension a District's facility, and the District would consider accepting ownership of such facilities on written request by the City. The Project Applicant shall enter into a cooperative agreement establishing the terms and conditions of inspection, operation, and maintenance with the District and any other maintenance partners. Facilities must be constructed to District standards, and District plan check and inspection will be required for District

acceptance. Plan check, inspection, and administrative fees will be required. The regulatory permits' terms and conditions shall be approved by the District prior to improvement plan approval, map recordation, or finalization of the regulatory permits. There shall be no unreasonable constraint upon the District's ability to operate and maintain the flood control facility(ies) to protect public health and safety.

☒ This project is located within the limits of the District's ☒Perris Valley ☐San Jacinto River ☐Homeland/Romoland Line A ☐Homeland/Romoland Line B Area Drainage Plan for which drainage fees have been adopted. If the project is proposing to create additional impervious surface area, applicable fees should be paid (in accordance with the Rules and Regulations for Administration of Area Drainage Plans) to the Flood Control District or City prior to issuance of grading or building permits. Fees to be paid should be at the rate in effect at the time of issuance of the actual permit.

☒ An encroachment permit shall be obtained for any construction related activities occurring within District right of way or facilities, namely, Perris Valley Master Drainage Plan Line E. If a proposed storm drain connection exceeds the hydraulic performance of the existing drainage facilities, mitigation will be required. For further information, contact the District's Encroachment Permit Section at 951.955.1266.

☐ The District's previous comments are still valid.

GENERAL INFORMATION

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

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

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

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

Very truly yours,

Amy McNeill

AMY MCNEILL
Engineering Project Manager

EM:mm

NOTICE OF PREPARATION
OF A DRAFT ENVIRONMENTAL IMPACT REPORT
& PUBLIC SCOPING MEETING NOTICE
PERRIS DC 11 PROJECT

Date: October 2, 2023

To: State Clearinghouse, Property Owners, Responsible and Trustee Agencies and Interested Parties

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

Subject: Notice of Preparation (NOP) for the preparation of a Draft Environmental Impact Report for the Perris DC 11 Project

- Tentative Parcel Map (TPM) No. 22-05363
- Development Plan Review (DPR) for the Proposed Industrial Warehouse Building (Case No. 22-00035)

Scoping Meeting: October 18, 2023

NOP Comment Period: October 2 through November 1, 2023

Project Title: Perris DC 11 Project

Project Applicant Prologis, L.P.
3546 Concours Street, Suite 100, Ontario, CA 91764

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This Notice of Preparation (NOP) identifies the Project applicant, contains a description of the proposed Project including Project setting and location, and identifies the potential environmental effects of the proposed Project. A vicinity map is included in this NOP.

Due to time limits mandated by State law, your response must be received at the earliest possible date, but not later than 30 days after receipt of this NOP. The public comment period for this NOP begins on October 2, 2023, and is set to close at 5:00 p.m. on November 1, 2023.

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The 29.79-acre Project site is situated in the northern area of the City of Perris at the intersection of Ramona Expressway and Webster Avenue; refer to Figure 1, *Aerial View*. Regional access to the Project site is provided from the Interstate I-215 Freeway. Local access is provided from Ramona Expressway, Webster Avenue, and Brennan Avenue. The City's General Plan designates the Project site as Perris Valley Commerce Center Specific Plan (PVCCSP). The PVCCSP establishes the zoning for the properties within the PVCCSP planning area. The PVCCSP zoning designation for the site is Light Industrial (LI).

The Project site is within the March Air Reserve Base Airport Influence Area C2. The risk level associated with Compatibility Zone C2 is considered moderate to low and the noise impact is considered moderate. However, the Project does not require ALUC review with compliance to the City's Airport Overlay Zone, as detailed in Section 9.07.060(E) of the City Municipal Code.

According to the Flood Rate Insurance Map (FIRM), the Project site is categorized as Zone X, or an area of minimal flood hazard.

Jurisdictional Waters of the United States and State of California are not present within the Project site. The Project site is disturbed consisting of ruderal non-native weeds. The Project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) plan area. The Project site is not located within any MSHCP Criteria Cell, or designated conservation area, Core or Linkage area, Mammal Survey Area, Amphibian Survey Area, Narrow Endemic Survey Area, Criteria Area Species Survey Area, or Burrowing Owl Survey Area. There are no onsite ephemeral water features within the Project site that would qualify as riparian/riverine habitat under the MSHCP.

II. Project Description

The Project consists of a new high-cube warehouse consisting of a 551,922-square-foot industrial warehouse building, inclusive of 531,922 square feet of warehouse space and 20,000 square feet of office space, with drainage, infrastructure, and associated roadway improvements on approximately 29.79 acres. The overall Site Plan for the Project is shown in Figure 2, *Conceptual Site Plan*.

The Project Applicant is requesting discretionary Project approvals as described below.

1. Tentative Parcel Map (TPM) No. 22-05363
2. Development Plan Review (DPR) No. 22-00035 for the proposed Warehouse Building

Tentative Parcel Map No. 22-05363

The Project applicant requests approval of a Tentative Parcel Map for the entire property to combine the existing 13 parcels into a single parcel for development. The Tentative Parcel Map would meet the subdivision standards provided in Section 18.16.010 of the City of Perris Municipal Code. A Tentative Parcel Map would require public hearings before the Planning Commission and City Council.

Development Plan Review (DPR) No. 22-00035 for Proposed Warehouse Building

The Project applicant is requesting a DPR for the proposed construction and operation of a warehouse industrial building, described below and shown on the conceptual site plan in Figure 2, *Conceptual Site Plan*.

Warehouse Building

The proposed warehouse building would result in an approximately 0.43 floor area ratio. The building would total 551,922 square feet with 531,920 square feet of warehouse area, 15,000 square feet of ground floor office area, and 5,000 square feet of mezzanine office area. No more than 25 percent, or 136,730 square feet, of the building would be operated as refrigerated storage. At the parapet, the warehouse building would have a maximum height of 52 feet, but the majority of the building would have a maximum height of 49 feet. The warehouse building would be designed consistent with the City of Perris' recently adopted "Good Neighbor Guidelines for Siting Warehouse/Distribution Facilities" and would incorporate site improvements, and best management practices to minimize environmental concerns. The Project is anticipated to operate as a high-cube fulfillment warehouse building.

The Project would include construction of an onsite outdoor employee amenity area which would total 1,250 square feet and an employee lunch patio. In addition, the Project would provide an indoor half-court basketball court and interior break area.

Access, Circulation and Parking

Access to the Project site would be provided from one 26-foot-wide driveway along Webster Avenue, one 30-foot-wide driveway along Ramona Expressway, and two 50-foot-wide driveways along Brennan Avenue. Inbound and outbound truck access would be provided through the driveways along Brennan Avenue. Additionally, there would be a designated 26-foot-wide emergency vehicle access driveway along Ramona Expressway. Internal circulation would be provided by 26-foot to 75-foot-wide drive aisles.

The Project would include 219 auto parking stalls and 264 trailer parking stalls along the northern, eastern, and southern borders of the warehouse. Of the total number of auto parking stalls, 8 stalls would be dedicated for handicap accessible parking. Additionally, there would be 69 dock doors located along the eastern side of the warehouse.

Truck Routes

Trucks accessing the Project site would utilize City/PVCCSP designated truck routes. Regional trucks traveling to the warehouse building would be along the I-215 Freeway. Local truck routes to the warehouse building would utilize Harley Knox Boulevard, Morgan Street, Placentia Avenue, or Indian Avenue to access Brennan Avenue.

Offsite Improvements

The Project would include a 13-foot-wide Class 1 Multi-Use Path along Ramona Expressway. In addition, Ramona Expressway would be widened by 12 feet. A 6-foot-wide sidewalk and 4- to 5-foot-wide bikeway would be constructed along Webster Avenue. In addition, the existing right of way dedication on Webster Avenue would be widened by 3 feet. The Project Applicant would also install new streetlights and refresh striping on the streets. The existing traffic signal at the intersection of Ramona Expressway and Webster Avenue would be relocated with the new curb alignment.

Regarding drainage improvements, the existing trapezoidal channel along Ramona Expressway would be removed and replaced with a 30-inch underground reinforced concrete pipe, approximately 472-feet in length.

In addition, a proposed 8-inch reclaimed water line would be installed for 1,443 linear feet within Webster Avenue.

Architecture Landscape/Lighting

The proposed warehouse building would be finished in shades of white and grey with green accents, as shown in Figure 3, Building Elevations. Aluminum sunshades would be installed on select windows on the west and north elevations.

A total of 13% of the Project site would be provided with landscaping, 1% above the PVCCSP Zoning requirement; refer to Figure 4, *Conceptual Landscape Plan*. Landscaping would be provided along the perimeter of the property. The building site would include a combination of trees, shrubs, and groundcover. The size of the trees would range from 15-gallon trees up to 36-inch box trees. The plant palette would focus on drought tolerant California friendly plants and would be designed and installed in accordance with City of Perris Landscape Design Guidelines. Onsite lighting would be provided as required for security in accordance with Section 19.02.110 of the Municipal Code.

Utilities

The warehouse building will include the installation of water, sewer, electric, and telecommunication infrastructure. The onsite utility infrastructure would connect to existing utilities in the vicinity of the Project site or new utilities that would be installed within the public right-of-way adjacent to the project site. The onsite drainage for the project would be required to comply with Chapter 14.22 of the City of Perris Municipal Code Stormwater and Urban Runoff Pollution Management Control Ordinance. The Project would be considered a priority project and would be required to manage and treat stormwater runoff and flood flows. Onsite stormwater would be captured in underground storage chambers and then conveyed through a bioscape filtering system, treated, and discharged into the public system. Additionally, two bioretention basins with underground drains would be constructed within the site. Runoff would be treated within the bioretention basins before being discharged.

Project Construction

Construction of the warehouse building is anticipated to begin March 2025. Construction is anticipated to occur over approximately 12 months.

III. Required Entitlements / Approvals

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the City of Perris, as the Lead Agency, is charged with the responsibility of deciding whether to approve the Project. The following approvals and permits are required from the City of Perris to implement the Project:

- Certification of the EIR
- Tentative Parcel Map to combine the existing 13 parcels into a single parcel for development purposes.
- Development Plan Review to allow development of 551,922-square-foot warehouse building.

In addition, Project development will require a number of ministerial approvals, including the following:

- Issuance of grading permits
- Issuance of encroachment permits
- Issuance of building permits
- Issuance of landscape permits
- Issuance of fire permits

Approvals and permits which may be required by other agencies include:

- **Santa Ana Regional Water Quality Control Board.** A National Pollutant Discharge Elimination System Permit (NPDES) to ensure that construction site drainage velocities are equal to or less than the pre-construction conditions and downstream water quality is not worsened.
- **Riverside County Flood Control & Water Conservation District.** Approval of storm drain plans for public storm drains.
- **Eastern Municipal Water District.** Approval of Water Supply Assessment and the Project's water and sewer improvement plans.
- **South Coast Air Quality Management District.** Permits to construct and/or permits to operate new stationary sources of construction equipment that may emit air contaminants.
- **Other Utility Agencies.** Permits and associated approvals, as necessary for the installation of new utility infrastructure or connections to existing infrastructure to serve the proposed Project.

IV. Probable Environmental Effects of the Project

The Draft EIR for the Project will contain a detailed Project Description, a description of the existing environmental setting of the Project site and surrounding area, analysis of Project-specific environmental impacts, analysis of cumulative impacts, identification of additional project- specific mitigation measures required to reduce potentially significant impacts, and an analysis of alternatives to the Project that could reduce one or more of the potentially significant impacts of the Project.

The following environmental topics will be analyzed in the Draft EIR:

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems

V. Future Public Meetings

As identified previously, the City of Perris will conduct a Draft EIR scoping meeting with the City of Perris Planning Commission on **October 18, 2023,** at 6:00 p.m. in the Perris City Council Chambers located at 101 N. D Street, Perris CA 92570. At the meeting, the City will provide background information on environmental impact reports, provide a brief overview of the Project, and will solicit public input on environmental issues to be addressed in the Draft EIR and on items of public concern. Issues identified during the scoping meeting will be addressed in the Draft EIR (as appropriate).

VI. Response to This Notice of Preparation

The IS/NOP is available for review on the City's website at:

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

Copies of the IS/NOP are available for review at the Downtown Library and at the Development Services Department located at 135 North D Street, Perris, CA 92570.

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

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

Signature: *Mathew Evans*

Mathew Evans, Project Planner

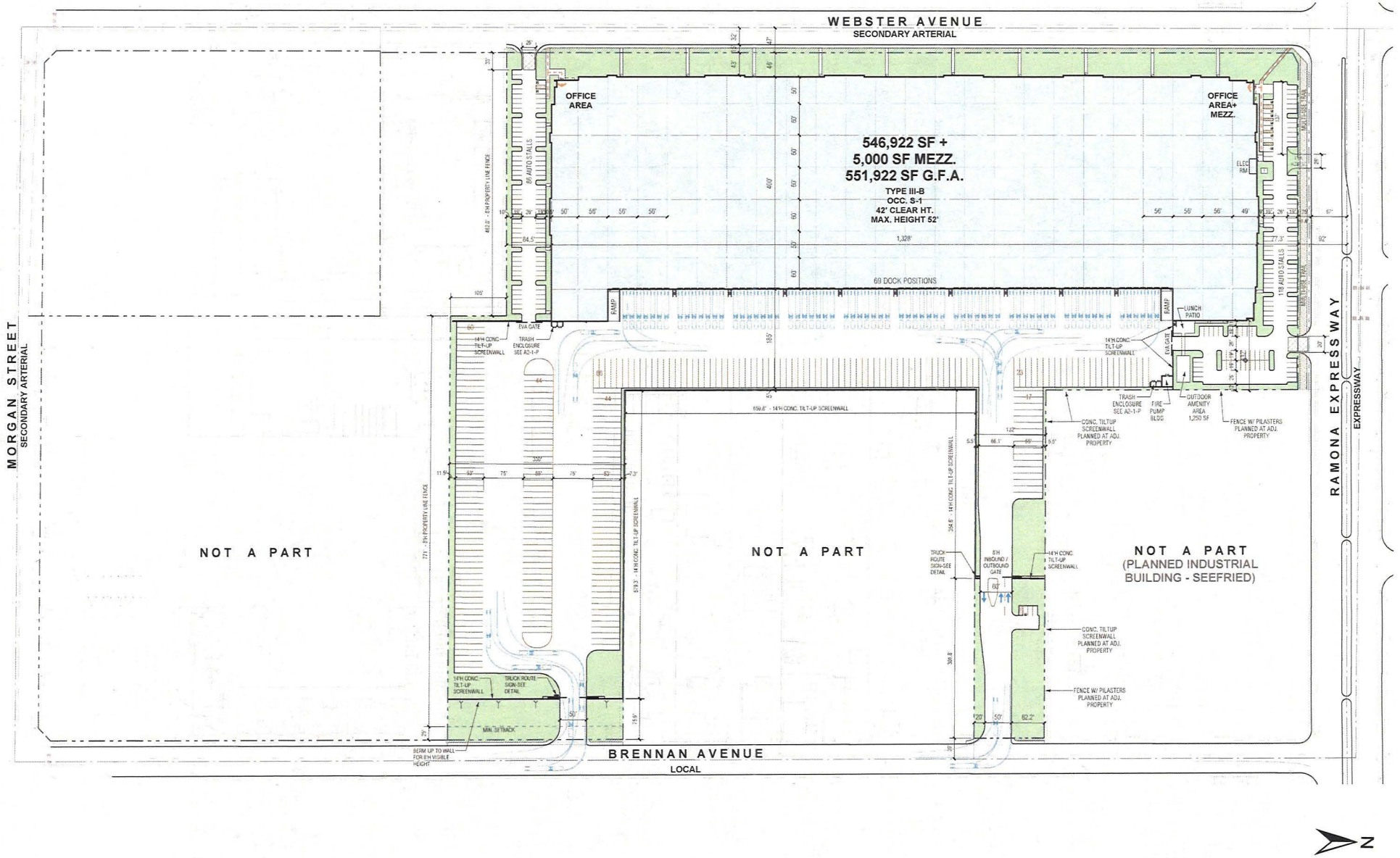
The City of Perris appreciates your conscientious attention to the Notice of Preparation

Aerial View

Perris DC 11 Project
City of Perris

Figure 1

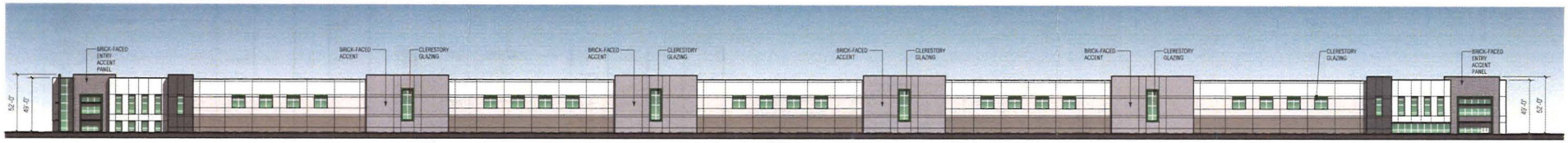
Conceptual Site Plan



Perris DC 11 Project
City of Perris

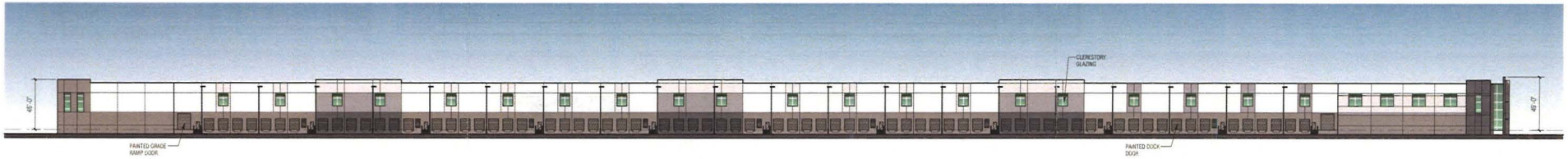
Figure 2

Building Elevations



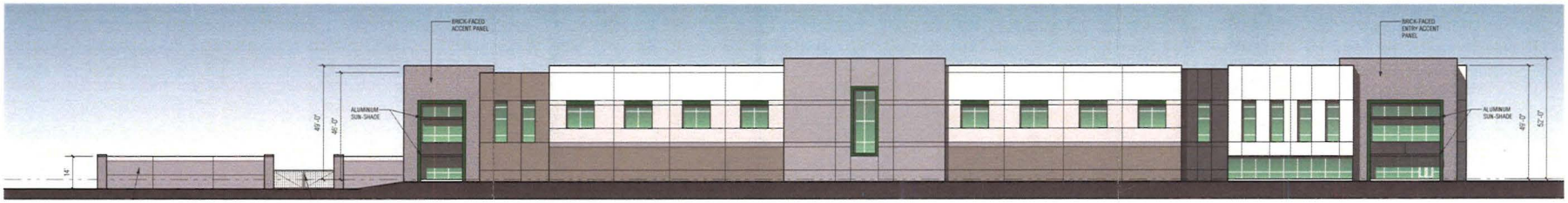
WEST ELEVATION

SCALE: 1" = 40'-0"



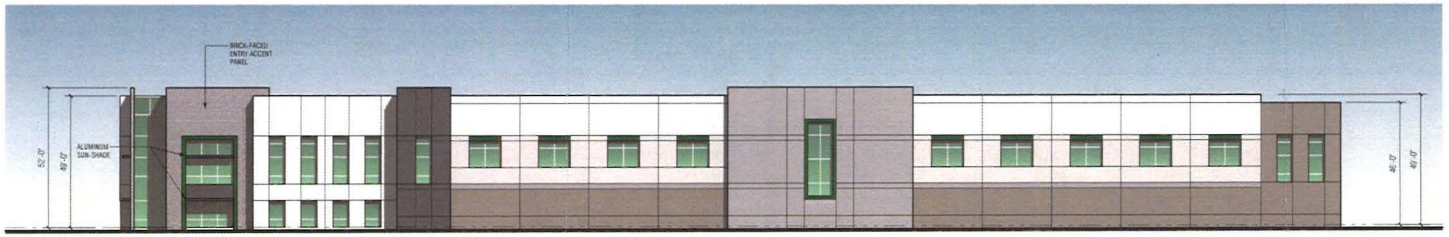
EAST ELEVATION

SCALE: 1" = 40'-0"



NORTH ELEVATION

SCALE: 1" = 20'-0"



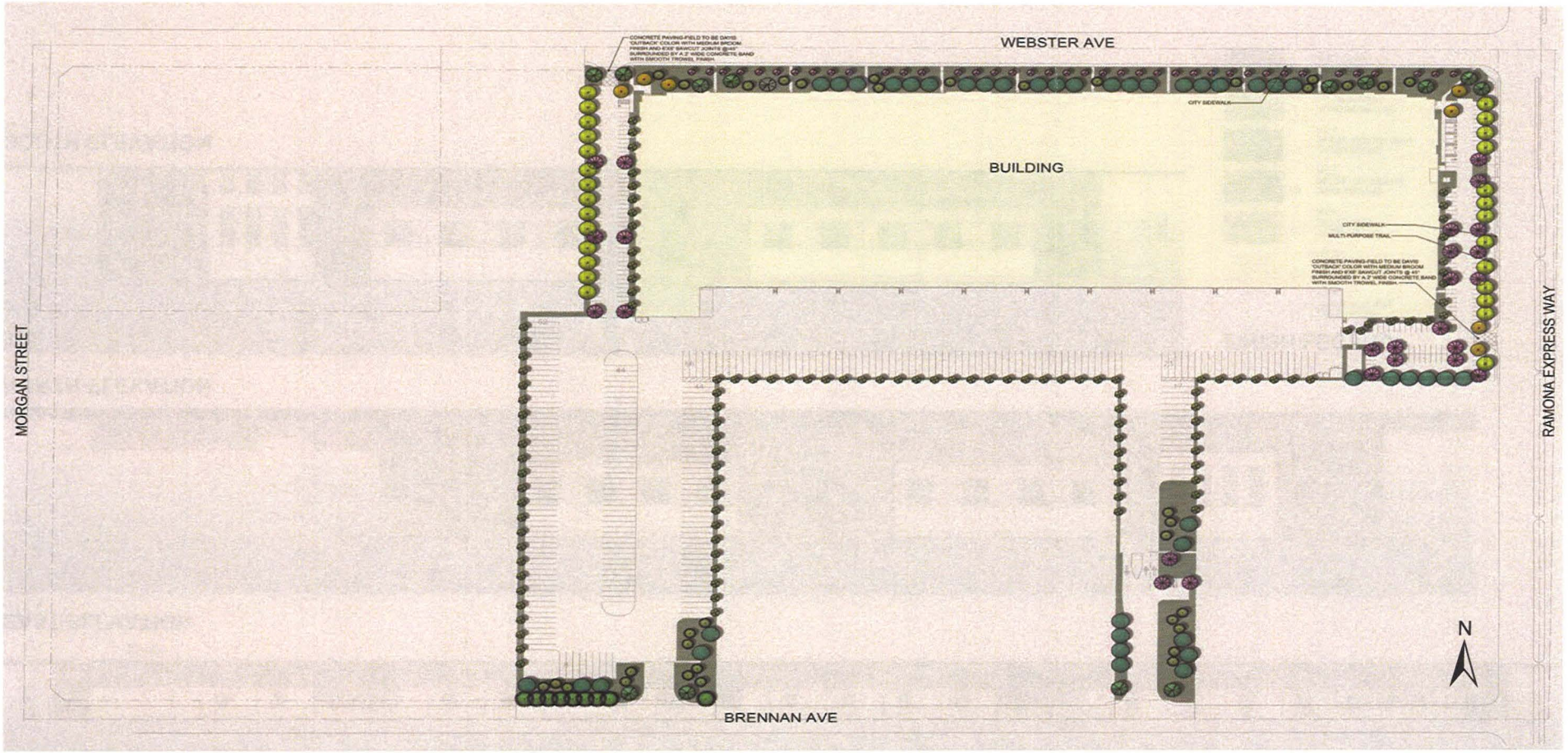
SOUTH ELEVATION

SCALE: 1" = 20'-0"

FINISH LEGEND

	P-1	SHERWIN WILLIAMS SW 7005 - PURE WHITE PLD-9
	P-2	SHERWIN WILLIAMS SW 7646 - FIRST STAR PLD-10
	P-3	SHERWIN WILLIAMS SW 7015 - SABLE PLD-6
	P-4	SHERWIN WILLIAMS SW 7016 - LIQUORICE TINT PLD-6
	P-5	SHERWIN WILLIAMS SW 6762 - NEW DARK GREEN PLD-5
	GL-1	PILKINGTON EVERGREEN + CLEAR INSULATED
	BR-1	BRICK FACING IRONSPOT GRAY

Proposed Landscape Plan



PLANTING LEGEND

TREES

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Caesalpinia 'Desert Museum' / Blue Palo Verde	36" Box	7	L	Multi
	Chitalpa tashkentensis / Chitalpa	24" Box	23	L	Standard
	Chilopsis linearis / Desert Willow	24" Box	35	L	Multi
	Lagerstroemia i 'Muskogee' / Crape Myrtle	15 Gal	39	M	Standard
	Platanus acerifolia / London Plane	24" Box	9	M	Standard
	Pinus eldarica / Afghan Pine	24" Box	41	L	Standard
	Prosopis chilensis / Chilean Mesquite	36" Box	14	M	Multi
	Rhus lancea / African Sumac	36" Box	29	L	Standard
	Tristania conferta / Brisbane Box	15 Gal	116	M	Standard

SHRUBS

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QTY	WUCOLS	REMARKS
	Baccharis p. 'Centennial' / Coyote Bush	5 Gal	127	L	
	Cassia phyllodinea / Silverleaf Cassia	5 Gal	73	L	
	Heterorneles arbutifolia / Toyon	5 Gal	118	M	
	Muhlenbergia rigens / Deer Grass	5 Gal	116	M	
	Salvia c. 'Allen Chickering' / Allen Chickering Sage	5 Gal	100	L	
	Salvia greggii / Autumn Sage	5 Gal	282	L	
	Salvia leucantha / Mexican Sage	5 Gal	67	L	
	Westringia fruticosa / Coast Rosemary	5 Gal	74	L	
	Westringia f. 'Grey Box' / Dwarf Coast Rosemary	5 Gal	20	L	
	Westringia 'Wynyabbie Gem' / Wynyabbie Coast Rosemary	5 Gal	100	L	

GROUNDCOVER

SYMBOL	BOTANICAL/COMMON NAME	SIZE	SPACING	WUCOLS	REMARKS
	Rosmarinus o. 'Huntington Carpet' / Prostrate Rosemary	1 Gal	48" O.C.	L	
	Lonicera j. 'Halliana' / Hall's Honeysuckle	1 Gal	48" O.C.	L	
	Acacia redolens 'Low Boy' / Dwarf Acacia	1 Gal	8' O.C.	L	
	Baccharis p. 'Pigeon Point' / Dwarf Coyote Bush	1 Gal	6' O.C.	L	
	Carissa m. 'Green Carpet' / Prostrate Natal Plum	1 Gal	36" O.C.	M	
	Myoporum parvifolium / Myoporum	1 Gal	36" O.C.	L	

Perris DC 11 Project
City of Perris

Figure 4

From: Meaghan Truman
To: Tiffany Dang
Subject: FW: City of Perris NOP-EIR-DC 11 Project DPR22-00035
Date: Wednesday, November 1, 2023 10:41:42 AM
Attachments: image002.png

Can you save into the NOP comments folder?

Thanks,

Meaghan Truman | Associate Environmental Planner III

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EPD is closed in observance of the holidays on the following dates: Thursday, 11/23/2023 through Friday, 11/24/2023 and Monday, 12/25/2023 through Monday, 01/01/2024. We hope you have a wonderful holiday season!

From: Mathew Evans <mevans@cityofperris.org>
Sent: Wednesday, November 1, 2023 10:01 AM
To: Meaghan Truman <Mtruman@epdsolutions.com>
Subject: FW: City of Perris NOP-EIR-DC 11 Project DPR22-00035

[NON-EPD]
FYI

From: CULTER, PAUL A CTR USAF AFRC HQ AFRC/A4CD <paul.culter.ctr@us.af.mil>
Sent: Wednesday, November 1, 2023 9:07 AM
To: Mathew Evans <mevans@cityofperris.org>
Cc: MCDANIEL, JAMES R CIV USAF AFRC 452 MSG/CECP <james.mcdaniel.17@us.af.mil>; PACINO, BRIAN J CTR USAF AFRC HQ AFRC/A4CD-CH2M Plan <brian.pacino.ctr@us.af.mil>; MORRELL, AMANDA S CTR USAF AFRC HQ AFRC/A4CD-Jacobs/CH2M <amanda.morrell.ctr@us.af.mil>; HEINZE, KURT R CIV USAF AFRC 452 MSG/CE <kurt.heinze.1@us.af.mil>
Subject: RE: City of Perris NOP-EIR-DC 11 Project DPR22-00035

Mr. Evans,

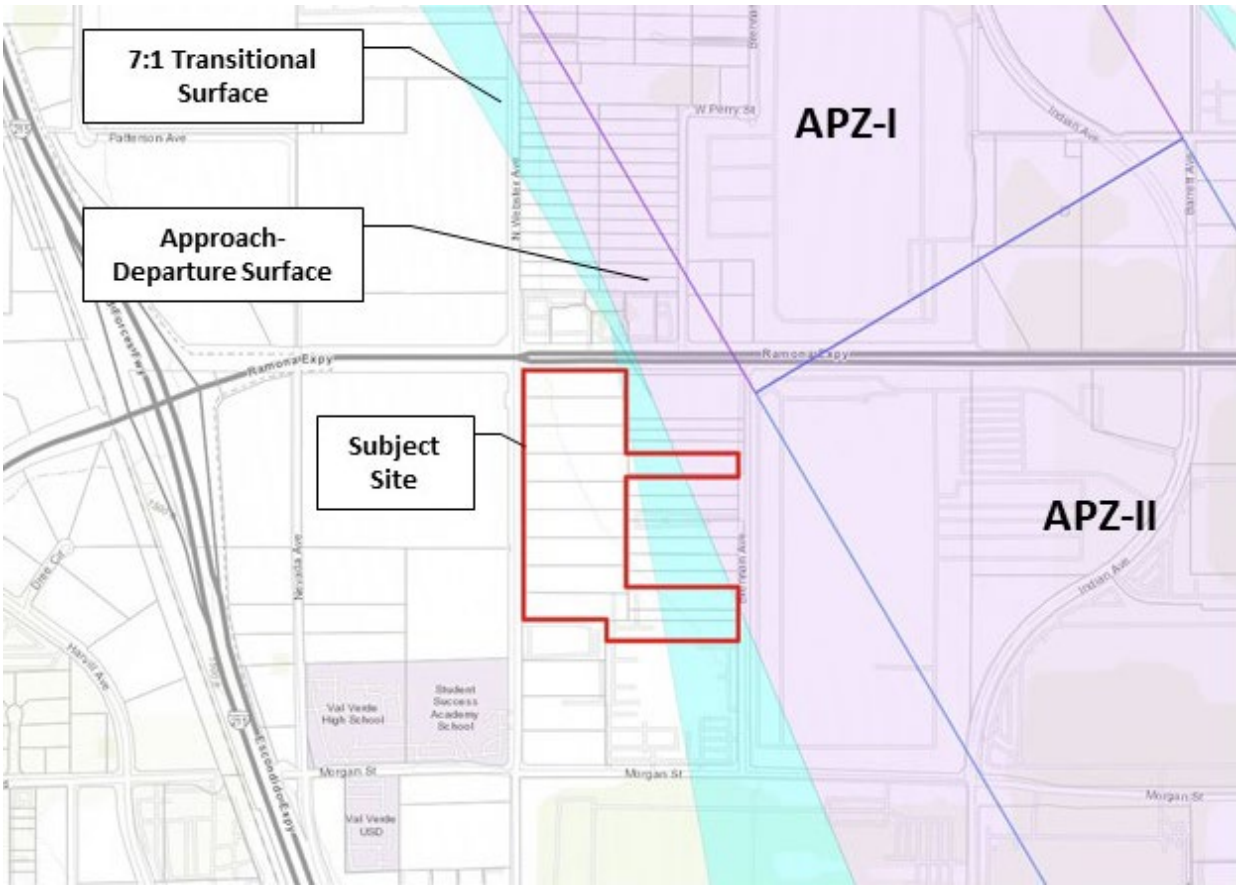
On behalf of the 452d Base Civil Engineer, the following message comprises a preliminary response to

the City of Perris Recirculated Notice of Preparation (NOP) of a Draft Environmental Impact Report for the Perris DC11 Project - Development Plan Review (DPR) 22-00035 and Tentative Parcel Map (TPM) 22-05363 (TPM 38600), dated 20 October 2023.

It is our understanding that the proposed project, as revised, is currently being reviewed by your department for environmental, planning and zoning concurrency.

The proposed project encompasses 29.79 acres on 13 largely vacant parcels, located in an area bounded by Ramona Expressway, Webster Avenue and Brennan Avenue. The property is located in the Perris Valley Commerce Center Specific Plan (PVCCSP) and is zoned for light industrial use. The project includes a 551,922 SF building consisting of 531,922 SF of warehouse space and 20,000 SF of office space. The proposed maximum height of the building is 52 feet.

The proposed project is located in the C1 zone in the Riverside County Airport Compatibility Plan (the NOP-EIR document incorrectly identifies zone C2) and is adjacent to APZ I and APZ II, approximately 6,640 feet south of the end of Runway 14/32. Six parcels on the property are within in the Approach-Departure Clearance Surface and/or 7:1 Transitional Surface. However, those parcels are planned for parking lot use with the building being sited on the parcels abutting Webster Avenue.



MARB Findings:

As currently proposed, the project is in both the Approach-Departure Clearance Surface and/or the 7:1 Transitional Surface. As such, the maximum buildable height on these properties is approximately

180 feet Above Ground Level (AGL). This would include the temporary use of any construction equipment, including a crane, to erect the building. ***While the proposed maximum for the warehouse project is 52 feet, March ARB respectfully requests that the contractor be required to request a construction notification from the FAA (form FAA 7460-1) for the official determination of height.***

Also, the Riverside County Airport Land Use Compatibility Plan (ALUC) Intensity Standards for the C1 "Primary Approach/Departure Zone", as it relates to industrial types uses, discourages the above ground bulk storage of hazardous materials. ***March ARB respectfully requests that no bulk storage of hazardous materials is permitted on this site.***

In the event that Development Plan Review (DPR) 22-00035 and Tentative Parcel Map (TPM) 22-05363 (TPM 38600) are approved, and the proposed plan, including use, has changed, March ARB would like to reserve the right to provide additional comment and/or identify objections or concerns as applicable.

Paul Culter
Base Community Planner, Contractor
513.405.1044
Paul.Culter.ctr@us.af.mil

From: MCDANIEL, JAMES R CIV USAF AFRC 452 MSG/CECP <james.mcdaniel.17@us.af.mil>
Sent: Wednesday, November 1, 2023 11:48 AM
To: CULTER, PAUL A CTR USAF AFRC HQ AFRC/A4CD <paul.culter.ctr@us.af.mil>
Subject: FW: City of Perris NOP-EIR-DC 11 Project DPR22-00035

This last one I have

From: Mathew Evans <mevans@cityofperris.org>
Sent: Friday, October 20, 2023 1:00 PM
To: MCDANIEL, JAMES R CIV USAF AFRC 452 MSG/CECP <james.mcdaniel.17@us.af.mil>
Subject: [Non-DoD Source] Re: City of Perris NOP-EIR-DC 11 Project DPR22-00035

Thank you Paul

Please note that the project description in the original mailer was incorrect, you should be receiving a recirculated notice for this project soon with a new comment period. I have attached the corrected project description to this email.

All the best,

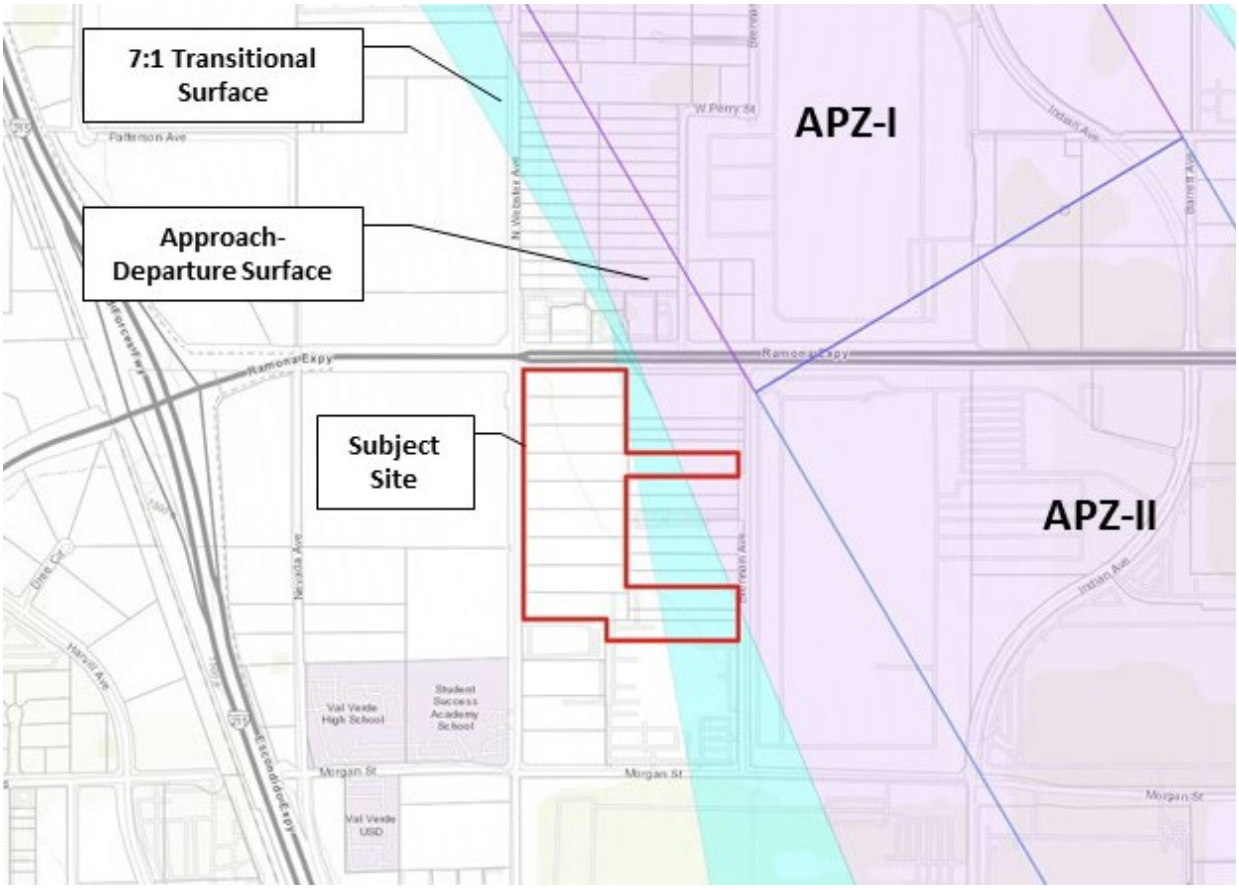
Mathew

From: MCDANIEL, JAMES R CIV USAF AFRC 452 MSG/CECP <james.mcdaniel.17@us.af.mil>
Sent: Friday, October 20, 2023 12:55 PM
To: Mathew Evans <mevans@cityofperris.org>
Cc: CULTER, PAUL A CTR USAF AFRC HQ AFRC/A4CD <paul.culter.ctr@us.af.mil>; HEINZE, KURT R CIV USAF AFRC 452 MSG/CE <kurt.heinze.1@us.af.mil>; SMITH, THOMAS G II Lt Col USAF AFRC 922 CEF/CEO <thomas.smith.156@us.af.mil>
Subject: City of Perris NOP-EIR-DC 11 Project DPR22-00035

Mr. Evans,

On behalf of the 452d Base Civil Engineer, the following message comprises a preliminary response to the City of Perris Notice of Preparation (NOP) and Public Scoping Meeting Notice for the preparation of a Draft Environmental Impact Report for the - General Plan Amendment (GPA) 22-05326, Zone Change (ZC) 22- 05327, Tentative Parcel Map No. 38600 (TPM 22-05328), and Development Plan Review {DPR)22-00030.
It is our understanding that the proposed project is currently being reviewed by your department for environmental, planning and zoning concurrency.

The proposed project encompasses 29.79 acres on 13 parcels, largely vacant, located in an area bounded by Ramona Expressway, Webster Avenue, Brennan Avenue and Morgan Street. The property is zoned for light industrial use. The project includes a 551,922 SF building consisting of 546,922 SF of warehouse space and 5,000 SF of office and mezzanine space. The proposed maximum height of the building is 52 feet.
The proposed project is located in the C1 zone in the Riverside County Airport Compatibility Plan and is adjacent to APZ I and APZ II, approximately 6,640 feet south of the end of Runway 14/32. Six parcels on the property are within in the Approach-Departure Clearance Surface and/or 7:1 Transitional Surface. However, those parcels are planned for parking lot use.



MARB Findings:
As currently proposed, the project is in both the Approach-Departure Clearance Surface and/or the 7:1 Transitional Surface. As such, the maximum buildable height on these properties is approximately 180 feet Above Ground Level (AGL). This would include the use of any construction equipment, including a crane, to erect the building. ***While the proposed maximum for the warehouse project is 52 feet, March ARB respectfully requests that the contractor be required to request a construction notification from the FAA (form FAA 7460-1) for the official determination of height.***

Also, the Riverside County Airport Land Use Compatibility Plan (ALUC) Intensity Standards for the C1 "Primary Approach/Departure Zone", as it relates to industrial types uses, discourages the above ground bulk storage of hazardous materials. ***March ARB respectfully requests that no bulk storage of hazardous materials is permitted on this site.***

In the event (GPA) 22-05326, (ZC) 22- 05327, (TPM) 22-05328), (DPR)22-00030 are approved, or the proposed plan, including use, has changed, March ARB would like to reserve the right to provide additional comment and/or identify objections or concerns as applicable.

Paul Culter
Base Community Planner, Contractor
513.405.1044
Paul.Culter.ctr@us.af.mil

V/r
Rich McDaniel, Civ
Programmer/Planner
452 MSG Base Civil Engineer Squadron
610 Meyer Dr. Bldg 2403
March ARB, CA 92518
DSN: 447-4862
Comm: 951-655-4862
Cell: 928-486-2485
MS Teams 452 MSG/CE
MS Teams March ARB KC-46A Pegasus
MS Teams HQ 4 AF/A4C Prime BEEF

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1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

October 24, 2023

Matthew Evans
City of Perris
135 N. D Street
Perris, CA 92570

Re: 2023090700, Perris DC 11 Project, Riverside County

Dear Mr. Evans:

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

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

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

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

AB 52

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

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project.
- **b.** Recommended mitigation measures.
- **c.** Significant effects. (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

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

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

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

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

SB 18

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

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).

2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.

3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).

4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:

- **a.** The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
- **b.** Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

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

NAHC Recommendations for Cultural Resources Assessments

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

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:

- **a.** If part or all of the APE has been previously surveyed for cultural resources.
- **b.** If any known cultural resources have already been recorded on or adjacent to the APE.
- **c.** If the probability is low, moderate, or high that cultural resources are located in the APE.
- **d.** If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.

- **a.** The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
- **b.** The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

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

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL: November 1, 2023

mevans@cityofperris.org
Mathew Evans, Project Planner
City of Perris Planning Division
135 North D Street
Peris, CA 92570

Notice of Preparation of a Draft Environmental Impact Report for the Perris DC 11 Project (Proposed Project)

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

CEQA Air Quality Analysis

Staff recommends that the Lead Agency use South Coast AQMD's CEQA Air Quality Handbook and website[1] as guidance when preparing the air quality and greenhouse gas analyses. It is also recommended that the Lead Agency use the CalEEMod[2] land use emissions software, which can estimate pollutant emissions from typical land use development and is the only software model maintained by the California Air Pollution Control Officers Association.

South Coast AQMD has developed both regional and localized significance thresholds. South Coast AQMD staff recommends that the Lead Agency quantify criteria pollutant emissions and compare the emissions to South Coast AQMD's CEQA regional pollutant emissions significance thresholds[3] and localized significance thresholds (LSTs)[4] to determine the Proposed Project's air quality impacts. The localized analysis can be conducted by either using the LST screening tables or performing dispersion modeling.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road

[1] South Coast AQMD's CEQA Handbook and other resources for preparing air quality analyses can be found at: http://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook.
[2] CalEEMod is available free of charge at: www.caleemod.com.
[3] South Coast AQMD's CEQA regional pollutant emissions significance thresholds can be found at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf.
[4] South Coast AQMD's guidance for performing a localized air quality analysis can be found at: http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds.

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

In the event that implementation of the Proposed Project requires a permit from South Coast AQMD, South Coast AQMD should be identified as a Responsible Agency for the Proposed Project in the Draft EIR. The assumptions in the air quality analysis in the EIR will be the basis for evaluating the permit under CEQA and imposing permit conditions and limits. Questions on permits should be directed to South Coast AQMD's Engineering and Permitting staff at (909) 396-3385.

The California Air Resources Board's (CARB) *Air Quality and Land Use Handbook: A Community Health Perspective*[5] is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process with additional guidance on strategies to reduce air pollution exposure near high-volume roadways available in CARB's technical advisory[6].

The South Coast AQMD's *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*[7] includes suggested policies that local governments can use in their General Plans or through local planning to prevent or reduce potential air pollution impacts and protect public health. It is recommended that the Lead Agency review this Guidance Document as a tool when making local planning and land use decisions.

South Coast AQMD staff is concerned about potential public health impacts of siting warehouses within close proximity of sensitive land uses, especially in communities that are already heavily affected by the existing warehouse and truck activities. The South Coast AQMD's Multiple Air Toxics Exposure Study (MATES V), completed in August 2021, concluded that the largest contributor to cancer risk from air pollution is diesel particulate matter (DPM) emissions[8]. According to the MATES V carcinogenic risk interactive map, the area surrounding the Proposed Project has an estimated cancer risk of over 290 in one million[9]. Operation of warehouses generates and attracts heavy-duty diesel-fueled trucks that emit DPM. When the health impacts from the Proposed Project are added to those existing impacts, residents living in the communities surrounding the Proposed Project will possibly face an even greater exposure to air pollution and bear a disproportionate burden of increasing health risks.

Mitigation Measures

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

[5] CARB's *Air Quality and Land Use Handbook: A Community Health Perspective* can be found at: http://www.arb.ca.gov/ch/handbook.pdf.
[6] CARB's technical advisory can be found at: https://www.arb.ca.gov/ch/landuse.htm.
[7] South Coast AQMD. 2005. *Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning*. Available at: http://www.aqmd.gov/docs/default-source/planning/air-quality-guidance/complete-guidance-document.pdf.
[8] South Coast AQMD. August 2021. *Multiple Air Toxics Exposure Study in the South Coast Air Basin V*. Available at: http://www.aqmd.gov/home/air-quality/air-quality-studies/health-studies/mates-v.
[9] South Coast AQMD. MATES V Data Visualization Tool. Accessed at: MATES Data Visualization (arcgis.com).

South Coast AQMD's CEQA Air Quality Handbook,[10] South Coast AQMD's Mitigation Monitoring and Reporting Plan for the 2022 Air Quality Management Plan,[11] and Southern California Association of Government's Mitigation Monitoring and Reporting Plan for the 2020-2045 Regional Transportation Plan/Sustainable Communities Strategy.[12].

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

- Require zero-emissions (ZE) or near-zero emission (NZE) on-road haul trucks such as heavy-duty trucks with natural gas engines that meet the CARB's adopted optional NOx emissions standard at 0.02 grams per brake horsepower-hour (g/bhp-hr), if and when feasible. Given the state's clean truck rules and regulations aiming to accelerate the utilization and market penetration of ZE and NZE trucks such as the Advanced Clean Trucks Rule[13] and the Heavy-Duty Low NOx Omnibus Regulation[14], ZE and NZE trucks will become increasingly more available to use. The Lead Agency should require a phase-in schedule to incentivize the use of these cleaner operating trucks to reduce any significant adverse air quality impacts. South Coast AQMD staff is available to discuss the availability of current and upcoming truck technologies and incentive programs with the Lead Agency. At a minimum, require the use of 2010 model year[15] that meet CARB's 2010 engine emissions standards at 0.01 g/bhp-hr of particulate matter (PM) and 0.20 g/bhp-hr of NOx emissions or newer, cleaner trucks. Include environmental analyses to evaluate and identify sufficient electricity and supportive infrastructures in the Energy and Utilities and Service Systems Sections in the CEQA document, where appropriate. Include the requirement in applicable bid documents, purchase orders, and contracts. Operators shall maintain records of all trucks associated with project construction to document that each truck used meets these emission standards, and make the records available for inspection. The Lead Agency should conduct regular inspections to the maximum extent feasible to ensure compliance.
- Limit the daily number of trucks allowed at the Proposed Project to levels analyzed in the Final CEQA document. If higher daily truck volumes are anticipated to visit the site, the Lead Agency should commit to re-evaluating the Proposed Project through CEQA prior to allowing this higher activity level.
- Provide electric vehicle (EV) charging stations or, at a minimum, provide electrical infrastructure and electrical panels should be appropriately sized. Electrical hookups should be provided for truckers to plug in any onboard auxiliary equipment.

[10] https://www.aqmd.gov/home/rules-compliance/ceqa/air-quality-analysis-handbook

[11] South Coast AQMD's 2022 Air Quality Management Plan can be found at: http://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan (Chapter 4 - Control Strategy and Implementation).

[12] Southern California Association of Governments' 2020-2045 RTP/SCS can be found at: https://www.connectsocal.org/Documents/PEIR/certified/Exhibit-A_ConnectSoCal_PEIR.pdf.

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

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

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

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

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

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

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

On May 7, 2021, South Coast AQMD's Governing Board adopted Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program, and Rule 316 – Fees for Rule 2305. Rules 2305 and 316 are new rules that will reduce regional and local emissions of nitrogen oxides (NOx) and particulate matter (PM), including diesel PM. These emission reductions will reduce public health impacts for communities located near warehouses from mobile sources that are associated with warehouse activities. Also, the emission reductions will help the region attain federal and state ambient air quality standards. Rule 2305 applies to owners and operators of warehouses greater than or equal to 100,000 square feet. Under Rule 2305, operators are subject to an annual WAIRE Points Compliance Obligation that is calculated based on the annual number of truck trips to the warehouse. WAIRE Points can be earned by implementing actions in a prescribed menu in Rule 2305, implementing a site-specific custom plan, or paying a mitigation fee. Warehouse owners are only required to submit limited information reports, but they can opt in to earn Points on behalf of their tenants if they so choose because certain actions to reduce emissions may be better achieved at the warehouse development phase, for instance the installation of solar and charging infrastructure. Rule 316 is a companion fee rule for Rule 2305 to allow South Coast AQMD to recover costs associated with Rule 2305 compliance activities. Since the Proposed Project consists of the development of a 551,922-square-foot warehouse, the Proposed Project's warehouse owners and operators will be required to comply with Rule 2305 once the warehouse is occupied. Therefore, South Coast AQMD staff recommends that the Lead Agency review South Coast AQMD Rule 2305 to determine the potential WAIRE Points Compliance Obligation for future operators and explore whether additional project requirements and CEQA mitigation measures can be identified and implemented at the Proposed Project that may help future warehouse operators meet their compliance obligation[16]. South Coast AQMD staff is available to answer questions concerning Rule 2305 implementation and compliance by phone or email at (909) 396-3140 or waire-program@aqmd.gov. For

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

implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage[17].

Health Risk Reduction Strategies

Many strategies are available to reduce exposures, including, but are not limited to, building filtration systems with MERV 13 or better, or in some cases, MERV 15 or better is recommended; building design, orientation, location; vegetation barriers or landscaping screening, etc. Enhanced filtration units are capable of reducing exposures. However, enhanced filtration systems have limitations. For example, in a study that South Coast AQMD conducted to investigate filters[18], a cost burden is expected to be within the range of $120 to $240 per year to replace each filter panel. The initial start-up cost could substantially increase if an HVAC system needs to be installed and if standalone filter units are required. Installation costs may vary and include costs for conducting site assessments and obtaining permits and approvals before filters can be installed. Other costs may include filter life monitoring, annual maintenance, and training for conducting maintenance and reporting. In addition, because the filters would not have any effectiveness unless the HVAC system is running, there may be increased energy consumption that the Lead Agency should evaluate in the Draft EIR. It is typically assumed that the filters operate 100 percent of the time while residents are indoors, and the environmental analysis does not generally account for the times when the residents have their windows or doors open or are in common space areas of the project. These filters have no ability to filter out any toxic gases. Furthermore, when used filters are replaced, replacement has the potential to result in emissions from the transportation of used filters at disposal sites and generate solid waste that the Lead Agency should evaluate in the Draft EIR. Therefore, the presumed effectiveness and feasibility of any filtration units should be carefully evaluated in more detail prior to assuming that they will sufficiently alleviate exposures to diesel particulate matter emissions.

South Coast AQMD staff is available to work with the Lead Agency to ensure that air quality, greenhouse gas, and health risk impacts from the Proposed Project are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at swang1@aqmd.gov.

Sincerely,

Sam Wang

Sam Wang
Program Supervisor, CEQA IGR
Planning, Rule Development & Implementation

SW
RVC231004-05
Control Number

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

[18] This study evaluated filters rated MERV 13 or better. Accessed at: http://www.aqmd.gov/docs/default-source/ceqa/handbook/aqmdpilotstudyfinalreport.pdf. Also see 2012 Peer Review Journal article by South Coast AQMD: https://onlinelibrary.wiley.com/doi/10.1111/ina.12013.

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ROB BONTA
Attorney General

State of California
DEPARTMENT OF JUSTICE

Warehouse Projects: Best Practices and Mitigation Measures to Comply with the California Environmental Quality Act

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In carrying out its duty to enforce laws across California, the California Attorney General's Bureau of Environmental Justice (Bureau)[1] regularly reviews proposed warehouse projects for compliance with the California Environmental Quality Act (CEQA) and other laws. When necessary, the Bureau submits comment letters to lead agencies regarding warehouse projects, and in rare cases the Bureau has filed litigation to enforce CEQA.[2] This document builds upon the Bureau's work on warehouse projects, collecting information gained from the Bureau's review of hundreds of warehouse projects across the state.[3] It is meant to help lead agencies pursue CEQA compliance and promote environmentally-just development as they confront warehouse project proposals.[4] While CEQA analysis is necessarily project-specific, this document provides information on feasible best practices and mitigation measures, nearly all of which have been adapted from actual warehouse projects in California.

I. Background

In recent years, the proliferation of e-commerce and rising consumer expectations of rapid shipping have contributed to a boom in warehouse development.[5] California, with its ports, population centers, and transportation network, has found itself at the center of this trend. In 2020, the Ports of Los Angeles, Long Beach, and Oakland collectively accounted for over 34% of all United States international container trade.[6] The Ports of Los Angeles and Long Beach alone generate about 35,000 container truck trips every day.[7] Accordingly, the South Coast Air Basin now contains approximately 3,000 warehouses of over 100,000 square feet each, with a total warehouse capacity of approximately 700 million square feet, an increase of 20 percent over the last five years.[8] This trend has only accelerated, with e-commerce growing to

[1] https://oag.ca.gov/environment/justice.
[2] https://oag.ca.gov/environment/ceqa; *People of the State of California v. City of Fontana* (Super. Ct. San Bernardino County, No. CIVSB2121829); *South Central Neighbors United et al. v. City of Fresno et al.* (Super. Ct. Fresno County, No. 18CECG00690).
[3] This September 2022 version revises and replaces the prior March 2021 version of this document.
[4] Anyone reviewing this document to determine CEQA compliance responsibilities should consult their own attorney for legal advice.
[5] As used in this document, "warehouse" or "logistics facility" is defined as a facility consisting of one or more buildings that stores cargo, goods, or products on a short- or long-term basis for later distribution to businesses and/or retail customers.
[6] Data from the Bureau of Transportation Statistics, Container TEUs (Twenty-foot Equivalent Units) (2020), https://data.bts.gov/stories/s/Container-TEU/x3fb-aeda/ (Ports of Los Angeles, Long Beach, and Oakland combined for 14.157 million TEUs, 34% of 41.24 million TEUs total nationwide) (last accessed September 18, 2022).
[7] U.S. Dept. of Transportation, Federal Highway Administration, *FHWA Operations Support – Port Peak Pricing Program Evaluation* (2020), available at https://ops.fhwa.dot.gov/publications/fhwahop09014/sect2.htm (last accessed September 18, 2022).
[8] South Coast Air Qual. Mgmt. Dist., *Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305*, at 7-8, 41 (May 2021).

13% of all retail sales and 2021 being a second consecutive record year for new warehouse space leased.[9] The latest data and forecasts predict that the next wave of warehouse development will be in the Central Valley.[10]

When done properly, these activities can contribute to the economy and consumer welfare. However, imprudent warehouse development can harm local communities and the environment. Among other pollutants, diesel trucks visiting warehouses emit nitrogen oxide (NO_x)—a primary precursor to smog formation and a significant factor in the development of respiratory problems like asthma, bronchitis, and lung irritation—and diesel particulate matter (a subset of fine particular matter that is smaller than 2.5 micrometers)—a contributor to cancer, heart disease, respiratory illnesses, and premature death.[11] Trucks and on-site loading activities can also be loud, bringing disruptive noise levels during 24/7 operation that can cause hearing damage after prolonged exposure.[12] The hundreds, and sometimes thousands, of daily truck and passenger car trips that warehouses generate contribute to traffic jams, deterioration of road surfaces, and traffic accidents.

These environmental impacts also tend to be concentrated in neighborhoods already suffering from disproportionate health impacts and systemic vulnerability. For example, a comprehensive study by the South Coast Air Quality Management District found that communities located near large warehouses scored far higher on California's environmental justice screening tool, which measures overall pollution and demographic vulnerability.[13] That

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[9] U.S. Census Bureau News, Quarterly Retail E-Commerce Sales 4th Quarter 2021 (February 22, 2022), https://www.census.gov/retail/mrts/www/data/pdf/ec_current.pdf (last accessed September 18, 2022); CBRE Research, *2022 North America Industrial Big Box Report: Review and Outlook*, at 2-3 (March 2022), *available at* https://www.cbre.com/insights/reports/2022-north-america-industrial-big-box#download-report (last accessed September 18, 2022).

[10] CBRE Research, *supra note* 9, at 4, 36; New York Times, *Warehouses Are Headed to the Central Valley, Too* (Jul. 22, 2020), *available* at https://www.nytimes.com/2020/07/22/us/coronavirus-ca-warehouse-workers.html.

[11] California Air Resources Board, Nitrogen Dioxide & Health, https://ww2.arb.ca.gov/resources/nitrogen-dioxide-and-health (last accessed September 18, 2022) (NOx); California Air Resources Board, Summary: Diesel Particular Matter Health Impacts, https://ww2.arb.ca.gov/resources/summary-diesel-particulate-matter-health-impacts (last accessed September 18, 2022); Office of Environmental Health Hazard Assessment and American Lung Association of California, Health Effects of Diesel Exhaust, https://oehha.ca.gov/media/downloads/calenviroscreen/indicators/diesel4-02.pdf (last accessed September 18, 2022) (DPM).

[12] Noise Sources and Their Effects, https://www.chem.purdue.edu/chemsafety/Training/PPETrain/dblevels.htm (last accessed September 18, 2022) (a diesel truck moving 40 miles per hour, 50 feet away, produces 84 decibels of sound).

[13] South Coast Air Quality Management District, "Final Socioeconomic Assessment for Proposed Rule 2305 – Warehouse Indirect Source Rule – Warehouse Actions and Investments to Reduce Emissions (WAIRE) Program and Proposed Rule 316 – Fees for Rule 2305" (May 2021), at 4-5.

study concluded that, compared to the South Coast Air Basin averages, communities in the South Coast Air Basin near large warehouses had a substantially higher proportion of people of color; were exposed to more diesel particulate matter; had higher rates of asthma, cardiovascular disease, and low birth weights; and had higher poverty and unemployment rates.[14] Each area has its own unique history, but many of these impacts and vulnerabilities reflect historic redlining practices in these communities, which devalued land and concentrated poverty, racial outgroups, and pollution into designated areas.[15]

II. Proactive Planning: General Plans, Local Ordinances, and Good Neighbor Policies

To systematically guide warehouse development, we encourage local governing bodies to proactively plan for logistics projects in their jurisdictions. Proactive planning allows jurisdictions to prevent land use conflicts before they materialize and direct sustainable development. Benefits also include providing a predictable business environment, protecting residents from environmental harm, and setting consistent expectations jurisdiction-wide.

Proactive planning can take many forms. Land use designation and zoning decisions should channel development into appropriate areas. For example, establishing industrial districts near major highway and rail corridors but away from sensitive receptors[16] can help attract investment while avoiding conflicts between warehouse facilities and residential communities. Transition zones with lighter industrial and commercial land uses may also help minimize conflicts between residential and industrial uses.

In addition, general plan policies, local ordinances, and good neighbor policies should set minimum standards for logistics projects. General plan policies can be incorporated into existing economic development, land use, circulation, or other related general plan elements. Many jurisdictions alternatively choose to consolidate policies in a separate environmental justice element. Adopting general plan policies to guide warehouse development may also help

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[14] *Id*. at 5-7.

[15] Beginning in the 1930s, federal housing policy directed investment away from Black, immigrant, and working-class communities by color-coding neighborhoods according to the purported "riskiness" of loaning to their residents. In California cities where such "redlining" maps were drawn, nearly all of the communities where warehouses are now concentrated were formerly coded "red," signifying the least desirable areas where investment was to be avoided. *See* University of Richmond Digital Scholarship Lab, Mapping Inequality, https://dsl.richmond.edu/panorama/redlining/#loc=12/33.748/-118.272&city=los-angeles-ca (Los Angeles), https://dsl.richmond.edu/panorama/redlining/#loc=13/32.685/-117.132&city=san-diego-ca (San Diego), https://dsl.richmond.edu/panorama/redlining/#loc=11/37.81/-122.38&city=oakland-ca (Oakland), https://dsl.richmond.edu/panorama/redlining/#loc=13/37.956/-121.326&city=stockton-ca (Stockton), https://dsl.richmond.edu/panorama/redlining/#loc=12/36.751/-119.86&city=fresno-ca (Fresno) (all last accessed September 18, 2022).

[16] In this document, "sensitive receptors" refers to residences, schools, public recreation facilities, health care facilities, places of worship, daycare facilities, community centers, or incarceration facilities.

jurisdictions comply with their obligations under SB 1000, which requires local government general plans to identify objectives and policies to reduce health risks in disadvantaged communities, promote civil engagement in the public decision making process, and prioritize improvements and programs that address the needs of disadvantaged communities.[17]

Local ordinances and good neighbor policies that set development standards for all warehouses in the jurisdiction are a critical and increasingly common tool that serve several goals. When well-designed, these ordinances direct investment to local improvements, provide predictability for developers, conserve government resources by streamlining project review processes, and reduce the environmental impacts of industrial development. While many jurisdictions have adopted warehouse-specific development standards, an ordinance in the City of Fontana provides an example to review and build upon.[18] Good neighbor policies in Riverside County and by the Western Riverside Council of Government include additional measures worth consideration.[19]

The Bureau encourages jurisdictions to adopt their own local ordinances that combine the strongest policies from those models with measures discussed in the remainder of this document.

III. Community Engagement

Early and consistent community engagement is central to establishing good relationships between communities, lead agencies, and warehouse developers and tenants. Robust community engagement can give lead agencies access to community residents' on-the-ground knowledge and information about their concerns, build community support for projects, and develop creative solutions to ensure new logistics facilities are mutually beneficial. Examples of best practices for community engagement include:

- Holding a series of community meetings at times and locations convenient to members of the affected community and incorporating suggestions into the project design.
- Posting information in hard copy in public gathering spaces and on a website about the project. The information should include a complete, accurate project description, maps and drawings of the project design, and information about how the public can provide input and be involved in the project approval process. The

[17] For more information about SB 1000, *see* https://oag.ca.gov/environment/sb1000.
[18] https://oag.ca.gov/system/files/attachments/press-docs/Final%20Signed%20Fontana%20Ordinance.pdf (last accessed September 18, 2022).
[19] For example, the Riverside County policy requires community benefits agreements and supplemental funding contributions toward additional pollution offsets, and the Western Riverside Council of Governments policy sets a minimum buffer zone of 300 meters between warehouses and sensitive receptors. https://www.rivcocob.org/wp-content/uploads/2020/01/Good-Neighbor-Policy-F-3-Final-Adopted.pdf (last accessed September 18, 2022) (Riverside County); http://www.wrcog.cog.ca.us/DocumentCenter/View/318/Good-Neighbor-Guidelines-for-Siting-Warehouse-Distribution-Facilities-PDF?bidId= (last accessed September 18, 2022) (Western Riverside Council of Governments).

information should be in a format that is easy to navigate and understand for members of the affected community.

- Providing notice by mail to residents and schools within a certain radius of the project and along transportation corridors to be used by vehicles visiting the project, and by posting a prominent sign on the project site. The notice should include a brief project description and directions for accessing complete information about the project and for providing input on the project.
- Providing translation or interpretation in residents' native language, where appropriate.
- For public meetings broadcast online or otherwise held remotely, providing for access and public comment by telephone and supplying instructions for access and public comment with ample lead time prior to the meeting.
- Partnering with local community-based organizations to solicit feedback, leverage local networks, co-host meetings, and build support.
- Considering adoption of a community benefits agreement, negotiated with input from affected residents and businesses, by which the developer provides benefits to the affected community.
- Creating a community advisory board made up of local residents to review and provide feedback on project proposals in early planning stages.
- Identifying a person to act as a community liaison concerning on-site construction activity and operations, and providing contact information for the community liaison to the surrounding community.
- Requiring signage in public view at warehouse facilities with contact information for a local designated representative for the facility operator who can receive community complaints, and requiring any complaints to be answered by the facility operator within 48 hours of receipt.

IV. Warehouse Siting and Design Considerations

The most important consideration when planning a logistics facility is its location. Warehouses located in residential neighborhoods or near sensitive receptors expose community residents and those using or visiting sensitive receptor sites to the air pollution, noise, traffic, and other environmental impacts they generate. Therefore, placing facilities away from sensitive receptors significantly reduces their environmental and quality of life harms on local communities. The suggested best practices for siting and design of warehouse facilities does not relieve lead agencies' responsibility under CEQA to conduct a project-specific analysis of the project's impacts and evaluation of feasible mitigation measures and alternatives; lead agencies' incorporation of the best practices must be part of the impact, mitigation and alternatives analyses to meet the requirements of CEQA. Examples of best practices when siting and designing warehouse facilities include:

- Per California Air Resources Board (CARB) guidance, siting warehouse facilities so that their property lines are at least 1,000 feet from the property lines of the nearest sensitive receptors.[20]
- Providing adequate amounts of on-site parking to prevent trucks and other vehicles from parking or idling on public streets and to reduce demand for off-site truck yards.
- Establishing setbacks from the property line of the nearest sensitive receptor to warehouse dock doors, loading areas, and truck drive aisles, and locating warehouse dock doors, loading areas, and truck drive aisles on the opposite side of the building from the nearest sensitive receptors—e.g., placing dock doors on the north side of the facility if sensitive receptors are near the south side of the facility.
- Placing facility entry and exit points from the public street away from sensitive receptors—e.g., placing these points on the north side of the facility if sensitive receptors are adjacent to the south side of the facility.
- Ensuring heavy duty trucks abide by the on-site circulation plans by constructing physical barriers to block those trucks from using areas of the project site restricted to light duty vehicles or emergency vehicles only.
- Preventing truck queuing spillover onto surrounding streets by positioning entry gates after a minimum of 140 feet of space for queuing, and increasing the distance by 70 feet for every 20 loading docks beyond 50 docks.
- Locating facility entry and exit points on streets of higher commercial classification that are designed to accommodate heavy duty truck usage.
- Screening the warehouse site perimeter and onsite areas with significant truck traffic (e.g., dock doors and drive aisles) by creating physical, structural, and/or vegetative buffers that prevent or substantially reduce pollutant and noise dispersion from the facility to sensitive receptors.
- Planting exclusively 36-inch box evergreen trees to ensure faster maturity and four-season foliage.
- Requiring all property owners and successors in interest to maintain onsite trees and vegetation for the duration of ownership, including replacing any dead or unhealthy trees and vegetation.
- Posting signs clearly showing the designated entry and exit points from the public street for trucks and service vehicles.
- Including signs and drive aisle pavement markings that clearly identify onsite circulation patterns to minimize unnecessary onsite vehicle travel.
- Posting signs indicating that all parking and maintenance of trucks must be conducted within designated on-site areas and not within the surrounding community or public streets.

[20] CARB, Air Quality and Land Use Handbook: A Community Health Perspective (April 2005), at ES-1. CARB staff has released draft updates to this siting and design guidance which suggests a greater distance may be warranted in some scenarios. CARB, Concept Paper for the Freight Handbook (December 2019), *available at* https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf (last accessed September 18, 2022).

V. Air Quality and Greenhouse Gas Emissions Analysis and Mitigation

Emissions of air pollutants and greenhouse gases are often among the most substantial environmental impacts from new warehouse facilities. CEQA compliance demands a proper accounting of the full air quality and greenhouse gas impacts of logistics facilities and adoption of all feasible mitigation of significant impacts. Although efforts by CARB and other authorities to regulate the heavy-duty truck and off-road diesel fleets have made excellent progress in reducing the air quality impacts of logistics facilities, the opportunity remains for local jurisdictions to further mitigate these impacts at the project level. Lead agencies and developers should also consider designing projects with their long-term viability in mind. Constructing the necessary infrastructure to prepare for the zero-emission future of goods movement not only reduces a facility's emissions and local impact now, but it can also save money as demand for zero-emission infrastructure grows. In planning new logistics facilities, the Bureau strongly encourages developers to consider the local, statewide, and global impacts of their projects' emissions.

Examples of best practices when studying air quality and greenhouse gas impacts include:

- Fully analyzing all reasonably foreseeable project impacts, including cumulative impacts. In general, new warehouse developments are not ministerial under CEQA because they involve public officials' personal judgment as to the wisdom or manner of carrying out the project, even when warehouses are permitted by a site's applicable zoning and/or general plan land use designation.[21]
- When analyzing cumulative impacts, thoroughly considering the project's incremental impact in combination with past, present, and reasonably foreseeable future projects, even if the project's individual impacts alone do not exceed the applicable significance thresholds.
- Preparing a quantitative air quality study in accordance with local air district guidelines.
- Preparing a quantitative health risk assessment in accordance with California Office of Environmental Health Hazard Assessment and local air district guidelines.
- Refraining from labeling compliance with CARB or air district regulations as a mitigation measure—compliance with applicable regulations is required regardless of CEQA.
- Disclosing air pollution from the entire expected length of truck trips. CEQA requires full public disclosure of a project's anticipated truck trips, which entails calculating truck trip length based on likely truck trip destinations, rather than the distance from the facility to the edge of the air basin, local jurisdiction, or other truncated endpoint. All air pollution associated with the project must be considered, regardless of where those impacts occur.

[21] CEQA Guidelines § 15369.

- Accounting for all reasonably foreseeable greenhouse gas emissions from the project, without discounting projected emissions based on participation in California's Cap-and-Trade Program.

Examples of measures to mitigate air quality and greenhouse gas impacts from construction are below. To ensure mitigation measures are enforceable and effective, they should be imposed as permit conditions on the project where applicable.

- Requiring off-road construction equipment to be hybrid electric-diesel or zero-emission, where available, and all diesel-fueled off-road construction equipment to be equipped with CARB Tier IV-compliant engines or better, and including this requirement in applicable bid documents, purchase orders, and contracts, with successful contractors demonstrating the ability to supply the compliant construction equipment for use prior to any ground-disturbing and construction activities.
- Prohibiting off-road diesel-powered equipment from being in the "on" position for more than 10 hours per day.
- Using electric-powered hand tools, forklifts, and pressure washers, and providing electrical hook ups to the power grid rather than use of diesel-fueled generators to supply their power.
- Designating an area in the construction site where electric-powered construction vehicles and equipment can charge.
- Limiting the amount of daily grading disturbance area.
- Prohibiting grading on days with an Air Quality Index forecast of greater than 100 for particulates or ozone for the project area.
- Forbidding idling of heavy equipment for more than three minutes.
- Keeping onsite and furnishing to the lead agency or other regulators upon request, all equipment maintenance records and data sheets, including design specifications and emission control tier classifications.
- Conducting an on-site inspection to verify compliance with construction mitigation and to identify other opportunities to further reduce construction impacts.
- Using paints, architectural coatings, and industrial maintenance coatings that have volatile organic compound levels of less than 10 g/L.
- Providing information on transit and ridesharing programs and services to construction employees.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations for construction employees.

Examples of measures to mitigate air quality and greenhouse gas impacts from operation include:

- Requiring all heavy-duty vehicles engaged in drayage[22] to or from the project site to be zero-emission beginning in 2030.

[22] "Drayage" refers generally to transport of cargo to or from a seaport or intermodal railyard.

- Requiring all on-site motorized operational equipment, such as forklifts and yard trucks, to be zero-emission with the necessary charging or fueling stations provided.
- Requiring tenants to use zero-emission light- and medium-duty vehicles as part of business operations.
- Forbidding trucks from idling for more than three minutes and requiring operators to turn off engines when not in use.
- Posting both interior- and exterior-facing signs, including signs directed at all dock and delivery areas, identifying idling restrictions and contact information to report violations to CARB, the local air district, and the building manager.
- Installing solar photovoltaic systems on the project site of a specified electrical generation capacity that is equal to or greater than the building's projected energy needs, including all electrical chargers.
- Designing all project building roofs to accommodate the maximum future coverage of solar panels and installing the maximum solar power generation capacity feasible.
- Constructing zero-emission truck charging/fueling stations proportional to the number of dock doors at the project.
- Running conduit to designated locations for future electric truck charging stations.
- Unless the owner of the facility records a covenant on the title of the underlying property ensuring that the property cannot be used to provide refrigerated warehouse space, constructing electric plugs for electric transport refrigeration units at every dock door and requiring truck operators with transport refrigeration units to use the electric plugs when at loading docks.
- Oversizing electrical rooms by 25 percent or providing a secondary electrical room to accommodate future expansion of electric vehicle charging capability.
- Constructing and maintaining electric light-duty vehicle charging stations proportional to the number of employee parking spaces (for example, requiring at least 10% of all employee parking spaces to be equipped with electric vehicle charging stations of at least Level 2 charging performance)
- Running conduit to an additional proportion of employee parking spaces for a future increase in the number of electric light-duty charging stations.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, air filtration systems at sensitive receptors within a certain radius of facility for the life of the project.
- Installing and maintaining, at the manufacturer's recommended maintenance intervals, an air monitoring station proximate to sensitive receptors and the facility for the life of the project, and making the resulting data publicly available in real time. While air monitoring does not mitigate the air quality or greenhouse gas impacts of a facility, it nonetheless benefits the affected community by providing information that can be used to improve air quality or avoid exposure to unhealthy air.
- Requiring all stand-by emergency generators to be powered by a non-diesel fuel.
- Requiring facility operators to train managers and employees on efficient scheduling and load management to eliminate unnecessary queuing and idling of

trucks.

- Requiring operators to establish and promote a rideshare program that discourages single-occupancy vehicle trips and provides financial incentives for alternate modes of transportation, including carpooling, public transit, and biking.
- Meeting CalGreen Tier 2 green building standards, including all provisions related to designated parking for clean air vehicles, electric vehicle charging, and bicycle parking.
- Designing to LEED green building certification standards.
- Providing meal options onsite or shuttles between the facility and nearby meal destinations.
- Posting signs at every truck exit driveway providing directional information to the truck route.
- Improving and maintaining vegetation and tree canopy for residents in and around the project area.
- Requiring that every tenant train its staff in charge of keeping vehicle records in diesel technologies and compliance with CARB regulations, by attending CARB-approved courses. Also require facility operators to maintain records on-site demonstrating compliance and make records available for inspection by the local jurisdiction, air district, and state upon request.
- Requiring tenants to enroll in the United States Environmental Protection Agency's SmartWay program, and requiring tenants who own, operate, or hire trucking carriers with more than 100 trucks to use carriers that are SmartWay carriers.
- Providing tenants with information on incentive programs, such as the Carl Moyer Program and Voucher Incentive Program, to upgrade their fleets.

VI. Noise Impacts Analysis and Mitigation

The noise associated with logistics facilities can be among their most intrusive impacts to nearby sensitive receptors. Various sources, such as unloading activity, diesel truck movement, and rooftop air conditioning units, can contribute substantial noise pollution. These impacts are exacerbated by logistics facilities' typical 24-hour, seven-days-per-week operation. Construction noise is often even greater than operational noise, so if a project site is near sensitive receptors, developers and lead agencies should adopt measures to reduce the noise generated by both construction and operation activities.

Examples of best practices when studying noise impacts include:

- Preparing a noise impact analysis that considers all reasonably foreseeable project noise impacts, including to nearby sensitive receptors. All reasonably foreseeable project noise impacts encompasses noise from both construction and operations, including stationary, on-site, and off-site noise sources.
- Adopting a lower significance threshold for incremental noise increases when baseline noise already exceeds total noise significance thresholds, to account for the cumulative impact of additional noise and the fact that, as noise moves up the decibel scale, each decibel increase is a progressively greater increase in sound

pressure than the last. For example, 70 dBA is ten times more sound pressure than 60 dBA.

- Disclosing and considering the significance of short-term noise levels associated with all aspects of project operation (i.e. both on-site noise generation and off-site truck noise). Considering only average noise levels may mask noise impacts sensitive receptors would consider significant—for example, the repeated but short-lived passing of individual trucks or loading activities at night.

Examples of measures to mitigate noise impacts include:

- Constructing physical, structural, or vegetative noise barriers on and/or off the project site.
- Planning and enforcing truck routes that avoid passing sensitive receptors.
- Locating or parking all stationary construction equipment as far from sensitive receptors as possible, and directing emitted noise away from sensitive receptors.
- Verifying that construction equipment has properly operating and maintained mufflers.
- Requiring all combustion-powered construction equipment to be surrounded by a noise protection barrier
- Limiting operation hours to daytime hours on weekdays.
- Paving roads where truck traffic is anticipated with low noise asphalt.
- Orienting any public address systems onsite away from sensitive receptors and setting system volume at a level not readily audible past the property line.

VII. Traffic Impacts Analysis and Mitigation

Warehouse facilities inevitably bring truck and passenger car traffic. Truck traffic can present substantial safety issues. Collisions with heavy-duty trucks are especially dangerous for passenger cars, motorcycles, bicycles, and pedestrians. These concerns can be even greater if truck traffic passes through residential areas, school zones, or other places where pedestrians are common and extra caution is warranted.

Examples of measures to mitigate traffic impacts include:

- Designing, clearly marking, and enforcing truck routes that keep trucks out of residential neighborhoods and away from other sensitive receptors.
- Installing signs in residential areas noting that truck and employee parking is prohibited.
- Requiring preparation and approval of a truck routing plan describing the facility's hours of operation, types of items to be stored, and truck routing to and from the facility to designated truck routes that avoids passing sensitive receptors. The plan should include measures for preventing truck queuing, circling, stopping, and parking on public streets, such as signage, pavement markings, and queuing analysis and enforcement. The plan should hold facility operators responsible for violations of the truck routing plan, and a revised plan should be required from any new tenant that occupies the property before a business license

is issued. The approving agency should retain discretion to determine if changes to the plan are necessary, including any additional measures to alleviate truck routing and parking issues that may arise during the life of the facility.
- Constructing new or improved transit stops, sidewalks, bicycle lanes, and crosswalks, with special attention to ensuring safe routes to schools.
- Consulting with the local public transit agency and securing increased public transit service to the project area.
- Designating areas for employee pickup and drop-off.
- Implementing traffic control and safety measures, such as speed bumps, speed limits, or new traffic signs or signals.
- Placing facility entry and exit points on major streets that do not have adjacent sensitive receptors.
- Restricting the turns trucks can make entering and exiting the facility to route trucks away from sensitive receptors.
- Constructing roadway improvements to improve traffic flow.
- Preparing a construction traffic control plan prior to grading, detailing the locations of equipment staging areas, material stockpiles, proposed road closures, and hours of construction operations, and designing the plan to minimize impacts to roads frequented by passenger cars, pedestrians, bicyclists, and other non-truck traffic.

VIII. Other Significant Environmental Impacts Analysis and Mitigation

Warehouse projects may result in significant environmental impacts to other resources, such as to aesthetics, cultural resources, energy, geology, or hazardous materials. All significant adverse environmental impacts must be evaluated, disclosed and mitigated to the extent feasible under CEQA. Examples of best practices and mitigation measures to reduce environmental impacts that do not fall under any of the above categories include:

- Appointing a compliance officer who is responsible for implementing all mitigation measures, and providing contact information for the compliance officer to the lead agency, to be updated annually.
- Creating a fund to mitigate impacts on affected residents, schools, places of worship, and other community institutions by retrofitting their property. For example, retaining a contractor to retrofit/install HVAC and/or air filtration systems, doors, dual-paned windows, and sound- and vibration-deadening insulation and curtains.
- Sweeping surrounding streets on a daily basis during construction to remove any construction-related debris and dirt.
- Directing all lighting at the facility into the interior of the site.
- Using full cut-off light shields and/or anti-glare lighting.
- Requiring submission of a property maintenance program for agency review and approval providing for the regular maintenance of all building structures, landscaping, and paved surfaces.
- Using cool pavement to reduce heat island effects.

- Planting trees in parking areas to provide at least 35% shade cover of parking areas within fifteen years to reduce heat island impacts.
- Using light colored roofing materials with a solar reflective index of 78 or greater.
- Including on-site amenities, such as a truck operator lounge with restrooms, vending machines, and air conditioning, to reduce the need for truck operators to idle or travel offsite.
- Designing skylights to provide natural light to interior worker areas.
- Installing climate control and air filtration in the warehouse facility to promote worker well-being.

IX. Conclusion

California's world-class economy, ports, and transportation network position it at the center of the e-commerce and logistics industry boom. At the same time, California is a global leader in environmental protection and environmentally just development. The guidance in this document furthers these dual strengths, ensuring that all can access the benefits of economic development. The Bureau will continue to monitor proposed projects for compliance with CEQA and other laws. Lead agencies, developers, community advocates, and other interested parties should feel free to reach out to us as they consider how to guide warehouse development in their area.

Please do not hesitate to contact the Environmental Justice Bureau at ej@doj.ca.gov if you have any questions.