



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

SENT VIA E-MAIL:

March 18, 2024

marellano@cityofperris.org

Mario Arellano, Associate Contract Planner
Development Services Department
Planning Division
City of Perris
135 North "D" Street
Perris, CA 92570

Mitigated Negative Declaration (MND) for the First Industrial Logistics at Sinclair Street Project (Proposed Project)

South Coast Air Quality Management District (South Coast AQMD) staff appreciates the opportunity to comment on the above-mentioned document. The City of Perris is the California Environmental Quality Act (CEQA) Lead Agency for the Proposed Project. The following comments recommended revisions to the cumulative impacts during operation that the Lead Agency should include in the Final MND.

South Coast AQMD Staff's Summary of Project Information in the MND

Based on the MND, the project consists of consolidating three lots into one lot, demolishing two industrial buildings totaling 206,100 square feet, and constructing a 427,224 square foot warehouse on 20.57 acres.¹ The Proposed Project would include approximately 70 dock doors with 35 dock doors on the northern side of the building and 35 dock doors on the southern side of the building.² The project is located at the terminus of Sinclair Street, west of North Perris Boulevard Avenue, between Morgan Street and West Rider Street.³ Based on the ariel photographs, South Coast AQMD staff found that the nearest sensitive receptor (e.g., New Creation Church) is approximately 985 feet away from the Proposed Project.⁴ The Proposed Project's construction is anticipated to commence in 2024 and be completed over approximately 11 months.⁵

South Coast AQMD Staff's Comments on the MND

Request for Technical Modeling Files for Environmental Document Review

South Coast AQMD Staff appreciates the opportunity to conduct a thorough review of the environmental document to ensure compliance with CEQA requirements. However, despite our repeated attempts to communicate with the lead agency via email and phone to request for the air quality technical modeling files (CalEEMod, Input Files, Live EMFAC output files) necessary for our review process, we have not received those technical files. The availability of these technical

¹ MND. Page 17.

² Ibid Page 17.

³ Ibid. Page 9.

⁴ Ibid. Page 46.

⁵ Ibid. Page 19.

modeling files is crucial for our agency to accurately assess the potential environmental impacts associated with the proposed project. Without access to these files, we are unable to proceed with our technical review.

Cumulative Impacts during Operation

As mentioned in the MND, the Proposed Project site is on three vacant parcels that will be consolidated into one parcel within the Perris Valley Commerce Center Specific Plan (PVCCSP) planning area.⁶ The PVCCSP was adopted by the City of Perris pursuant to a certified Environmental Impact Report (EIR) on 1/10/2012.⁷ Prior to certification of the PVCCSP, a Draft EIR was released for public review and comment between 7/20/2011 – 9/6/2011.⁸ During this public review period, the South Coast AQMD submitted a comment recommending that the Lead Agency include a more robust analysis of cumulative impacts in the Final EIR. Specifically, the South Coast AQMD asked that the lead agency revisit the estimated number of trucks projected to serve the site, provide additional analysis demonstrating that the project will not significantly impact sensitive receptors during operation and that it will not cause a significant air quality and air toxics impact, and to evaluate additional mitigation measures to further reducing any significant air quality and air toxics impacts. The PVCCSP has been revised and amended many times since 2012, and the most recent Perris Valley Commerce Center Specific Plan Amendment No. 12 was approved on January 11, 2022.⁹ However, the cumulative impacts from the revised projects in PVCCSP are not updated, and a robust analysis of cumulative air quality and air toxics impacts from all the projects in PVCCSP is not included in the PVCCSP or this MND.

According to the City of Perris webpage under Planning – Environmental Documents for Public Review,¹⁰ other development projects are located near the Proposed Project site. These projects include: IS/MND for Development Plan Review 22-00008 Project¹¹ (prepared in June 2023), Notice of preparation of a Draft EIR for The Cubes at Placentia Industrial Project¹² (prepared in December 2023), the Initial Study/Mitigated Negative Declaration (IS/MND) for the Redlands Avenue West Industrial Project¹³ (prepared in September 2022), IS/MND for Chartwell Warehouse at Rider Street and Redlands Avenue Project¹⁴ (prepared in August 2022), and last but

⁶ *Ibid.* Page 8.

⁷ ORDINANCE NUMBER 1284.

Accessed at: <https://www.cityofperris.org/home/showpublisheddocument/2923/637250482796800000>

⁸ Perris Valley Commerce Center Specific Plan Final EIR. 9.0 Introduction, Public Review Summary. Page 9.0-1

Accessed at: <https://www.cityofperris.org/home/showpublisheddocument/2645/63745552835370000>

⁹ Perris Valley Commerce Center Specific Plan Amendment No. 12, approved January 11, 2022, available at

<https://www.cityofperris.org/home/showpublisheddocument/2647/637799977032200000>

¹⁰ City of Perris. Planning – Environmental Documents. Access at: <https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review>.

¹¹ Development Plan Review 22-00008 project. Access at:

<https://ceqanet.opr.ca.gov/2023020069/2>

¹² The Cubes at Placentia Industrial Project. Access at:

<https://www.cityofperris.org/home/showpublisheddocument/17668/638375457881430000>

¹³ Redlands Avenue West Industrial Project. Access at: <https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-338>.

¹⁴ Chartwell Warehouse at Rider Street and Redlands Avenue Project. Access at:

<https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-322>.

not least IS/MND for Redlands Avenue East Industrial Project¹⁵ (prepared in September 2022). Per CEQA Guidelines Section 15065(a)(3), South Coast AQMD staff is primarily concerned with the cumulative air quality impacts from increased concentrations of air toxics in the PVCCSP region. Therefore, South Coast AQMD staff recommends that, at minimum, the Lead Agency perform a qualitative analysis to consider the potential cumulative impacts of air toxics by listing all surrounding past, present, and probable future projects. The Lead Agency may also perform a more detailed and robust quantitative analysis of cumulative air toxic and potential health risk implications to be included in the Final MND.

Rule 2305: Warehouse Indirect Source Rule - Warehouse Actions and Investments To Reduce Emissions (WAIRE) Program

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 427,224 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 obligation¹⁶. 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 implementation guidance documents and compliance and reporting tools, please visit South Coast AQMD's WAIRE Program webpage.¹⁷

South Coast AQMD Air Permits and Role as a Responsible Agency

¹⁵ Redlands Avenue East Industrial Project. Access at: <https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-328>

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>.

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

If the implementation of the Proposed Project would require the use of new stationary and portable sources, including but not limited to emergency generators, fire water pumps, boilers, spray booths, and etc., air permits from South Coast AQMD will be required and the role of South Coast AQMD would change from a Commenting Agency to a Responsible Agency under CEQA. In addition, if South Coast AQMD is identified as a Responsible Agency, per CEQA Guidelines Sections 15086, the Lead Agency is required to consult with South Coast AQMD. In addition, CEQA Guidelines Section 15096 sets forth specific procedures for a Responsible Agency, including making a decision on the adequacy of the CEQA document for use as part of evaluating the applications for air permits. For these reasons, the Final MND should include a discussion about any new stationary and portable equipment requiring South Coast AQMD air permits and identify South Coast AQMD as a Responsible Agency for the Proposed Project.

The Final MND should also include calculations and analyses for construction and operation emissions for the new stationary and portable sources, as this information will also be relied upon as the basis for the permit conditions and emission limits for the air permit(s). Please contact South Coast AQMD's Engineering and Permitting staff at (909) 396-3385 for questions regarding what types of equipment would require air permits. For more general information on permits, please visit South Coast AQMD's webpage at: <http://www.aqmd.gov/home/permits>.

Conclusion

Pursuant to CEQA Guidelines Section 15074, prior to approving the Proposed Project, the Lead Agency shall consider the MND for adoption together with any comments received during the public review process. Please provide South Coast AQMD with written responses to all comments contained herein prior to the adoption of the Final MND. When responding to issues raised in the comments, responses should provide sufficient details giving reasons why specific comments and suggestions are not accepted. There should be good faith, reasoned analysis in response. Conclusory statements unsupported by factual information do not facilitate the purpose and goal of CEQA on public disclosure and are not meaningful, informative, or useful to decision-makers and the public who are interested in the Proposed Project.

South Coast AQMD staff is available to work with the Lead Agency to address any air quality questions that may arise from this comment letter. Please contact Sahar Ghadimi, Air Quality Specialist, at sghadimi@aqmd.gov should you have any questions.

Sincerely,

Sam Wang

Sam Wang

Program Supervisor, CEQA-IGR

Planning, Rule Development & Implementation

SW:SG

RVC240221-08

Control Number