

Perris Valley Commerce Center Specific Plan Amendment Number 13 (SPA19-05287) and Development Plan Review (DPR 19-00012) Final Environmental Impact Report Findings of Fact and Adoption of Alternative 2 (the “Environmentally Superior Alternative”) Instead of the Proposed Project in the EIR

August 31, 2023

I. Environmental Impact Report Findings

1. OVERVIEW AND INTRODUCTION

These Findings of Fact are made with respect to the Environmental Impact Report (EIR) for the Perris Valley Commerce Center Specific Plan (PVCCSP) Amendment Number 13 (SPA13) (SPA19-05287) and a Development Plan Review (DPR 19-00012) (the “**project**”), which updates the existing PVCCSP, and states the findings of the City Council of the City of Perris (the “**City**”) relating to the potentially significant environmental effects of the project.

The following Findings of Fact are required by the California Environmental Quality Act (“CEQA”), California Public Resources Code Section 21081, 21081.5 and 21081.6, and Title 14, California Code of Regulations (the “CEQA Guidelines”) Sections 15091 through 15093, for the project.

This document provides the findings required by CEQA and the CEQA Guidelines and the specific reasons for finding the project acceptable and that the Project results in no significant adverse and unavoidable impacts that are infeasible to mitigate.

The City Council first evaluated the proposed project and EIR on July 22, 2022. At that time, the Council directed staff to provide supplemental information on Alternative 2 which was preferred by Council over the proposed project evaluated in the EIR. In June 2023, a document entitled *Additional Alternatives Information for Perris Valley Commerce Center Specific Plan, Amendment No. 13 (SPA19-05287)* was submitted to the City to provide staff and the City Council more detailed analysis of Alternative 2, now referred to as the “Expressway Commerce Center”, than was originally evaluated in the EIR. This supporting document was accompanied by a revised site plan that showed less light industrial square footage on the central and western portions of the project site and 2 acres of commercial uses in the eastern portion of the site adjacent to Perris Boulevard and just south of Ramona Expressway.

Section I., Environmental Impact Report Findings of this document provides the information required to address the adequacy of the EIR and to certify it provides sufficient objective information upon which the City Council can make an informed decision regarding the project and meets the other requirements of CEQA for EIRs. Therefore, the discussion in Section I. solely addresses/describes the EIR.

The City Council is adopting the currently proposed site plan which is consistent with EIR Alternative 2 and which the EIR identified as the “Environmentally Superior Alternative”. More information on this action is addressed in Section II., Subsequent Consideration of Alternative 2,

at the end of these Findings and is supported by the additional analysis in the *Additional Alternatives Information* document.

Program Environmental Impact Report (EIR)

The project site is within the PVCCSP planning area which covers the northwest quadrant of the City of Perris covering approximately 3,583 acres of development (including the current proposed Project site). The PVCCSP was adopted by the City of Perris City Council on January 12, 2012 (Ordinance No. 1284) and, as of the date that the DEIR was published, it has been subsequently amended. The environmental impacts resulting from implementation of allowed development under the PVCCSP have been evaluated in the Perris Valley Commerce Center Specific Plan Final Environmental Impact Report (PVCCSP EIR) (State Clearinghouse No. 2009081086), which was certified by the City of Perris City Council in January 2012. The PVCCSP EIR is a Program EIR pursuant to the Guidelines for Implementation of the California Environmental Quality Act (*CEQA Guidelines*) Section 15168, which states that:

“A Program EIR is an EIR which may be prepared on a series of actions that can be characterized as one large project and are related either:

- (1) Geographically,*
- (2) As logical parts in the chain of contemplated actions,*
- (3) In connection with issuance of rules, regulations, plans, or other general criteria to govern the conduct of a continuing program, or*
- (4) As individual activities carried out under the same authorizing statutory or regulatory authority and having generally similar environmental effects which can be mitigated in similar ways.”*

As stated in Section 15168(d)(3) of the CEQA Guidelines, the program EIR can “[f]ocus an EIR on a later activity to permit discussion solely of new effects which had not been considered before.” Although the PVCCSP EIR is a Program EIR, it did not evaluate the site-specific impacts of potential individual development projects and project-specific evaluations in later-tier environmental documents for individual development projects within the PVCCSP planning area was anticipated. As such, the environmental analysis for the Project presented in this DEIR is based on, or “tiered” from, the analysis presented in the PVCCSP EIR, when applicable, and the PVCCSP EIR is incorporated by reference.

The PVCCSP EIR analyzes the direct and indirect impacts resulting from implementation of the allowed development under the PVCCSP. Measures to mitigate, to the extent feasible, the significant adverse project and cumulative impacts resulting from that development are identified in the PVCCSP EIR. In conjunction with certification of the PVCCSP EIR, the City of Perris also adopted a Mitigation Monitoring and Reporting Program (MMRP). Additionally, the PVCCSP includes Standards and Guidelines to be applied to future development projects within the Specific Plan area. The City of Perris requires that future development projects within the Specific Plan area comply with the required PVCCSP Standards and Guidelines, and applicable PVCCSP EIR mitigation measures as outlined in the MMRP, and that these requirements are to be implemented in a timely manner.

This proposed project would include a modification of the existing PVCCSP to increase Light Industrial land use and decrease Commercial Land Use designation. The Initial Study for this project concluded that the following environmental impacts may potentially be significant for the following environmental issues: air quality, biological resources, energy, greenhouse gas emissions, hydrology and water quality, land use and planning, noise, transportation, tribal cultural

resources, and utilities and service systems. Thus, it was determined that an EIR was appropriate to evaluate the project. The EIR was prepared at a project level (rather than a program level) since specific development information and timing was available and the development deals with one specific site. The EIR tiered off the previously certified PVCCSP EIR, as appropriate per CEQA Guidelines Section 15152.

2. EIR PROJECT DESCRIPTION

The existing PVCCSP was adopted and the EIR certified by the City of Perris City Council on January 12, 2012 (Ordinance No. 1284) and, as of the date that the Draft EIR (DEIR) was published, it has been subsequently amended. The proposed Project represents a comprehensive amendment and update to the adopted Specific Plan. As explained by CEQA Guidelines Section 15124 (Project Description), the project description that follows has been detailed to the extent needed for adequate evaluation of potential environmental impacts.

PR Partners, LLC (Project proponent) proposes to implement a thirteenth Amendment (SPA19-05287) to the Perris Valley Commerce Center Specific Plan (PVCCSP) (SPA13) and a Development Plan Review (DPR 19-00012) for the development of the approximately 16-acre Project site with an approximate 347,918-square-foot (sq. ft.) light industrial building; the building will be divided into 339,918 sq. ft. of non-refrigerated warehouse space and 8,000 sq. ft. of office space.

EIR PROJECT OBJECTIVES

A project's objectives define the purpose or intent that a project proponent hopes to achieve by implementing a specific project. The following are the applicant's objectives for the proposed Project:

- Provide additional warehouse space needed to meet regional demand.
- Provide employment opportunities for local residents.
- Meet the applicable General Plan goals regarding the proposed land use.
- Introduce uses compatible with site constraints and regulatory limitations [e.g., Airport Land Use Commission (ALUC)].
- Develop a project that integrates with and compliments the existing development pattern for this portion of the Ramona Corridor.
- Develop a project that enhances views of this City entryway.
- Provide benefits to the City with increases property tax revenue and new employment while minimizing adverse environmental impacts.
- Develop a project that will be economically feasible and operationally stable to meet the needs of businesses wishing to locate into this portion of the City of Perris.

EIR PROJECT LOCATION

The project is located in the City of Perris, Riverside County, California.

The project site is bounded as follows: Ramona Expressway to the immediate north and commercial and light industrial uses to the north of Ramona Expressway; light industrial uses to the south; Perris Boulevard to the immediate east and commercial uses east of Perris Boulevard; and Indian Avenue to the immediate west and light industrial uses to the west of Indian Avenue. The project site is located in the City of Perris, County of Riverside, State of California.

The project site is currently vacant. The surrounding area is a mix of commercial and industrial land uses. The project is located in USGS 7.5-minute series Perris Quadrangle map Section 7, Township 4 south, Range 3 west, Assessor's Parcel Number 303-060-020.

Environmental Setting

The project site is relatively flat with no areas of significant topographic relief. On-site elevations range from approximately 1,452 to 1,465 feet above mean sea level (AMSL) and generally slopes from southwest to northeast. The project site primarily consists of vacant, undeveloped land that has been subject to historical disturbance related to agricultural use. The project site no longer is used for agriculture but has been subject to on-going weed abatement activities and disturbance associated with surrounding development. These disturbances have eliminated the natural plant communities that once occurred on and the lands surrounding the project site. The onsite vegetation can be characterized as a heavily disturbed with a variety of non-native and early successional/ruderal plant species [according to the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP), developed or disturbed lands consist of areas that have been disced, cleared, or otherwise altered].

The project site is located approximately 5.0 miles southeast of the March Air Reserve Base/Inland Port Airport (MARB/IPA), within the Airport Influence Area. Due to its location, the project site is subject to the MARB/IPA Airport Land Use Compatibility Plan (MARB/IPA ALUCP) which divides the areas close to the airport into various safety zones based on proximity to the airport and perceived risks. An Accident Potential Zone (APZ) effectively restricts the types and intensities of land uses on some properties within the APZs to mostly nonresidential or low-occupancy industrial uses. The Project site has 11.76 acres located within Zone B1, APZ II and 3.90 acres located within Zone C1. Zone B1, APZ II allows 50 people per acre and prohibits uses include children's schools, day care centers, libraries, hospitals, congregate care facilities, hotels/motels, restaurants, and places of assembly. Zone C1 allows 100 people per acre and prohibited uses include children's schools, day care centers, libraries, hospitals, congregate care facilities, and places of assembly.

The applicant for SPA13 proposes to modify the current Specific Plan Land Use Designation of the project site as follows:

- Current Land Use - Commercial (C): This zoning designation provides for retail, professional office, and service-oriented business activities which serve the entire City, as well as the surrounding neighborhoods. This zone combines the General Plan Land Use designation of Community Commercial and Commercial Neighborhood.
- Proposed Land Use - Light Industrial (LI): This zone provides for light industrial uses and related activities including manufacturing, research, warehouse and distribution, assembly of non-hazardous materials and retail related to manufacturing. This zone correlates with the 'Light Industrial' General Plan Land Use designation. Reference **Table 1, SPA 13 Land Use Summary**.

The project applicant believes that the LI designation is better suited to the land use restrictions placed on the Project site by the County Airport Land Use Commission (ALUC) and the March Air Reserve Base/Inland Port (MARB/IP) Airport Influence Area.

**Table 1
SPA 13 Land Use Summary**

General Plan Land Use	Existing Acres Prior to PVCC SP	Acres Adopted by 2012 PVCCSP	Proposed Acres (SPA1-SPA10)
Business Park/Professional Office (BPO) Professional Office (PO) Business Park (BP)	317	343	263
Commercial (C) Community Commercial (CC) Neighborhood Commercial (NC)	462	349	255
General Industrial (GI)	423	408	392
Light Industrial (LI)	1,620	1,866	2,056
Multi-Family Residential Residential (Multi-Family) (MFR-14)	22	22	22
Public (P) Public/Semi-Public/Utilities Park, Recreational and Natural Open Space (OS)	120	194	194
Residential (R) Residential (Single-Family) (R-6,000)	59	0	0
Residential (R) Residential (Single-Family) (R-20,000)	63	60	60
Specific Plan (SP)	190	0	0
Other (ROW, Basin, etc.)	307	341	341
Total Acres	3,583	3,583	3,583

Source: PVCC SPA13 DEIR

The project would involve development of the 16-acre site with an approximate 347,918-square-foot (sq. ft.) light industrial building; the building will be divided into 339,918 sq. ft. of non-refrigerated warehouse space and 8,000 sq. ft. of office space. The project has been designed in compliance with the industrial design standards and guidelines contained within the PVCCSP. The proposed building would be located in the central portion of the project site, with parking to the east, west, and south. The plan provides designated, outdoor employee break areas on both the east and west sides of the proposed building. The proposed building would be a maximum of 45 feet tall. The proposed building would include aesthetic treatments such as varying building height and rust colored metal awnings and has an overall grey color scheme with white accents.

It is estimated the project could generate from 232 to 717 new employees based on industry standards. New employment generation figures for the proposed warehouse use range from 1 employee/1,500 square feet (SF) per the PVCCSP and up to 1 employee/485 square feet per the County Airport Land Use Commission. Therefore, the project could generate from 232 employees (347,918 total SF divided by 1500 SF/employee) up to 717 employees (347,918 total SF divided by 485 SF/employee). However, these gross numbers do not take into account ALUC land use restrictions which may restrict the total employment to the lower end of this range. As a conservative “worst case” assumption, the project warehouse will operate 24 hours per day 7 days per week.

Required employee amenities are outlined within the PVCCSP Standards and Guidelines Section 8.2.1.4 for light industrial development relevant to recreation; these are listed below. Specific amenities to be provided shall be decided at the Tenant Improvement stage of development and approved by Planning Staff.

- An outdoor break area will be provided at each office area
- Require employee amenities such as, but not limited to:

- Cafeterias
- Exercise rooms
- Locker rooms and shower
- Walking trails
- Recreational facilities
- Site design will consider pedestrian access when adjacent to area wide open space, trails, parks, or other community amenities (not applicable)

Recommended Infrastructure Improvements

Drainage and Water Quality

Regional System

At present, the project site is vacant, undeveloped land with a 100 percent pervious earthen surface and no onsite drainage improvements. The project site is relatively flat with an existing slope gradient estimated at less than 2%. According to *Map My County* (**Appendix A** of the DEIR), the project site's average elevation is 1,460 feet AMSL. In the existing undeveloped condition, on-site stormwater runoff generally sheet flows toward Ramona Expressway, Indian Street, and Perris Boulevard.

The project applicant would construct a single 347,918-square-foot light-industrial distribution-warehouse building, access drives, walkways, parking lot, utility infrastructure, and landscaping. The site has a gentle west to east slope with a low point at the northeast corner of the site and the proposed grading will mimic this direction of flow. With a large industrial building, the pad will be relatively flat, and the grade will slope away from the building to keep the finish floor dry. Paved areas will drain to adjacent landscape areas where water quality features, primarily vegetated swales, will be placed. Storm drain will be used to route the offsite flow from the Lowe's property (located to the west across Indian Avenue) separately through the site and into the regional storm drain. There is an existing connection to the Perris Valley Master Drainage Plan (Line E-1) at the northeast corner of the property that will be the ultimate outlet for the project. There will be a loading bay along the south side of the building that will be set below natural grade to allow for truck loading at the finish floor elevation, and the storm drain in this area will be used to collect and store the runoff from this area in underground tanks. Runoff in those tanks will be pumped to the surface water quality facilities at the southeast corner of the site.

Water Quality

All new development in the City of Perris is required to comply with provisions of the National Pollutant Discharge Elimination System (NPDES) program, including Waste Discharge Requirements (WDR) and the 2010 Santa Ana Municipal Separate Sewer Permit (MS4) Permit as enforced by the Santa Ana Regional Water Quality Board (SARWQCB). Per City requirements, the project will implement appropriate Best Management Practices (BMPs) to control construction-related pollution as outlined in its Stormwater Pollution Prevention Plan (SWPPP). In addition, the project will implement appropriate post-construction operational BMPs in its Water Quality Management Plan (WQMP) including but not limited to infiltration pits, detention ponds, bioswales, berms, rain gardens, and pervious pavement. The planned drainage and water quality improvements of the Project are described above.

Circulation

Vehicular Circulation

Access to the project site would be provided via Indian Avenue with a full turning movement driveway near the southern edge of the project site and aligning with the existing Lowe's property access point west of Indian Avenue. An additional right-in/right-out access will also be located on Indian Avenue to the north, closer to Ramona Expressway. Two right-in/right-out access points will be placed along Perris Boulevard. No access from Ramona Expressway is proposed. The roadway and site access improvements proposed as part of the Project include:

- **Ramona Expressway** – With recent City roadway expansion projects completed for Ramona Expressway, no changes to the existing lanes or curb location are proposed. Additional right-of-way will be dedicated, and sidewalk and right-of-way landscaping will be provided.
- **Indian Avenue** – Indian Avenue will be expanded to add a dedicated right-turn lane. The existing median will be revised to allow for southbound left turning pocket to be added for traffic entering the site. Additional right-of-way will be dedicated, and sidewalk and right-of-way landscaping will be provided.
- **Perris Boulevard** – With recent City roadway expansion projects completed for Perris Boulevard, no changes to the existing lanes or curb location are proposed. Additional right-of-way will be dedicated, and sidewalk and right-of-way landscaping will be provided connecting the existing bus bay to the existing sidewalk to the south. The City has recently proposed to remove Perris Boulevard from its approved list of truck routes. This would restrict (i.e., preclude) additional truck traffic or access onto Perris Boulevard, including the proposed Project. Therefore, the Project includes two Access Options as described below. The City can approve the proposed site plan and select either of the Access Options at their discretion.
- **Access Option 1:** Indian Avenue. This option would have Project trucks taking access from Indian Avenue with only secondary emergency access on Perris Boulevard.
- **Access Option 2:** Perris Boulevard. This option would have Project trucks taking primary access from Perris Boulevard with secondary access from Indian Avenue.

Non-Vehicular Circulation

As part of the project, six-foot wide sidewalks would be constructed along the project frontages (Ramona Expressway, Perris Boulevard, and Indian Avenue). In addition, bicycle lanes will be added on Ramona Expressway (Class IV) and Perris Boulevard (Class IID). Americans with Disabilities Act (ADA) travel is provided from the street to the site via Indian Avenue, near the southern-most driveway, and also from Ramona Expressway at the northeastern corner of the site. Americans with Disabilities Act (ADA) access is also provided onsite as required. Bicycle racks are provided on both the east and west sides of the proposed warehouse building.

Parking

Automobile parking would be provided along the eastern and western boundaries of the site. A total of 145 automobile parking stalls (92 stalls are required), including three standard ADA-compliant stalls, and three van ADA-compliant stalls. Pursuant to Section 5.106.5.2 of the 2019

California Green Building Standards Code (CCR, Title 24, Part 11 – CalGreen), 17 of the parking spaces will be designated for low-emitting, fuel efficient, and carpool/vanpool vehicles. Pursuant to Section 5.106.5.3.2 of the CalGreen Code, 7 parking spaces will provide conduits for the charging of electric vehicles. Additionally, 82 10' x 55' trailer parking stalls would be provided along the southern boundary of the site.

Water

The project site, along with the PVCCSP planning area and the entire City of Perris, is located within the water service boundary of the Eastern Municipal Water District (EMWD). The EMWD provides potable water, recycled water, and wastewater services to an area of approximately 555 square miles in western Riverside County from Moreno Valley southward along the I-215 corridor to Temecula. The EMWD has four sources of water supply including: 1) imported water purchased from the Metropolitan Water District of Southern California; 2) local groundwater; 3) desalinated groundwater; and 4) recycled water. Delivery points for each source of water are located throughout the EMWD service area.

The EMWD currently provides service to the PVCCSP planning area through its system of existing pipelines ranging from 8" to 42" diameter within the 1627 and 1705 pressure zones. Although the EMWD has no conceptual plans for expansion of these waterlines, they have stated they will assess demand as growth occurs and upgrades are designed by the development community to meet the future demands of the project area.

The project site is not currently connected to the EMWD water supply system given its vacant undeveloped condition. The EMWD has provided a Will Serve letter indicating that they will provide water service for the project. There is an EMWD 39-inch water transmission line extending along the project site's Perris Boulevard frontage, and a distribution line (size not specified) serving the existing commercial development and mobile home park adjacent east of the project site at the southeast quadrant of Ramona Expressway and Perris Boulevard extending south to Dawes Street. There are also additional water transmission and distribution pipelines in the general proximity of the project. Finally, the Project's proposed specific plan land use designation change from Commercial (C) to Light Industrial (LI) for the 16-acre Project site is anticipated to have a nominal impact on the overall PVCC water supply/demand.

Sewer

The project site, along with the PVCCSP planning area and the entire City of Perris, is located within the wastewater (sewer) service boundary of the EMWD. The Perris Valley Regional Water Reclamation Facility (PVRWRF) provides wastewater treatment for a 120-square-mile area including Perris and the project site, Menifee, Homeland, and Winchester. Wastewater from the project site would be delivered through existing EMWD sewer lines to the PVRWRF. The EMWD has sufficient capacity to provide wastewater services to the PVCC project area and its implementing development projects. Future development, including the project, would be subject to conditions imposed by the City and the EMWD associated with the installation of additional pipelines within the specific plan area to serve individual implementing projects within the PVCC.

The project site is not currently connected to the EMWD wastewater/sewer system given its vacant, undeveloped condition. However, the EMWD has provided a Will Serve letter indicating that they will provide sewer service for the project. The PVCC area's primary trunk sewer line is located within Redlands Avenue and varies from 16- to 24-inches in diameter, with secondary trunk lines varying from 15- to 24-inches in diameter located within Harley Knox Boulevard and

Morgan Street. Collection lines varying from 8- to 10-inches are in Dawes Street and Ramona Expressway serving the existing commercial development and mobile home park adjacent east of the project site at the southeast quadrant of the Ramona Expressway and Perris Boulevard.

Similar to the previous discussion of water supply/demand, the project's proposed specific plan land use designation change from Commercial (C) to Light Industrial (LI) for the 16-acre project site is anticipated to have a nominal impact on the larger PVCC wastewater supply/demand.

City of Perris Discretionary Approvals

Before the proposed project can be developed, the City must approve the necessary land use entitlements. Approval of the land use entitlements will allow the proposed development to proceed together with the corresponding changes to the physical environment. This DEIR will be used as the information source and CEQA compliance document for the following, future discretionary actions or approvals by the City shall include, but not be limited to:

- Specific Plan Amendment
- Statewide General Construction Permit
- Grading Permit
- Encroachment Permit
- Building Permits

Other Government Agency Approvals

Future individual public and private development proposals in the PVCCSP area would be expected to also require review or approvals from other jurisdictional agencies, including, but not limited to:

- Riverside County Airport Land Use Commission
- Riverside County Flood Control and Water Conservation District
- Eastern Municipal Water District
- Regional Water Quality Control Board, Santa Ana Region

3. RECORD OF PROCEEDINGS

For purposes of CEQA and these Findings of Fact, the Record of Proceedings for the Project consists, without limitation, of the following documents:

- The Notice of Preparation ("NOP"), mailed out on April 29, 2021, and all other public notices issued by the City in conjunction with the Project; NOP review period began May 5, 2021;
- All comments submitted by public agencies or member of the public during the 30-day public comment period for the NOP that began on May 5, 2021, and ended on June 4, 2021;
- The Perris Valley Commerce Center Specific Plan (SPA 19-05287) Draft Environmental Impact Report (sometimes referred to herein as the "DEIR,") dated December 2021 (State Clearinghouse Number 2021050021), Notice of Availability mailed out for public review on December 17, 2021;

- All comments submitted by public agencies or members of the public during the 45-day public comment period for the DEIR that began on December 22, 2021, and ended on February 7, 2022;
- The Perris Valley Commerce Center Specific Plan (SPA 19-05287) Final Environmental Impact Report (FEIR) (including Response to Comments), dated April 2022;
- All comments and correspondence submitted to the City with respect to the Project, in addition to timely comments on the DEIR;
- The Mitigation Monitoring and Reporting Program (MMRP) for the Project;
- All findings and resolutions adopted by City decision makers in connection with the Project, and all documents cited or referred to therein;
- All reports, studies, memoranda, staff reports, maps, exhibits, illustrations, diagrams or other planning materials relating to the Project prepared by the City or by consultants to the City, or responsible or trustee agencies and submitted to the City or responsible or trustee agencies, with respect to the City's compliance with the requirements of CEQA and with respect to the City's actions on the Project;
- All documents submitted to the City by other public agencies or members of the public in connection with the Project;
- Minutes, as available, of all public meetings and public hearings held by the City in connection with the Project;
- Any documentary or other evidence submitted to the City at such information scoping session, public meetings, and public hearings in connection with the Project;
- Matters of common knowledge within the City, including, but not limited to those cited above; and
- Any other materials required to be in the record of proceedings by Public Resources Code Section 21167.6, subdivision (e).

The Draft EIR, Final EIR, Additional Alternatives Information, and administrative record for the PVCCSP Amendment Number 13 (SPA 19-05287) are available for review at:

<https://www.cityofperris.org/departments/development-services/planning/environmental-documents-for-public-review/-folder-269>

or upon request at:

Perris City Hall Planning Division
Chantal Power, AICP Contract Planner
101 North D Street
Perris, CA 92570
951.943.5003

Questions and comments may also be e-mailed to Chantal Power at the following address:

cpower@interwestgrp.com

The City Council has relied on all of the documents listed above in reaching its decision on the project.

4. FINDINGS OF FACT

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15091, no public agency shall approve or carry out a project where an Environmental Impact Report (“EIR”) has been certified that identifies one or more significant impacts on the environment that would occur if the project were approved or carried out, unless the public agency makes one or more findings for each of those significant impacts, accompanied by a brief explanation of the rationale of each finding.

The possible findings, which must be supported by substantial evidence in the record, are:

- (1) Changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

If the EIR identifies significant effects as outlined in the three findings above, the public agency must find that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects on the environment. In this case, the EIR concluded the Project would have no significant impacts after mitigation and regulatory compliance, so a Statement of Overriding Considerations (SOC) is not required.

References for discussion of environmental impacts within the Final EIR are noted with each finding. Impact numbers refer to the section number and the threshold letter referenced in the Draft EIR where the full discussion of impacts is included.

A. Effects Determined to Have No Impact (NI) or a Less than Significant Impact (LTS)

The evaluation prepared in the PVCCSP EIR found and provided substantial evidence that certain impacts of the project would have no impact or have impacts that are less than significant. The City Council agrees with the characterization of the FEIR with respect to all of the project impacts identified as “resulting in no impact” or “less than significant” impacts and finds that those impacts have been described and analyzed accurately and are supported by substantial evidence as described in the FEIR, including the Draft EIR. Reference should be made to the DEIR and FEIR for a more complete description of the findings regarding these impacts.

This finding applies to the evaluation of the potential impacts for the following items as further described in the DEIR, that the project will not:

Aesthetics

- Have a substantial adverse effect on a scenic vista. (LTS)
- Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway. (LTS)

- In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings. (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality. (LTS)

Agricultural Resources

- Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use. (NI)
- Conflict with existing zoning for agricultural use, or a Williamson act contract. (NI)
- Conflict with existing zoning for, or cause rezoning of, forest (as defined in Public Resources Code Section 12220 (g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104 (g)). (NI)
- Result in loss of forest land or conversion of forest land to non-forest use. (NI)
- Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use. (NI)

Air Quality

- Conflict with or obstruct implementation of the applicable air quality plan. (LTS)
- Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people. (LTS)

Biological Resources

- Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service. (NI)
- Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. (NI)
- Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. (NI)
- Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? (NI)
- Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. (NI)

Cultural Resources

- Disturb any human remains, including those interred outside of formal cemeteries. (LTS)

Geology and Soils

- Be located on a geological unit or soil that is unstable, or that would become unstable as a result of the project and potentially result in on-or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- Be located on expansive soil, as defined by Table 18-1-B of the Uniform Building Code, creating substantial direct or indirect risks to life or property.
- Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. (NI)

Greenhouse Gas Emissions

- Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment. (LTS)

Hazardous and Hazardous Materials

- Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. (LTS)
- Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school. (LTS)
- Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment. (LTS)
- Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. (LTS)

Hydrology and Water Quality

- Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. (LTS)
- Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the Project may impede sustainable groundwater management of the basin. (LTS)
- Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:
 - Result in substantial erosion or siltation on- or off-site. (LTS)
 - Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite. (LTS)
 - Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. (LTS)
 - Impede or redirect flood flows. (LTS)
- In flood hazard, tsunami, or seiche zones, risk release of pollutants due to Project inundation. (NI)
- Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan. (LTS)

Land Use and Planning

- Physically divide an established community. (LTS)
- Cause a significant environmental impact due to a conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction adopted for the purpose of avoiding or mitigating an environmental effect. (LTS)

Mineral Resources

- Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. (NI)
- Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan. (NI)

Noise

- For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels. (NI)

Population and Housing

- Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure. (LTS)
- Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere. (NI)

Public Services

- Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which would cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:
 - Fire protection. (LTS)
 - Police protection. (LTS)
 - Schools. (LTS)
 - Parks. (LTS)
 - Other public facilities. (LTS)

Recreation

- Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated. (LTS)
- Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment. (LTS)

Transportation

- Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b). (LTS)
- Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment). (LTS)
- Result in inadequate emergency access (LTS)

Utilities and Service Systems

- Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects. (LTS)
- Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years. (LTS)
- Result in a determination by the wastewater treatment provider which serves or may serve the Project that it has adequate capacity to serve the Project's projected demand in addition to the provider's existing commitments. (LTS)
- Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals. (LTS)
- Comply with federal, state, and local management and reduction statutes and regulations related to solid waste. (LTS)

Wildfire

- Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose Project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire. (LTS)
- Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment. (LTS)
- Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes. (LTS)

In addition, the EIR determined that potential impacts with respect to growth-inducing effects and irreversible environmental changes would be less than significant.

B. Impacts Determined to Be Less than Significant with Mitigation Incorporated

The Final EIR (including the Draft EIR) identifies the following significant environmental impacts associated with the project. Based on the environmental analysis of the project and the identification of feasible mitigation measures, potentially significant impacts have been determined by the City to be reduced to a level of less than significant, and the City has found in accordance with Public Resources Code Section 21081(a)(1) and State CEQA Guidelines Section 15091(a)(1) that *“changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.”* The descriptions of the impacts in these findings are summary statements. Mitigation Measures are numbered to

correspond to listings in the Draft EIR and Final EIR. Reference should be made to the Draft EIR and Final EIR for a more complete description.

Aesthetics

The Initial Study identifies potential significant impacts pertaining to construction-related Aesthetic Resources but concludes that impacts can be mitigated to less than significant levels.

IMPACT AES-d: Would the Project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.

Substantial Evidence

Construction

During project construction, nighttime lighting may be used within the construction staging areas to provide security for construction equipment. Due to the distance between the construction area and motorists on adjacent roadways, such security lights may result in glare to motorists. However, this potential impact will be reduced to a less than significant level through the City's standard project review and approval process and with implementation of **Mitigation Measure MM-AES-1**.

Operations

Excessive or inappropriately directed lighting can adversely impact nighttime views by reducing the ability to see the night sky and stars. Glare can be caused from unshielded or misdirected lighting sources. Reflective surfaces (i.e., polished metal, glass windows, other) can also cause glare. Impacts associated with glare range from simple nuisance to potentially dangerous situations (i.e., if glare is directed into the eyes of motorists).

There are existing lighting sources adjacent to the project site including traffic lights, streetlights, exterior mounted building light fixtures, free-standing parking light standards, and vehicle headlights. The proposed Project will include outdoor lighting associated with the operation of a distribution warehouse facility.

Implementation of the proposed project would not introduce a substantial amount of new daytime glare to the area due to the building-type which consists of a concrete tilt-up warehouse building with relatively few windows in the limited office area.

The proposed project would introduce new sources of nighttime light and glare into the area from additional street lighting, parking lot lighting, and building security lighting at the Project site. However, the design of all lighting at the proposed project site will be required to comply with Chapter 19.02.110 of the City's Zoning Ordinance, which includes specifications for installation of energy-efficient lighting as well as shielding of parking lot lights to minimize spillover onto adjacent properties and right-of-way.

The project site is within the area covered by the Mt. Palomar Dark Sky Ordinance. The proposed project will also be required to comply with Section 4.2.4 of the PVCC SPA9 which contains lighting standards for general, decorative, and parking lot lighting. Based on Mt. Palomar Observatory's Dark Sky Ordinance, all projects will be conditioned to use low pressure sodium.

Through standard City procedures, compliance with City regulations regarding light, and implementation of **Mitigation Measure MM-AES-1**, impacts with regard to the creation of new light and glare at the project site will be less than significant.

With regard to impacts related to any new source of substantial light or glare which would adversely affect day or nighttime views in the area, the following mitigation measure is required by the PVCCSP EIR:

MM-AES-1: Prior to issuance of grading permits, the project developer shall provide evidence to the City that any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky.

Finding

This mitigation measure will prevent any temporary nighttime lighting installed for security purposes shall be downward facing and hooded or shielded to prevent security light spillage outside of the staging area or direct broadcast of security light into the sky. Based on substantial evidence in the EIR and the public record regarding impacts to aesthetic resources, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to aesthetic resources will be reduced to less than significant levels is provided in **Table 1-2, Summary of Impacts with Standard Conditions and Mitigation Measures** of the EIR.

Air Quality

Section 4.2 (Air Quality) of the EIR identifies potential significant impacts pertaining to project construction and operational emissions but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT AQ-b: Would the Project result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard.

The *AQ Analysis* assumes that individual projects that do not generate operational or construction emissions that exceed the SCAQMD's recommended daily thresholds for project-specific impacts would also not cause a cumulatively considerable increase in emissions for those pollutants for which SCAB is in nonattainment, and, therefore, would not be considered to have a significant, adverse air quality impact. Conversely, individual project-related construction and operational emissions that exceed SCAQMD thresholds for project-specific impacts would be considered cumulatively considerable.

Based on recommended SCAQMD analysis methodologies, both short-term construction air pollutant emissions and long-term operational pollutant emissions of the proposed Project would be less than significant on a project-specific and a cumulative basis.

The project may result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. However, this potential impact will be reduced to a less than significant level through

the City's standard project review and approval process and with implementation of **Mitigation Measure PVCCSP MM Air 2** through **9, 11, 13, 14, 19, and 20**.

PVCCSP MM Air 2: Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

PVCCSP MM Air 3: To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:

- Requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);
- Keeping disturbed/loose soil moist at all times;
- Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;
- Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site;
- Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation;
- Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,
- Replacement of ground cover in disturbed areas as quickly as possible.

PVCCSP MM Air 4: Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.

PVCCSP MM Air 5: Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval will be required by the city the City of Perris Building Division prior to issuance of grading permits.

PVCCSP MM Air 6: The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the

CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or USEPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNOx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris Building Division prior to issuance of a grading permit.

PVCCSP MM Air 7: During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris Building Division.

PVCCSP MM Air 8: Each individual implementing development project shall apply paints using either high volume low pressure (HVLV) spray equipment with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

PVCCSP MM Air 9: To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize "Super-Compliant" VOC paints, which are defined in SCAQMD's Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project.

PVCCSP MM Air 11: Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.

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

PVCCSP MM Air 14: Each implementing development project shall designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance would be required prior to the issuance of occupancy permits.

PVCCSP MM Air 19: In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to

the City shall include the installation of energy-efficient street lighting throughout the project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris Building Division) prior to conveyance of applicable streets.

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

Finding

These mitigation measures will prevent the project from resulting in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard. Based on substantial evidence in the EIR and the public record regarding impacts to air quality, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to air quality will be reduced to less than significant levels is provided in Subchapter 4.2 of the EIR.

Substantial Evidence

IMPACT AQ-c: Would the Project expose sensitive receptors to substantial pollutant concentrations.

As shown in **Table 4.2-8** of the EIR, even without mitigation localized construction emissions would not exceed the applicable SCAQMD LSTs for emissions of any criteria pollutant. Therefore, the project would have a less than significant localized impact during construction. The required implementation of PVCCSP EIR mitigation measures **MM Air 2** through **MM Air 9** would further reduce the construction-related emissions of the project.

PVCCSP MM Air 2: Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

PVCCSP MM Air 3: To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:

- Requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);
- Keeping disturbed/loose soil moist at all times;
- Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;
- Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site;
- Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation;
- Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,
- Replacement of ground cover in disturbed areas as quickly as possible.

PVCCSP MM Air 4: Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.

PVCCSP MM Air 5: Electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce the associated emissions. Approval will be required by the city the City of Perris Building Division prior to issuance of grading permits.

PVCCSP MM Air 6: The developer of each implementing development project shall require, by contract specifications, the use of alternative fueled off-road construction equipment, the use of construction equipment that demonstrates early compliance with off-road equipment with the CARB in-use off-road diesel vehicle regulation (SCAQMD Rule 2449) and/or meets or exceeds Tier 3 standards with available CARB verified or USEPA certified technologies. Diesel equipment shall use water emulsified diesel fuel such as PuriNOx unless it is unavailable in Riverside County at the time of project construction activities. Contract specifications shall be included in project construction documents, which shall be reviewed by the City of Perris Building Division prior to issuance of a grading permit.

PVCCSP MM Air 7: During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on-site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris Building Division.

PVCCSP MM Air 8: Each individual implementing development project shall apply paints using either high volume low pressure (HVL) spray equipment with a minimum transfer efficiency of at least 50 percent or other application techniques with equivalent or higher transfer efficiency.

PVCCSP MM Air 9: To reduce VOC emissions associated with architectural coating, the project designer and contractor shall reduce the use of paints and solvents by utilizing pre-coated

materials (e.g., bathroom stall dividers, metal awnings), materials that do not require painting, and require coatings and solvents with a VOC content lower than required under Rule 1113 to be utilized. The construction contractor shall be required to utilize “Super-Compliant” VOC paints, which are defined in SCAQMD’s Rule 1113. Construction specifications shall be included in building specifications that assure these requirements are implemented. The specifications for each implementing development project shall be reviewed by the City of Perris Building Division for compliance with this mitigation measure prior to issuance of a building permit for that project.

As shown on **Table 4.2-9** of the EIR, operational emissions would not exceed the LST thresholds for the nearest sensitive receptor. Therefore, the Project would have a less than significant localized impact during operational activities and no mitigation is required.

Finding

These mitigation measures will prevent the project from exposing sensitive receptors to substantial pollutant concentrations during the construction phase of the project. Based on substantial evidence in the EIR and the public record regarding impacts to air quality, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to air quality will be reduced to less than significant levels is provided in Subchapter 4.2 of the EIR.

Biological Resources

Section 4.3 (Biological Resources) of the EIR identifies potential significant impacts pertaining to nesting birds but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT BIO-f: Would the Project Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.

Section 6.3.2 of the MSHCP, Additional Survey Needs and Procedures, states that additional surveys may be needed for certain species in order to achieve coverage for these species. Based on the RCA MSHCP Information Map query and review and review of the MSHCP, it was determined that the project site is not located within the designated survey area for burrowing owl as depicted in Figure 6-4 within Section 6.3.2 of the MSHCP. However, the project site is not located within any other species survey areas.

As discussed previously, the project site is vegetated with a variety of low-growing plant species that allow for the line-of-sight observation opportunities favored by burrowing owl. However, no burrowing owls or recent signs (i.e., pellets, feathers, castings, or whitewash) were observed during the field investigation. Further, no small mammal burrows that have the potential to provide suitable burrowing owl nesting habitat (>4 inches in diameter) were observed within the boundaries of the Project site. In addition, the site is surrounded by an assortment of tall poles, signs, walls, and structures that provide perching opportunities for large raptors (i.e., red-tailed hawk [*Buteo jamaicensis*]) that can prey on burrowing owl. Based on this information, it was determined that the Project site has a low potential to provide suitable habitat for burrowing owl and no focused surveys were recommended for burrowing owl.

Although the burrowing owl was not present on site during the burrowing owl portion of the survey, the site could eventually be reoccupied. The disturbance of the site reoccupied by burrowing owl would represent a potentially significant impact. Implementation of **Mitigation Measure PVCCSP MM Bio 2**, as outlined below in Subsection 4.3.5, will ensure that potential impacts to burrowing owls are reduced to less than significant levels by requiring that a preconstruction survey for burrowing owl is prepared no more than 30 days prior to ground disturbance in accordance with MSHCP survey requirements.

Also discussed previously is that vegetation within and surrounding the project site has the potential to provide refuge cover from predators, perching sites and favorable conditions for avian nesting that could be impacted by construction activities associated with the project. Nesting birds are protected pursuant to the MBTA and California Fish and Game Code (Sections 3503, 3503.3, 3511, and 3513 of the California Fish and Game Code prohibit the take, possession, or destruction of birds, their nests or eggs).

Implementation of **Mitigation Measure PVCCSP MM Bio 1** will ensure that potential impacts to nesting birds are reduced to less than significant levels by requiring that if grading is to occur during the nesting season (February 15 – August 31), a nesting bird survey shall be conducted within ten (10) days prior to grading permit issuance, in accordance with MSHCP survey requirements.

PVCCSP MM Bio 1: In order to avoid violation of the MBTA and the California Fish and Game Code, site-preparation activities (removal of trees and vegetation) for all PVCCSP implementing development and infrastructure projects shall be avoided, to the greatest extent possible, during the nesting season (generally February 1 to August 31) of potentially occurring native and migratory bird species.

If site-preparation activities for an implementing project are proposed during the nesting/breeding season (February 1 to August 31), a pre- activity field survey shall be conducted by a qualified biologist prior to the issuance of grading permits for such project, to determine if active nests of species protected by the MBTA or the California Fish and Game Code are present in the construction zone. If active nests are not located within the implementing project site and an appropriate buffer of 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected bird nests (non-listed), or 100 feet of sensitive or protected songbird nests, construction may be conducted during the nesting/breeding season. However, if active nests are located during the pre- activity field survey, no grading or heavy equipment activity shall take place within at least 500 feet of an active listed species or raptor nest, 300 feet of other sensitive or protected (under MBTA or California Fish and Game Code) bird nests (non-listed), or within 100 feet of sensitive or protected songbird nests until the nest is no longer active.

PVCCSP MM Bio 2: Project-specific habitat assessments and focused surveys for burrowing owls would be conducted for implementing development or infrastructure projects within burrowing owl survey areas. A pre- construction survey for resident burrowing owls would also be conducted by a qualified biologist within 30 days prior to commencement of grading and construction activities within those portions of implementing project sites containing suitable burrowing owl habitat and for those properties within an implementing project site where the biologist could not gain access. If ground disturbing activities in these areas are delayed or suspended for more than 30 days after the pre-construction survey, the area shall be resurveyed for owls. The pre-construction survey and any relocation activity would be conducted in accordance with the current Burrowing Owl Instruction for the Western Riverside MSHCP.

If active nests are identified on an implementing project site during the pre-construction survey, the nests shall be avoided, or the owls actively or passively relocated. To adequately avoid active nests, no grading or heavy equipment activity shall take place within at least 250 feet of an active nest during the breeding season (February 1 through August 31), and 160 feet during the non-breeding season.

Finding

These mitigation measures will prevent the project from exposing burrowing owls and nesting birds during the construction phase of the project. Based on substantial evidence in the EIR and the public record regarding impacts to biological resources, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to biological resources will be reduced to less than significant levels is provided in Subchapter 4.3 of the EIR.

Historical/Cultural Resources

Subchapter 4.4 (Cultural Resources) of the EIR identifies potential significant impacts pertaining to construction-related cultural resources impacts but concludes that impacts can be mitigated to less than significant levels.

IMPACT CUL-a: Cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Guidelines Section 15064.5.

Substantial Evidence

No cultural resources of either prehistoric (Native American) or historical origin were observed within the project boundaries during the field survey. According to a records search conducted by Eastern Information Center staff at the University of California, Riverside, 42 cultural resources studies have been conducted within a one-mile radius of the proposed project site, effectively encompassing most of the land within that radius. During the course of field surveys associated with these studies, 12 cultural resources properties have been recorded with the one-mile radius. With only one exception, all recorded sites were of historical period origin and were comprised primarily of remnant agricultural irrigation system components.

It is known that a residence existed at the northwestern corner of the property at least as early as 1939. Based on cartographic and photographic evidence, the house and associated structure were demolished between 1979 and 2002, with no remains currently existing. Several large trees that had encircled the residential compound were cut down at some time after 2018. Therefore, there is the possibility that an associated subsurface cultural deposit may exist at the site and be unearthed during project ground-disturbing activities. Disturbance or destruction of a historical resource would be a potentially significant impact. Project **Mitigation Measure MM-CR-1** shall be implemented to reduce potentially significant impacts to previously undiscovered historical resources that may be accidentally encountered during project implementation to a less than significant level. Project **Mitigation Measure MM-CR-1** implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4, as subsequently revised by the City of Perris. With implementation of project **Mitigation Measure MM-CR-1**, impacts to historical resources will be reduced to less than significant levels.

With regard to impacts to historic resources, the following mitigation measure are required by the PVCCSP EIR:

MM-CR-1 Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site Project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground- disturbing activities shall occur at the site or within the off-site Project improvement areas until the archaeologist has been approved by the City.

The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground- disturbing equipment to allow time for the recording and removal of the resources.

In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.

If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the City of Perris Planning Division and the Soboba Band of Luiseño Indians and the Pechanga Band of Luiseño Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians shall be retained to assist the Project archaeologist in the significance determination of the Native American as deemed possible. The designated Luiseño tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribe. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.

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

Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Luiseño tribe(s) involved with the Project.

MM-CR-2

In the event that human remains (or remains that may be human) are discovered at the Project site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors, Project archaeologist, and/or designated Luiseño tribal representative shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Luiseño tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the Project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be determined in

consultation between the Project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and the median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.98I and 5097.94(k)).

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

Finding

This mitigation measure will prevent the modification, redevelopment, or demolition of a historic resource without proper treatment. Based on substantial evidence in the EIR and the public record regarding impacts to historical resources, the City hereby finds *that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to historical resources will be reduced to less than significant levels is provided in Subchapter 4.4 of the EIR.

IMPACT CUL-b: Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5.

Substantial Evidence

No cultural resources of either prehistoric (Native American) or historical origin were observed within the project boundaries during the field survey. In addition, no information has been obtained through Native American consultation that the subject property is culturally or spiritually significant and no Traditional Cultural Properties that currently serve religious or other community practices are known to exist within the project area. During the current cultural resources evaluation, no artifacts or remains were identified or recovered that could be reasonably associated with such practices.

However, there is the possibility that an associated subsurface cultural deposit may exist at the site and be unearthed during project ground-disturbing activities. Disturbance or destruction of an archaeological resource would be a potentially significant impact. Project **Mitigation Measure MM-CR-1** shall be implemented to reduce potentially significant impacts to previously undiscovered archaeological resources that may be encountered during Project implementation to a less than significant level. As stated previously, project **Mitigation Measure MM-CR-1** implements PVCCSP EIR mitigation measures MM Cultural 2 through MM Cultural 4, as subsequently revised by the City of Perris. With implementation of project **Mitigation Measure MM-CR-1**, impacts to archaeological resources will be reduced to less than significant levels.

With regard to impacts to archaeological resources, the following mitigation measure is required by the PVCCSP EIR:

MM-CR-1 Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities

at both the subject site and any off-site Project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development Services and no ground-disturbing activities shall occur at the site or within the off-site Project improvement areas until the archaeologist has been approved by the City.

The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.

In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.

If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the City of Perris Planning Division and the Soboba Band of Luiseño Indians and the Pechanga Band of Luiseño Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians shall be retained to assist the Project archaeologist in the significance determination of the Native American as deemed possible. The designated Luiseño tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribe. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.

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

Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Luiseño tribe(s) involved with the Project.

Finding

This mitigation measure will ensure that the unanticipated discovery of archaeological resources is adequately addressed in accordance with CEQA. They will ensure that newly discovered artifacts found within a project site during monitoring shall be handled in a manner to avoid impacts and preserve archaeological resources (prehistoric and historic). Based on substantial evidence in the EIR and the public record regarding impacts to archaeological resources, the City hereby finds that *changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to archaeological resources will be reduced to less than significant levels is provided in Subchapter 4.4 of the EIR.

Energy

Subchapter 4.5 (Energy) of the EIR identifies potential significant impacts pertaining to construction and operational-related energy impacts but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT ENER-a: Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation.

The stationary and mobile (on-road and off-road) construction equipment will meet all emission control regulations which helps equipment run more efficiently and consume less fuel. Equipment

will also be switched off if left idle for more than 5 minutes per CCR Title 13, Title 13, Motor Vehicles, section 2449(d)(3) Idling, limits idling times of construction and **PVCCSP EIR Mitigation Measures MM Air 4 and Air 11**. In these ways, project construction will not result in wasteful, inefficient, or unnecessary consumption of energy resources. Impacts will be less than significant with implementation of the recommended mitigation.

Project building operations activities would result in the consumption of natural gas and electricity. Natural gas would be supplied to the Project by SoCalGas; electricity would be supplied to the project by SCE. ECA Table 4-16 indicates operation of the project will consume 699,315 thousand British Thermal Units (kBtUs) of natural gas per year and 922,964 kiloWatt-hours (kWh) of electricity each year. As previously stated, the analysis herein assumes compliance with the 2019 Title 24 Standards and the CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard. However, the project will also implement **PVCCSP EIR Mitigation Measure MM Air 20** which encourages the project to increase the building's energy efficiency 15 percent beyond Title 24.

PVCCSP MM Air 4 Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.

PVCCSP MM Air 11 Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.

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

Finding

These mitigation measures will ensure that the potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to archaeological resources, the City hereby finds that *changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to energy will be reduced to less than significant levels is provided in Subchapter 4.5 of the EIR.

Substantial Evidence

IMPACT ENER-b: Conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

The project's consistency with the applicable state and local plans is discussed below.

ISTEA. Transportation and access to the project site is provided by the local and regional roadway systems. The project would not interfere with, nor otherwise obstruct intermodal transportation

plans or projects that may be realized pursuant to the ISTEA because SCAG is not planning for intermodal facilities on or through the Project site.

TEA-21. The project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the project facilitates access, acts to reduce vehicle miles traveled, takes advantage of existing infrastructure systems, and promotes land use compatibilities through collocation of similar uses. The project supports the strong planning processes emphasized under TEA-21. The project is therefore consistent with, and would not otherwise interfere with, nor obstruct implementation of TEA-21.

IEPR. Electricity would be provided to the project by SCE. SCE's *Clean Power and Electrification Pathway* (CPEP) white paper builds on existing state programs and policies. The project is consistent with, and would not otherwise interfere with, nor obstruct implementation of the goals presented in the 2019 IEPR. The project will also comply with the applicable Title 24 standards which would ensure that the project energy demands would not be inefficient, wasteful, or otherwise unnecessary. Therefore, development of the proposed project would support the goals presented in the 2019 IEPR.

California Energy Plan. The project site is located along major transportation corridors with proximate access to the Interstate freeway system. The site selected for the project facilitates access and takes advantage of existing infrastructure systems. The project therefore supports urban design and planning processes identified under the State of California Energy Plan, is consistent with, and would not otherwise interfere with, nor obstruct implementation of the State of California Energy Plan.

CCR Title 24, Part 6, Energy Efficiency Standards. The 2019 version of Title 24 was adopted by the CEC and became effective on January 1, 2020. It should be noted that this analysis assumes compliance with the 2019 Title 24 Standards. The CEC anticipates that nonresidential buildings will use approximately 30% less energy compared to the prior code. A The CalEEMod defaults for Title 24 – Electricity and Lighting Energy were reduced by 30% in order to reflect consistency with the 2019 Title 24 standard.

AB 1493. This statute is not applicable to the project as it is a statewide measure establishing vehicle emissions standards. No feature of the project would interfere with implementation of the requirements under AB 1493.

Renewable Portfolio Standards. California's RPS is not applicable to the project as it is a statewide measure that establishes a renewable energy mix. No feature of the project would interfere with implementation of the requirements under RPS.

SB 350. The proposed project would use energy from SCE, which has committed to diversify their portfolio of energy sources by increasing energy from wind and solar sources. No feature of the project would interfere with implementation of SB 350. Additionally, the project would be designed and constructed to implement the energy efficiency measures for new industrial developments and would include several measures designed to reduce energy consumption.

PVCCSP EIR. In addition, the project will also implement **PVCCSP EIR Mitigation Measures MM Air 14** and **MM Air 19** to further reduce future energy consumption of the project from workers driving to and from the project and from street lighting.

PVCCSP MM Air 14 Each implementing development project shall designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance would be required prior to the issuance of occupancy permits.

PVCCSP MM Air 19 In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris Building Division) prior to conveyance of applicable streets.

Finding

These mitigation measures will ensure that the project will not conflict with or obstruct a state or local plan for renewable energy or energy efficiency is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to archaeological resources, the City hereby finds that *changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to energy will be reduced to less than significant levels is provided in Subchapter 4.5 of the EIR.

Geology and Soils

The Initial Study identifies potential significant impacts pertaining to geology and soils but concludes that impacts can be mitigated to less than significant levels.

IMPACT GEO-b: Result in substantial soil erosion or the loss of topsoil.

Substantial Evidence

Based on historical aerial photographs, it is evident the Project site was used for agricultural purposes in conjunction with acreage to the south. Aerial photographs dated between June 2002 and June 2008 clearly show the south half of the Project site being used as part of the larger agricultural field believed to be under cultivation as a sod farm. This is consistent with information included in the PVCCSP-EIR, which states, in mid-2011 a large portion of the PVCC area was undeveloped land used for agricultural purposes.

A review of the available historical aerial photographs dating back to 1994 indicate that the Project site was consistently used for agricultural purposes in the first half of the 2000's, and intermittently in the 1990's. Data prior to 1994 was not available in conjunction with this Initial Study (IS) analysis.

Agricultural activities at the Project site appear to have ceased in 2007/2008 and the site has been fallow since that time. The surface soils have been tractor bladed in recent years for weed abatement purposes.

Implementation of the proposed Project has the potential to expose surficial soils to wind and water erosion during site grading and construction activities:

- Wind erosion would be minimized through mandated soil stabilization measures by South Coast Air Quality Management District (SCAQMD) Rule 403 (Fugitive Dust), such as daily watering (see **PVCCSP MM Air 3**).

With the incorporation of **PVCCSP MM Air 3** any potential impacts related to substantial soil erosion, or the loss of topsoil associated with implementation of the proposed Project would be reduced to a less than significant level.

PVCCSP MM Air 3: To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:

- Requiring the application of non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);
- Keeping disturbed/loose soil moist at all times;
- Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;
- Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site;
- Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation;
- Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,
- Replacement of ground cover in disturbed areas as quickly as possible.

Finding

This mitigation measure will ensure that the potential for the project to result in substantial soil erosion or the loss of topsoil is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to geology and soils, the City hereby finds that *changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to geology and soils will be reduced to less than significant levels is provided in Section V.7 of the Initial Study.

IMPACT GEO-f: Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

Substantial Evidence

According to *Map My County*, the Project site is mapped within a “High B” sensitivity area, denoting a high sensitivity for paleontological resources.

This is consistent with the *PRAP*, which states: “The results of these research procedures indicate that the proposed Project’s potential to impact significant non-renewable paleontological resources appears to be high, especially in the early Holocene to Pleistocene soils present subsurface at varying depths.”

Areas classified as high sensitivity may contain buried paleontological deposits at or below 4 feet of depth and may be impacted during construction. It is possible that potentially significant prehistoric remains could be found, since buried fossils often go undetected during a walkover survey. Prehistoric remains may have been buried by erosional sediments accumulating in this area and masked by existing pavement.

Since the Project site is mapped in the County's General Plan as having a high potential for paleontological resources (fossils), the proposed Project site grading/earthmoving activities should be monitored for potential impacts to this resource and, therefore, the Project is required to comply with the City’s standard mitigation measure to prepare a Paleontological Resource Impact Mitigation Program (PRIMP) prior to grading permit issuance and a monitoring program prior to issuance of the final grading permit.

Mitigation Measure MM-GEO-1 is required to reduce potentially significant impacts to previously undiscovered paleontological resources and/or unique geological features that may be accidentally encountered during Project implementation to a less than significant level.

With implementation of **MM-GEO-1**, impacts to paleontological resources will be less than significant. Upon implementation of **MM-GEO-1**, the likelihood that the Project will directly or indirectly destroy unique paleontological resources on site, or a unique geologic feature will be less than significant.

The proposed Project is required to comply with the following PVCCSP EIR mitigation measure:

PVCCSP MM Air 3: To reduce fugitive dust emissions, the development of each individual implementing development project shall comply with SCAQMD Rule 403. The developer of each implementing project shall provide the City of Perris with the SCAQMD-approved dust control plan, or other sufficient proof of compliance with Rule 403, prior to grading permit issuance. Dust control measures shall include, but are not limited to:

- Requiring the application of non-toxic soil stabilizers according to manufacturers’ specifications to all inactive construction areas (previously graded areas inactive for 20 days or more, assuming no rain);
- Keeping disturbed/loose soil moist at all times;
- Requiring trucks entering or leaving the site hauling dirt, sand, or soil, or other loose materials on public roads to be covered;

- Installation of wheel washers or gravel construction entrances where vehicles enter and exit unpaved roads onto paved roads, or wash off trucks and any equipment leaving the site each trip;
- Posting and enforcement of traffic speed limits of 15 miles per hour or less on all unpaved portions of the project site;
- Suspending all excavating and grading operations when wind gusts (as instantaneous gust) exceed 25 miles per hour;
- Appointment of a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM-10 generation;
- Sweeping streets at the end of the day if visible soil material is carried onto adjacent paved public roads and use of SCAQMD Rule 1186 and 1186.1 certified street sweepers or roadway washing trucks when sweeping streets to remove visible soil materials; and/or,
- Replacement of ground cover in disturbed areas as quickly as possible.

The Project is required to comply with the following mitigation measure that replaces PVCCSP EIR mitigation measure MM Cultural 5:

MM-GEO-1

Prior to the issuance of grading permits, the Project proponent/developer shall submit to and receive approval from the City, a Paleontological Resource Impact Mitigation Monitoring Program (PRIMMP). The PRIMMP shall include the provision for a qualified professional paleontologist (or his or her trained paleontological representative) to be on-site for any Project-related excavations that exceed three (3) feet below the pre-grade surface. Selection of the paleontologist shall be subject to the approval of the City of Perris Planning Manager and no grading activities shall occur at the Project site or within the off-site Project improvement areas until the paleontologist has been approved by the City.

Monitoring shall be restricted to undisturbed subsurface areas of older Quaternary alluvium. The approved paleontologist shall be prepared to quickly salvage fossils as they are unearthed to avoid construction delays. The paleontologist shall also remove samples of sediments which are likely to contain the remains of small fossil invertebrates and vertebrates. The paleontologist shall have the power to temporarily halt or divert grading equipment to allow for removal of abundant or large specimens.

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

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

to the City of Perris Planning Division, will signify completion of the program to mitigate impacts to paleontological resources.

Finding

These mitigation measures will ensure that the unanticipated discovery of paleontological resources is adequately addressed in accordance with CEQA. They will ensure that newly discovered artifacts found within a project site will receive a Paleontological Resources Assessment, and a Treatment Plan completed (if necessary) to avoid impacts and preserve archaeological resources. Based on substantial evidence in the EIR and the public record regarding impacts to paleontological resources, the City hereby finds that *changes or alterations have been required in, or incorporated into, the project to mitigate or avoid the significant effects on the environment*. Further evidence supporting the fact that the environmental effects related to paleontological resources will be reduced to less than significant levels is provided in Section V.7 of the initial Study.

Greenhouse Gas Emissions

Subchapter 4.6 (Greenhouse gas Emissions) of the EIR identifies potential significant impacts pertaining to greenhouse gas emissions impacts but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT GHG-b: Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Table 4.6-7 of the EIR demonstrates that the project would not conflict with any of the 2017 Scoping Plan elements as any regulations adopted would apply directly or indirectly to the project.

The City of Perris adopted its Climate Action Plan (CAP) in February 2016. The project would comply with the CAP through compliance with the PVCCSP EIR mitigation measures for air pollutant emissions (**PVCCSP MM Air 2, Air 4, Air 7, Air 11, Air 13, Air 14, Air 19, and Air 20** as outlined below). These measures would also further reduce the project's contribution of GHG emissions from both construction and operation. The project would not conflict with local strategies and state/regional strategies listed in the Perris CAP.

The project is also subject to California Building Code requirements. New buildings must achieve the 2019 Building and Energy Efficiency Standards and the 2019 California Green Building Standards requirements, which include energy conservation measures and solid waste reduction measures. While the project does not include reduced parking, increased density, or a mixed-use development, it would provide sidewalks, bike racks, pedestrian walkways, and TDM measures to encourage the use of alternative modes of transportation (walking, biking, and transit). Therefore, the project would not conflict with applicable GHG reduction measures in the CAP.

PVCCSP MM Air 2

Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary

traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off- site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

PVCCSP MM Air 4 Building and grading permits shall include a restriction that limits idling of construction equipment on site to no more than five minutes.

PVCCSP MM Air 7 During construction, ozone precursor emissions from mobile construction equipment shall be controlled by maintaining equipment engines in good condition and in proper tune per manufacturers' specifications to the satisfaction of the City of Perris Building Division. Equipment maintenance records and equipment design specification data sheets shall be kept on- site during construction. Compliance with this measure shall be subject to periodic inspections by the City of Perris Building Division.

PVCCSP MM Air 11 Signage shall be posted at loading docks and all entrances to loading areas prohibiting all on-site truck idling in excess of five minutes.

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

PVCCSP MM Air 14 Each implementing development project shall designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing. Proof of compliance would be required prior to the issuance of occupancy permits.

PVCCSP MM Air 19

In order to reduce energy consumption from the individual implementing development projects, applicable plans (e.g., electrical plans, improvement maps) submitted to the City shall include the installation of energy-efficient street lighting throughout the project site. These plans shall be reviewed and approved by the applicable City Department (e.g., City of Perris Building Division) prior to conveyance of applicable streets.

PVCCSP MM Air 20

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

Finding

These mitigation measures will ensure that the project's potential to conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to greenhouse gas resources, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to greenhouse gas resources will be reduced to less than significant levels is provided in Subchapter 4.6 of the EIR.

Hazardous and Hazardous Materials

The Initial Study identifies potential significant impacts pertaining to hazards and hazardous materials but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT HAZ-b: Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

Based on historical aerial photographs, the project site appears to have been used in conjunction with acreage to the south for agricultural purposes. Aerial photographs dated between June 2002 and June 2008 clearly show the south half of the project site being used as part of the larger agricultural field believed to be under cultivation as a sod farm. This is consistent with information included in the PVCCSP-DEIR, which states, in mid-2011 a large portion of the PVCC area was undeveloped land used for agricultural purposes.

A review of the available historical aerial photographs dating back to 1994 indicate that the project site was consistently used for agricultural purposes in the first half of the 2000's, and intermittently in the 1990's. Data prior to 1994 was not available in conjunction with the Initial Study (IS) analysis.

Agricultural activities at the project site appears to have ceased in 2007/2008 and the site has been fallow since that time. The surface soils have been tractor bladed in recent years for weed abatement purposes. Although environmentally persistent pesticides commonly applied prior to the 1980s can linger in the soil for many years, the *Phase I ESA* evaluated the potential and did not recommend any subsequent sampling or testing. Based on the length of time that has elapsed since the agricultural usage occurred (approx. 12 years), it is unlikely the potential former usage of pesticides has significantly impaired the project site or would require remedial actions.

Out of an abundance of caution, **Mitigation Measures MM-HAZ-1** and **MM-HAZ-2** are incorporated herein. **MM-HAZ-1** requires monitoring during ground disturbance activities and remediation if pesticides are present. **MM-HAZ-2** outlines procedures to follow should fuel tanks or other potentially hazardous materials be found during grading.

With implementation of **MM-HAZ-1** and **MM-HAZ-2**, potential impacts related to creating hazards to the public or the environment through upset and accident conditions of hazardous materials will be reduced to less than significant levels.

MM-HAZ-1

Pesticide Presence. Prior to any ground disturbance activities, the Project applicant shall coordinate the sampling and laboratory testing of onsite soils for contamination by past agricultural chemicals (e.g., pesticides, herbicides, rodenticides, heavy metals, etc.) with the County Department of Environmental Health Services (DEH). If requested, the applicant shall submit a workplan to DEH for review and approval prior to the completion of grading. If any past agricultural chemicals are found in levels that exceed applicable health standards, a qualified contractor shall be retained to remove and properly dispose of such materials. Any work conducted shall be in compliance with DEH guidelines as the appropriate oversight agency. If sampling and laboratory testing are performed, a final report shall be prepared and submitted to DEH for review and approval prior to issuance of a certificate of occupancy.

MM-HAZ-2

Buried Hazards. If any former fuel tanks or other potentially hazardous materials are found during grading or any ground disturbing activities, work in that area shall be halted within 100 feet of the find and a qualified environmental contractor shall be retained. The contractor shall assess the risk or hazard level of the material(s) and identify the most appropriate method of remediation. This work shall occur in coordination with and to the satisfaction of the County Department of Environmental Health Services (DEH).

Finding

These mitigation measures will ensure that the project's potential to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to hazardous and hazardous materials, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects

related to hazardous and hazardous materials will be reduced to less than significant levels is provided in Section V.9 of the Initial Study.

Substantial Evidence

IMPACT HAZ-e: For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, result in a safety hazard or excessive noise for people residing or working in or outside the Planning Area.

Most of the project site (11.60 acres) is located in compatibility Zone B1 (Inner Approach/Departure Zone) of the MARB/IPA LUCP. A relatively small portion (3.90 acres), at the northeast corner of the project site, is located in compatibility Zone C1 (Primary Approach/Departure Zone). The project proponent submitted a formal application to the ALUC for review and, at its July 9, 2020 meeting, the ALUC determined that the project was consistent with the MARB / IPA (Case ZAP1390MA19) with a series of conditions that are incorporated into **Mitigation Measure MM-HAZ-3**. With implementation of **MM-HAZ-3**, potential impacts related to safety hazards or excessive noise for people residing or working in the project area (relative to the MARB / IPA) will be reduced to less than significant levels.

MM-HAZ-3

ALUC Consistency. Prior to issuance of a certificate of occupancy, the applicant shall demonstrate the Project has complied with the following conditions issued by the Riverside County Airport Land Use Commission (ALUC) at its July 9, 2020 meeting relative to the March Air Reserve Base / Inland Port Airport (MARB/IPA):

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
 - (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. Such uses include landscaping utilizing water features, aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash

- transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
 - (e) Children's schools, day care centers, libraries, hospitals, skilled nursing and care facilities, congregate care facilities, hotels/motels, restaurants, places of assembly (including churches and theaters), buildings with more than 3 aboveground habitable floors, noise sensitive outdoor nonresidential uses, critical community infrastructure facilities and hazards to flight.
 - (f) Any other uses not permitted in Accident Potential Zone II pursuant to DoDI 4165.57.
3. Prior to issuance of any building permits, the landowner shall convey and have recorded an avigation easement to the March Inland Port Airport Authority. Contact March Joint Powers Authority at (951) 656-7000 for additional information.
 4. The attached notice [from the July 9, 2020 ALUC Staff Report] shall be given to all prospective purchasers of the property and tenants of the buildings.
 5. Any proposed detention basins or facilities shall be designed and maintained to provide for a maximum 48-hour detention period following the design storm and remain totally dry between rainfalls. Vegetation in and around the detention basins that would provide food or cover for birds would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced so as to prevent large expanses of contiguous canopy, when mature. Landscaping in and around the detention basin(s) shall not include trees or shrubs that produce seeds, fruits, or berries.

Landscaping in the detention basin, if not rip-rap, should be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.

A notice sign, in a form similar to that attached hereto, shall be permanently affixed to the stormwater basin with the following language: "There is an airport nearby. This stormwater basin is designed to hold stormwater for only 48 hours and not attract birds. Proper maintenance is necessary to avoid bird strikes". The sign will also include the name, telephone number or other contact

information of the person or entity responsible to monitor the stormwater basin.

6. March Air Reserve Base must be notified of any land use having an electromagnetic radiation component to assess whether a potential conflict with Air Base radio communications could result. Sources of electromagnetic radiation include radio wave transmission in conjunction with remote equipment inclusive of irrigation controllers, access gates, etc.
7. Noise attenuation measures shall be incorporated into the design of the office areas of the structure, to the extent such measures are necessary to ensure that interior noise levels from aircraft operations are at or below 45 CNEL.
8. The project does not propose rooftop solar panels at this time. However, if the project were to propose solar rooftop panels in the future, the applicant/developer shall prepare a solar glare study that analyzes glare impacts, and this study shall be reviewed by the Airport Land Use Commission and March Air Reserve Base.
9. This project has been evaluated as a proposal for 260,076 square feet of e-commerce area, 79,843 square feet of warehouse area, and 8,000 square feet of office floor area. Any increase in building area or change in use will require review by the Airport Land Use Commission. In addition, this project shall not store, process or manufacture hazardous materials without review and approval by the Airport Land Use Commission.

Supporting documentation was provided to the Airport Land Use Commission and is available online at www.rcaluc.org, click Agendas, 07-09-20 Agenda, Bookmark Agenda Item No. 3.1.

Written proof of compliance shall be provided to County Planning and ALUC prior to issuance of the certificate of occupancy.

Finding

These mitigation measures will ensure that the project's potential to result in a safety hazard or excessive noise for people residing or working in or outside the Planning Area is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to hazardous and hazardous materials, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to hazards and hazardous materials will be reduced to less than significant levels is provided in Section V.9 of the Initial Study.

Substantial Evidence

IMPACT HAZ-g: Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Once the project is constructed, emergency access to the project site will be maintained via driveway curb cut aprons along both Perris Boulevard and Indian Avenue, consistent with requirements outlined in the MHFP. Additionally, the proposed project is consistent with the industrial land use requirements outlined in the PVCCSP; therefore, the proposed project will have a less than significant impact on implementation of the adopted emergency response plan.

All project elements, including landscaping, will be sited with sufficient clearance from the proposed buildings so as not to interfere with emergency access to and evacuation from the site. The proposed project is required to comply with the California Fire Code as adopted by the City of Perris Municipal Code.

The project will comply with all applicable state, regional, and local wildfire safety regulations inclusive of the California Fire Code, the City of Perris Municipal Code, and the PVCCSP, and will not impair implementation of or physically interfere with an adopted emergency response plan or evacuation plan because no permanent public street or lane closures are proposed.

With the incorporation of **PVCCSP EIR Mitigation Measure MM Air 2**, implementation of the proposed project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires. Any potential impacts would be reduced to a less than significant level.

PVCCSP MM Air 2

Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

Finding

This mitigation measure will ensure that the project's potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to hazardous and hazardous materials, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the

environmental effects related to hazards and hazardous materials will be reduced to less than significant levels is provided in Section V.9 of the Initial Study.

Noise

Subchapter 4.9 (Noise) of the EIR identifies potential significant impacts pertaining to exterior and interior noise standards but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT NOI-a: Would the Project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

Although the *Noise Study* determined the noise impacts of Project construction and operation will be less than significant, the Project is required to comply with Mitigation Measures **PVCCSP EIR MM Noise 1** through **PVCCSP EIR MM Noise 4** from the PVCCSP EIR to further reduce construction impacts. Therefore, the Project would not result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

The proposed Project is required to comply with the following **PVCCSP EIR** mitigation measures.

- PVCCSP MM Noise 1:** During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.
- PVCCSP MM Noise 2:** During all construction, stationary construction equipment, stockpiling and vehicle staging areas will be placed a minimum of 446 feet from the closest sensitive receptor.
- PVCCSP MM Noise 3:** No combustion-powered equipment, such as pumps or generators, shall be allowed to operate within 446 feet of any occupied residence unless the equipment is surrounded by a noise protection barrier.
- PVCCSP MM Noise 4:** Construction contractors of implementing development projects shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.

Finding

These mitigation measures will ensure that the project's potential to result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the Project in excess of standards established in the local general plan or noise ordinance, or applicable

standards of other agencies is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to noise resources, the City hereby finds that changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to noise resources will be reduced to less than significant levels is provided in Subchapter 4.9 of the EIR.

Substantial Evidence

IMPACT NOI-b: Would the Project result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels.

Table 4.9-15, *Project Construction Vibration Impacts*, of the DEIR presents the expected typical construction equipment vibration levels at the nearby receiver locations. At distances ranging from 273 feet to 740 feet from typical Project construction activities (at the Project site boundary), construction vibration levels are estimated to range from 42.9 to 55.9 VdB and will satisfy the FTA *Transit Noise and Vibration Impact Assessment* methodology provides guidelines for maximum-acceptable vibration criteria for different types of land uses. Therefore, the vibration impacts due to Project construction will be less than significant at all receiver locations.

Although the *Noise Study* determined the vibration impacts of Project construction will be less than significant, the Project is required to comply with Mitigation Measures **PVCCSP EIR MM Noise 1** through **PVCCSP EIR MM Noise 4** from the PVCCSP EIR.

PVCCSP MM Noise 1: During all project site excavation and grading on-site, construction contractors shall equip all construction equipment, fixed or mobile, with properly operating and maintained mufflers, consistent with manufacturer standards. The construction contractor shall place all stationary construction equipment so that emitted noise is directed away from the noise sensitive receptors nearest the project site.

PVCCSP MM Noise 2: During all construction, stationary construction equipment, stockpiling and vehicle staging areas will be placed a minimum of 446 feet from the closest sensitive receptor.

PVCCSP MM Noise 3: No combustion-powered equipment, such as pumps or generators, shall be allowed to operate within 446 feet of any occupied residence unless the equipment is surrounded by a noise protection barrier.

PVCCSP MM Noise 4: Construction contractors of implementing development projects shall limit haul truck deliveries to the same hours specified for construction equipment. To the extent feasible, haul routes shall not pass sensitive land uses or residential dwellings.

Finding

These mitigation measures will ensure that the project's potential to result in exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to noise resources, the City hereby finds that changes or alterations

have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment. Further evidence supporting the fact that the environmental effects related to noise resources will be reduced to less than significant levels is provided in Subchapter 4.9 of the EIR.

Transportation

Subchapter 4.10 of the EIR identifies potential significant impacts pertaining to traffic and circulation but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT TR-a: Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities.

Based on substantial evidence, the Project will not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities and the City General Plan with implementation of the Standard Conditions and PVCCSP **Mitigation Measures MM Trans 1, Trans 2, and Trans 5**. Project impacts related to this CEQA threshold will be less than significant including those for either Access Option which would specify from which direction trucks would access the Project site.

Employers, employees, and vendors utilizing the proposed Project will have the opportunity to use a variety of transportation modes including automobile, mass transit and non-vehicular travel. As set forth in the PVCCSP, the City of Perris encourages the use of mass transit whenever possible. With the recent extension of Metrolink facilities along the west side of the I-215 corridor there is now a local commuter rail station at I-215/Ramona Expressway/Cajalco Road which is 1.35 mile west of the Project site.

Bus service in western Riverside County is provided by the Riverside Transit Authority (RTA). The Project is currently served by RTA Route 41 along Ramona Expressway and Perris Boulevard and Route 19 along Perris Boulevard. The closest bus stop to the Project site is on the west side of Perris Boulevard adjacent to the site approximately 170 feet south of Ramona Expressway which is regularly served by Routes 41 and 19. Regional express bus service is also available from the Project area via Route 27 along the I-215 west of the site. The applicant has already consulted with RTA and has agreed to construct a new bus stop on the south side of Ramona Expressway just east of Indian Boulevard adjacent to the Project site. The new bus stop will be constructed per RTA standards and has been incorporated into the Project site plan.

The Project will complete the local pedestrian circulation network by installing site adjacent sidewalks on Ramona Expressway (south side), Perris Boulevard (west side), and Indian Avenue (east side). There are no bicycle lanes on any of the three roadways adjacent to the Project site, but a Regional Trail is eventually planned for the north side of Ramona Expressway and Class II bicycle lanes are planned for Perris Boulevard south of Ramona Boulevard and along Morgan Street. The following mitigation measures from the PVCCSP will reduce potential impacts to less than significant levels:

PVCCSP MM Trans 1 Future implementing development projects shall construct on-site roadway improvements pursuant to the general alignments and right-of-way sections set forth in the PVCC Circulation Plan, except where said improvements have previously been constructed.

PVCCSP MM Trans 2 Sight distance at the project entrance roadway of each implementing development project shall be reviewed with respect to standard City of Perris sight distance standards at the time of preparation of final grading, landscape and street improvement plans.

PVCCSP MM Trans 5 Bike racks shall be installed in all parking lots in compliance with City of Perris standards.

Finding

These mitigation measures will ensure that the project's potential to create a significant traffic impact related to consistency with established plans for non-vehicular access is adequately addressed in accordance with CEQA. Based on substantial evidence in the EIR and the public record regarding impacts to a program plan, ordinance or policy addressing the circulation system, the City hereby finds that the recommended mitigation measures have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment.

Tribal Cultural Resources

Based on substantial evidence, Subchapter 4.11 of the EIR identifies potential significant impacts pertaining to tribal cultural resources but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT TCR-a: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is listed or eligible for listing in the California Register of Historical resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k).

A Phase I Cultural Resources Assessment (CRA) for the proposed Project site was completed by a qualified archaeologist in 2020 which complied with the requirements of PVCCSP EIR MM Cultural 1. The City also contacted 16 Native American Tribal Groups based on input from the Native American Heritage Commission and sent them copies of the CRA. The CRA determined the site contained no identified cultural resources but recommended implementation of Mitigation Measures MM-CR-1 and MM-CR-2 to prevent any impacts to unanticipated tribal cultural resources which may be found during grading.

MM-CR-1 Prior to the issuance of grading permits, the Project proponent/developer shall retain a professional archaeologist meeting the Secretary of the Interior's Professional Standards for Archaeology (U.S. Department of Interior, 2012; Registered Professional Archaeologist preferred). The primary task of the consulting archaeologist shall be to monitor the initial ground-disturbing activities at both the subject site and any off-site Project-related improvement areas for the identification of any previously unknown archaeological and/or cultural resources. Selection of the archaeologist shall be subject to the approval of the City of Perris Director of Development

Services and no ground-disturbing activities shall occur at the site or within the off-site Project improvement areas until the archaeologist has been approved by the City.

The archaeologist shall be responsible for monitoring ground-disturbing activities, maintaining daily field notes and a photographic record, and for reporting all finds to the developer and the City of Perris in a timely manner. The archaeologist shall be prepared and equipped to record and salvage cultural resources that may be unearthed during ground-disturbing activities and shall be empowered to temporarily halt or divert ground-disturbing equipment to allow time for the recording and removal of the resources.

In the event that archaeological resources are discovered at the Project site or within the off-site Project improvement areas, the handling of the discovered resource(s) will differ, depending on the nature of the find. Consistent with California Public Resources Code Section 21083.2(b) and Assembly Bill 52 (Chapter 532, Statutes of 2014), avoidance shall be the preferred method of preservation for Native American/tribal cultural/archaeological resources. However, it is understood that all artifacts, with the exception of human remains and related grave goods or sacred/ceremonial/religious objects, belong to the property owner. The property owner will commit to the relinquishing and curation of all artifacts identified as being of Native American origin. All artifacts, Native American or otherwise, discovered during the monitoring program shall be recorded and inventoried by the consulting archaeologist.

If any artifacts of Native American origin are discovered, all activities in the immediate vicinity of the find (within a 50-foot radius) shall stop and the Project proponent and Project archaeologist shall notify the City of Perris Planning Division and the Soboba Band of Luiseño Indians and the Pechanga Band of Luiseño Indians. A designated Native American representative from either the Soboba Band of Luiseño Indians or the Pechanga Band of Luiseño Indians shall be retained to assist the Project archaeologist in the significance determination of the Native American as deemed possible. The designated Luiseño tribal representative will be given ample time to examine the find. The significance of Native American resources shall be evaluated in accordance with the provisions of CEQA and shall consider the religious beliefs, customs, and practices of the Luiseño tribe. If the find is determined to be of sacred or religious value, the Luiseño tribal representative will work with the City and consulting archaeologist to protect the resource in accordance with tribal requirements. All analysis will be undertaken in a manner that avoids destruction or other adverse impacts.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging

and basic recordation have been completed by the consulting archaeologist.

Native American artifacts that are relocated/reburied at the Project site would be subject to a fully executed relocation/reburial agreement with the assisting Luiseño tribe. This shall include, but not be limited to, an agreement that artifacts will be reburied on-site and in an area of permanent protection, and that reburial shall not occur until all cataloging and basic recordation have been completed by the consulting archaeologist.

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

Once grading activities have ceased and/or the archaeologist, in consultation with the designated Luiseño representative, determines that monitoring is no longer warranted, monitoring activities can be discontinued following notification to the City of Perris Planning Division.

A report of findings, including an itemized inventory of artifacts, shall be prepared upon completion of the tasks outlined above. The report shall include all data outlined by the Office of Historic Preservation guidelines, including a conclusion of the significance of all recovered, relocated, and reburied artifacts. A copy of the report shall also be filed with the City of Perris Planning Division, the University of California, Riverside, Eastern Information Center (EIC) and the Luiseño tribe(s) involved with the Project.

MM-CR-2

In the event that human remains (or remains that may be human) are discovered at the Project site or within the off-site Project improvement areas during ground-disturbing activities, the construction contractors, Project archaeologist, and/or designated Luiseño tribal representative shall immediately stop all activities within 100 feet of the find. The Project proponent shall then inform the Riverside County Coroner and the City of Perris Planning Division immediately, and the coroner shall be permitted to examine the remains as required by California Health and Safety Code Section 7050.5(b).

If the coroner determines that the remains are of Native American origin, the coroner would notify the Native American Heritage Commission (NAHC), which will identify the "Most Likely Descendent" (MLD). Despite the affiliation with any Luiseño tribal representative(s) at the site, the NAHC's identification of the MLD will stand. The MLD shall be granted access to inspect the site of the discovery of Native American human remains and may recommend to the Project proponent means for treatment or disposition, with appropriate dignity of the human remains and any associated grave goods. The MLD shall complete his or her inspection and make recommendations or preferences for treatment within 48 hours of being granted access to the site. The disposition of the remains will be

determined in consultation between the Project proponent and the MLD. In the event that there is disagreement regarding the disposition of the remains, State law will apply and the median with the NAHC will make the applicable determination (see Public Resources Code Section 5097.981 and 5097.94(k)).

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

Finding

As a result of the consultation process, **Mitigation Measures MM-CR-1** and **MM-CR-2** shall be applied to the Project. Implementation of these measures will ensure that, in the event that native cultural resources are discovered during ground-disturbing activities, all construction activities around the find will be halted, a qualified archaeologist will be notified, uncovered resources will be evaluated, and local tribes will be notified if the find is determined to be prehistoric or historic in nature. Therefore, the Project will not cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074.

Substantial Evidence

IMPACT TCR-b: Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a Cultural Native American tribe, and that is a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

The City also contacted 16 Native American Tribal Groups based on input from the Native American Heritage Commission and sent them copies of the CRA. The City received a written response on April 14, 2021, from the Pechanga Band of Luiseño Indians regarding the AB 52 and SB 18 notices the City sent out on April 02, 2021. The Pechanga representative requested formal consultation with the City. The Agua Caliente Band of Cahuilla Indians provided a written response to the City on May 06, 2021, regarding the IS/NOP that was circulated for review, and they also requested formal consultation. The City received a follow up Letter from the Tribe on September 14, 2021, requesting language for mitigation and to receive a copy of the mitigation measures.

As a result of the consultation process, **Mitigation Measures MM-CR-1** and **MM-CR-2** shall be applied to the Project. Implementation of these measures will ensure that in the event that native cultural resources are discovered during ground-disturbing activities all construction activities around the find will be halted, a qualified archaeologist will be notified, uncovered resources will be evaluated, and local tribes will be notified if the find is determined to be prehistoric or historic in nature.

See Mitigation Measures **MM-CR-1** and **MM-CR-2** in IMPACT TCR-a above.

Finding

With implementation of **Mitigation Measures MM-CR-1** and **MM-CR-2**, impacts to tribal cultural resources related to Native American tribal consultation will be reduced to less than significant levels.

Wildfire

Based on substantial evidence, Section V.20 of the Initial Study identifies potential significant impacts pertaining to wildfire risks but concludes that impacts can be mitigated to less than significant levels.

Substantial Evidence

IMPACT WLD-a: If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the Project substantially impair an adopted emergency response plan or emergency evacuation plan.

The City of Perris, of which the Project site is a part, is located within and largely constitutes the eastern half of the Mead Valley Area Plan (MVAP) of the Riverside County General Plan. The Mead Valley land use plan, exclusive of the existing and future urbanized land use within the City of Perris, provides for a predominantly rural community with an equestrian focus located west/southwest of Interstate-215. As set forth in *Map My County*, the Project site is not located within a County Fire Hazard Zone, nor is it located in a state identified Fire Responsibility Area. Furthermore, the Project site is not located within a Wildfire Constraint Area, as depicted on Exhibit S-16, *Wildlife Constraint Areas*, of the City of Perris General Plan.

A limited potential exists to interfere with an emergency response or evacuation plan during construction. Construction work in the street associated with the Project will be limited to lateral utility connections (i.e., sewer) that will be limited to nominal potential traffic diversion. Control of access will ensure emergency access to the site and Project area during construction through the submittal and approval of a traffic control plan (TCP). The Initial Study concluded that implementation of PVCCSP EIR **Mitigation Measure MM Air 2** will prevent any impairment of adopted emergency response plans or emergency evacuation plans.

PVCCSP MM Air 2

Each individual implementing development project shall submit a traffic control plan prior to the issuance of a grading permit. The traffic control plan shall describe in detail safe detours and provide temporary traffic control during construction activities for that project. To reduce traffic congestion, the plan shall include, as necessary, appropriate, and practicable, the following: temporary traffic controls such as flag person during all phases of construction to maintain smooth traffic flow, dedicated turn lanes for movement of construction trucks and equipment on- and off-site, scheduling of construction activities that affect traffic flow on the arterial system to off-peak hour, consolidating truck deliveries, rerouting of construction trucks away from congested streets or sensitive receptors, and/or signal synchronization to improve traffic flow.

Finding

Implementation of **Mitigation Measure MM Air 2** will prevent traffic impacts during construction that could affect emergency access to the site. Therefore, the Project will not significantly impair adopted emergency response plans or emergency evacuation plans.

C. Effects Determined to Be Significant, Adverse, and Unavoidable

Based on data and analysis provided in the DEIR, it is concluded the proposed project could result in potentially significant adverse environmental impacts to the following environmental issues: Aesthetics, Air Quality, Biological Resources, Cultural Resources, Geology and Soils, Greenhouse Gasses, Hazards and Hazardous Materials, Transportation, Tribal Cultural Resources, and Wildfire. However, the EIR further determined these impacts could be reduced to less than significant levels by implementation of either program-level mitigation measures identified in the PVCCSP EIR, or project-specific mitigation outlined in the DEIR. All other potential impacts were determined to be no impact, less than significant, or less than significant with mitigation. The EIR also did not identify any significant contributions of the project to cumulative significant impacts with implementation of the project-level mitigation recommended in the EIR.

5. ALTERNATIVES

Alternatives Considered but Rejected

The General Plan currently designates the site for 15.7 acres of commercial uses (approximately 273,557 square feet based on a floor area ratio or FAR of 0.4). This typically becomes the “**No Project – General Plan**” alternative to be evaluated in the EIR. A variety of commercial uses were considered for the site. While it might be possible to place retail commercial uses on the eastern 3.9 acres of the site in Zone C1, it is problematic whether any type of standard retail commercial project would be consistent with the March ALUCP density criteria for the western 11.8 acres of the site.

Due to the ALUCP and AICUZ per one acre density limitations, any retail commercial space on the western portion of the site (11.8 acres) would have to be divided up and arranged in eleven (11) separate “units” with 5,750 square feet per acre (FAR 0.13) and two small restaurants on the eastern 3.9 acres. Even this limited physical arrangement would still constitute a “shopping center” which is not allowed within the APZ-II zone per AICUZ. For the purposes of this analysis, the term commercial could also apply to office uses depending on the number of employees generated per square foot. Due to the ALUCP/AICUZ limitations, there does not appear to be any feasible “all retail commercial” or “small offices” alternatives that could be developed on the project site. Compared to the proposed light industrial use, an “all retail commercial” alternative, could have different localized impacts, primarily potential health risks from more truck traffic relative to passenger vehicle traffic. However, the commercial square footage currently allowed under the General Plan, if developed as retail commercial uses, would have equivalent or greater regional impacts (e.g., traffic, air quality, airport safety) compared to the proposed light industrial use.

The only type of “all commercial” alternative that could be feasible is to place retail uses like a gas station and possibly a small restaurant at the northeast corner of the site, within the C1 zone (i.e., it is also the southwest corner of the Ramona Expressway/Perris Boulevard intersection). The rest of the site could be developed as one or more types of low occupancy commercial uses such as a car dealership, nursery, and/or public storage. Different combinations of these uses are considered under the “No Project – General Plan” Alternative. Several other “low intensity”

storage-oriented commercial uses that could meet the ALUCP/AICUZ limitations were also considered under the “No Project – General Plan” Alternative including truck parking/storage or equipment/materials storage. However, these would detract visually from this City “gateway”, so these two specific uses were not considered further. Additionally, in general, lower intensity commercial uses would not generate as many jobs as higher intensity uses. As previously stated, all of the potential “all retail commercial” or “mixed-use commercial/residential” alternatives were rejected as being infeasible due to ALUCP/AICUZ limitations.

In addition to all of the “all commercial” alternatives outlined above; several lower intensity mixed-use (commercial/residential) alternatives were considered. These alternatives would place retail commercial uses on 3.9 acres in the eastern portion of the site within the C1 zone and low or very low density residential in the western 11.8 acres of the site within the APZ-II zone. However, there were no mixed-use alternatives with medium or higher density residential uses that would meet the ALUCP/AICUZ density limitations. Although higher density residential uses may be consistent in terms of surrounding land uses, the size and location of the site, and especially the ALUCP/AICUZ density limitations, would preclude all but extremely low-density residential uses. Additionally, residential uses do not generate any additional long-term employment opportunities in the City. Therefore, no mixed-use commercial-residential alternatives were selected for more detailed analysis.

The only other non-residential or non-commercial alternatives that would not detract visually from this entry point to the City, provide added employment, and meet the other objectives of both the PVCCSP and the proposed project to some degree would be “lower intensity warehousing” (with retail at the northeast corner) and “low intensity business/office park” uses.

Alternatives Selected for Consideration

CEQA and the State CEQA Guidelines require an evaluation of alternatives to the proposed action. Section 15126.6 of the State CEQA Guidelines indicates that the “discussion of alternatives shall focus on alternatives capable of eliminating any significant adverse environmental effects or reducing them to a level of not significant...” The State Guidelines also state that “a range of reasonable alternatives to the Project which could feasibly attain the basic objectives of the project” and “The range of alternatives required in an EIR is governed by ‘rule of reason’ that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice.” The detailed analyses of the alternatives evaluated are provided in Chapter 5, Alternatives, of the DEIR. This evaluation addresses those alternatives for feasibility and range of alternatives required to permit decision-makers a reasoned choice between the alternatives.

The following evaluation also includes identification of an environmentally superior alternative as required by the State CEQA Guidelines. The three (3) alternatives were developed during review of the project with the City of Perris and include all components of the Project. No other plausible alternatives were identified during the review process for consideration in this DEIR.

No Project

One of the alternatives that must be evaluated in an environmental impact report (EIR) is the “no project alternative,” (NPA) regardless of whether it is a feasible alternative to the proposed project, i.e., would meet the project objectives or requirements. Under this alternative, the environmental impacts that would occur if the proposed Project were not approved and implemented are identified. The NPA assumes the property remains in its current state – vacant land.

With respect to the NPA, none of the project objectives are attained because no development is included as a part of the NPA. Development of the NPA alternative would result in the following impacts:

Similar Impacts to Project

- Mineral Resources (no resources)
- Agriculture and Forest Resources (no resources)

Lesser Impacts than Project

- Aesthetics
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Population and Housing
- Public Services – Fire, Police, Schools, and Parks
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems - Water, Sewer, Stormwater, Solid Waste, Electricity/Natural Gas
- Wildfire

Greater Impacts than Project

- Hydrology and Water Quality

Given the foregoing facts, as more fully delineated in the Project EIR, this City Council finds that the No Project Alternative is less desirable than the proposed Project and therefore rejects the alternative. Public Resources Code § 21081(a)(3); CEQA Guidelines, §15091(a)(3).

Alternative 1 - Commercial Use

The “No Project” alternative would implement the existing General Plan and PVCCSP designation on the site. This alternative includes development of a gas station with 4,500-square-foot convenience store and 16 vehicle fueling positions, 2,200-square-foot fast-food restaurant with drive-through window use in the northeast portion of the site to stay within the C1 zone. This alternative also includes the following two options for low intensity or low occupancy commercial uses on the rest of the site: (a) 1,374-unit Self-Storage Facility; or (b) 11.90-acre Nursery.

The Commercial Use Alternative would achieve the following PVCCSP-related objectives for non-residential development to a similar level as the proposed Project:

- Provides a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of community and region.
- Considers topographic, geologic, hydrologic, and environmental opportunities and constraints to create a design that generally conforms to the character of the land by retaining and utilizing basic, existing landforms, as much as possible.
- Provides additional employment opportunities for the current and future residents of the region and surrounding communities.

However, Alternative No. 1 would not generate nearly the same number of employees or revenues to the City based on the lower intensity of uses under either land use option of this Alternative. In addition, development of the Commercial Use Alternative would result in the following impacts:

Similar Impacts to Project

- Agriculture and Forest Resources
- Biological Resources
- Cultural Resources
- Geology and Soils
- Hydrology and Water Quality
- Mineral Resources
- Land Use and Planning
- Population and Housing
- Noise
- Tribal Cultural Resources
- Wildfire

Lesser Impacts than Project

- Aesthetics
- Energy
- Hazards and Hazardous Materials
- Public Services – Fire, Police, Schools, Parks
- Recreation
- Utilities and Service Systems - Water, Sewer, Stormwater, Solid Waste, Electricity/Natural Gas

Greater Impacts than Project

- Air Quality
- Greenhouse Gas Emissions
- Transportation-VMT

Given the foregoing facts, as more fully delineated in the Project EIR, this City Council finds that the Commercial Use Alternative is less desirable than the proposed Project and therefore rejects the alternative. Public Resources Code § 21081(a)(3); CEQA Guidelines, §15091(a)(3).

Alternative 2 - Lower Intensity Industrial.

This alternative would have 290,000 square feet of only high cube warehousing, not general warehousing, located in the central and western portions of the site. This alternative would have 83% of the floor area compared to 347,918 square feet for the proposed Project. This alternative would also have retail commercial (a gas station and one small restaurant pad (as described under Alternative 1) in the northeast portion of the site.

The Lower Intensity Industrial Alternative would achieve the following PVCCSP-related objectives for non-residential development to a similar level as the proposed Project:

- Provides a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of community and region.
- Considers topographic, geologic, hydrologic, and environmental opportunities and constraints to create a design that generally conforms to the character of the land by retaining and utilizing basic, existing landforms, as much as possible.
- Provides additional employment opportunities for the current and future residents of the region and surrounding communities.

Alternative No. 2 would generate an equivalent number of employees revenues to the City based on the proposed uses under this Alternative compared to the project. In addition, development of the Lower Intensity Industrial Alternative would result in the following impacts:

Similar Impacts to Project

- Aesthetics
- Agriculture and Forest Resources
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Land Use and Planning
- Population and Housing
- Public Services – Fire, Police, Schools, Parks
- Recreation
- Utilities and Service Systems - Water, Sewer, Stormwater, Solid Waste, Electricity/Natural Gas
- Tribal Cultural Resources
- Wildfire

Lesser Impacts than Project

- None

Greater Impacts than Project

- Air Quality
- Greenhouse Gas Emissions
- Transportation-VMT

After careful consideration of the analysis in the EIR, the City Council requested information on the Lower Intensity Industrial Alternative as the Council considered it more desirable than the proposed Project (see Findings Section II., Subsequent Consideration of Alternative 2.) Public Resources Code § 21081(a)(3); CEQA Guidelines, §15091(a)(3).

Alternative 3 – Low Intensity Business/Office Park

This alternative would have 76,920 square feet of lower intensity business park/office uses in 4 buildings in the central and western portions of the site. This alternative would also have retail commercial (a gas station and one small restaurant pad as described under Alternative 1) in the northeast portion of the site).

The LIBOP Alternative would achieve the following PVCCSP-related objectives for non-residential development to a similar level as the proposed Project:

- Provides a development plan of superior environmental sensitivity including a high quality of visual aesthetics, suppression of noise, protection of health and safety, and the promotion of community and region.
- Considers topographic, geologic, hydrologic, and environmental opportunities and constraints to create a design that generally conforms to the character of the land by retaining and utilizing basic, existing landforms, as much as possible.
- Provides additional employment opportunities for the current and future residents of the region and surrounding communities.

Alternative No. 3 would generate slightly fewer employees and lower revenues to the City based on the proposed square footage of uses under this Alternative. In addition, development of the Low Intensity Business/Office Park Alternative would result in the following impacts:

Similar Impacts to Project

- Agriculture and Forest Resources
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Mineral Resources
- Land Use and Planning
- Population and Housing
- Public Services – Fire, Police, Schools, Parks
- Recreation
- Utilities and Service Systems - Water, Sewer, Stormwater, Solid Waste, Electricity/Natural Gas

- Tribal Cultural Resources
- Wildfire

Lesser Impacts than Project

- Aesthetics

Greater Impacts than Project

- Air Quality
- Greenhouse Gas Emissions
- Transportation-VMT

Given the foregoing facts, as more fully delineated in the Project EIR, this City Council finds that the Low Intensity Business/Office Park Alternative is less desirable than the proposed project and therefore rejects the alternative. Public Resources Code § 21081(a)(3); CEQA Guidelines, §15091(a)(3).

Summary

The **No Project Alternative** has “no impact” for most environmental issues except aesthetics and hydrology from leaving the site undeveloped (but impacts are still less than significant).

Either optional land use of the **Commercial Use Alternative** would have impacts that are slightly greater than the Project for air quality, GHGs, and transportation-VMT (mainly due to the presence of the gas station and restaurant) but only the Self-Storage Facility Option of this alternative would have significant impacts (NOx emissions). The rest of the impacts would be equal or less than those of the Project and would also be less than significant.

The **Lower Intensity Industrial Alternative** would have impacts that are slightly greater than the Project for air quality, GHGs, and transportation-VMT, mainly due to the presence of the gas station and restaurant and would have significant air quality impacts related to NOx emissions. The rest of the impacts are similar to those of the Project (less than significant or no impact).

The **Low Intensity Business/Office Park Alternative** would have most impacts similar to those of the Project (less than significant or no impact) except for aesthetics which is less than the Project and also less than significant. However, air quality (NOx emissions) and greenhouse gas emissions would exceed established standards and be significant.

Based on the above, the **Lower Intensity Industrial Alternative (“Alternative 2”)** is the **environmentally superior alternative** because its impacts are equivalent to those of the proposed Project. This alternative also meets the Project Objectives to a much greater degree than either the Commercial Use Alternative or the Low Intensity Business/Office Park Alternative but still not as well as the proposed Project.

II. Subsequent Consideration of Alternative 2

The City Council first evaluated the proposed Project and EIR on July 22, 2022. At that time, the Council directed staff to provide supplemental information on Alternative 2 which was preferred by Council over the proposed Project evaluated in the EIR. In June 2023, a document entitled

Additional Alternatives Information for Perris Valley Commerce Center Specific Plan, Amendment No. 13 (SPA19-05287) was submitted to the City to provide staff and the City Council more detailed analysis of Alternative 2, now referred to as the “Expressway Commerce Center”, from the EIR. This document was accompanied by a revised site plan that showed less light industrial square footage on the central and western portions of the Project site and 2 acres of commercial uses in the eastern portion of the site adjacent to Perris Boulevard and just south of Ramona Expressway.

The currently proposed Site Plan for Alternative 2 would have 304,572 square feet of warehousing, which includes 20,000 square feet of office area on approximately 13.5 acres in the central and western portions of the site plus 6,960 square feet of commercial uses on 2 acres in the eastern portion of the site. This site plan is generally consistent with the development characteristics of the Alternative 2 described and analyzed in the EIR.

The DEIR determined the Lower Intensity Industrial Alternative 2 would have impacts that are slightly greater than the Project for air quality, greenhouse gas emissions, and transportation-VMT, mainly due to the presence of the gas station and restaurant. The rest of the impacts are similar to those of the Project (less than significant or no impact). When compared to the other alternatives evaluated in the DEIR, the DEIR also concluded the Lower Intensity Industrial Alternative was the Environmentally Superior Alternative because its impacts are equivalent to those of the proposed Project. The EIR also found that alternative also met the Project Objectives to a much greater degree than either of the other alternatives.

As evaluated in *Additional Alternatives Information for Perris Valley Commerce Center Specific Plan, Amendment No. 13 (SPA19-05287)*, the new proposed Alternative 2 Site Plan is similar to the development characteristics except it does not have a gas station and instead has more commercial uses. The additional information provided in that document and its supporting technical analyses conclude the potential environmental impacts of the new Alternative 2 Site Plan would be similar to or less than those identified for the Lower Intensity Industrial Alternative 2 in the DEIR and similar to those of the original proposed Project evaluated in the DEIR.

Therefore, the City may select the new proposed Alternative 2 Site Plan as equivalent to the DEIR Alternative 2 in terms of characteristics and impacts. Certification of the PVCC SPA13 EIR and selection of the new proposed Alternative 2 Site Plan would comply with the requirements of CEQA and not require a Statement of Overriding Considerations (SOC) because the preceding analysis has demonstrated the new proposed Alternative 2 Site Plan would result in no significant environmental impacts after mitigation, similar to the conclusion for the Project demonstrated in the PVCC SPA 13 EIR.

The City Council hereby finds that the PVCC SPA No. 13 Project, which is a slightly modified version of EIR Alternative 2, Lower Intensity Industrial, will not have significant and unavoidable impacts on the environment with implementation of identified mitigation measures from the PVCCSP EIR as well as project specific mitigation identified in this EIR. The City Council further finds that no other feasible alternative exists that both would provide all of the foregoing benefits to the public and substantially reduce environmental impacts when compared to the currently proposed project (i.e., EIR Alternative 2). Therefore, the City Council hereby adopts a slightly modified version of Alternative 2 in lieu of the original EIR proposed Project.